Patent: for any new and/or useful invention, gives the owner of the invention exclusive commercial rights for a limited time, while still giving the public access to detailed information about the invention for further research.

Copyright: provides economic rights for creative works and live performances – protects expression of an idea. No formal register exists, and it can be time-consuming to determine copyright holders.

Trademark: a specific symbol (word, phrase, shape, colour, etc) used to distinguish one type of good and/or service from another.

The creator of the IP is usually the owner. However, if the creator has performed work under contract or have specifically signed away their rights to the IP, the contract holder is the owner.

Implementing an IP plan

* Provide plan objective
* Implement strategies that address all areas of the IP policy
* Secure commitment executive and corporate commitment
* Include authority structure – levels of scope and discretion when dealing with IP issues
* Implement IP issue awareness strategies
* Include sources for additional information
* Review IP plan

Access to source code should be restricted if you are releasing third-party software with still-active support.

IP valuation to be used when a company’s use of IP will be used on a large, potentially legally messy scale.

* Determine scope of valuation (IP to be considered, legal rights, purpose of valuation such as financial reporting, people to consider)
* Information gathering – for each stage of the valuation
* Valuation and reporting – asset valuation, stage of IP development, etc
* Valuation report – clear and well formatted

Open-source software is software where the source code is publicly available to view and modify.

* Attribution-style licences
  + software is available to modify, but attribution to original creators/copyright holders must remain intact
* Copyleft licences
  + free-use, provided a copy of licence & source code is distributed with the software, changes are documented, and modified software is covered under the same terms.

Types of IP rights:

* Sole ownership – a single owner controls the IP, advantage where IP has strategic or whole-of-government importance, disadvantage where additional costs from inability to re-use or re-sell contract material
* Joint ownership – more than one entity manages the IP. If no agreement exists, shaped by legislation