



Understanding IP

Managing IP in organisations

Main principles of IP management

- ✓ Identify and track IP assets
- ✓ Protect IP assets
- ✓ Comply with IP laws
- ✓ Stop IP infringement



Approaches to IP management

Centralise management

Policies/ Procedures

IP register/systems

- ✓ Review often
 - New activities
 - Tracking activities
 - Tracking metrics
- ✓ Review and mitigate risks
 - Identify assets/Ensure secrecy
 - Educate stakeholders
 - Plan for IP protection

Processes for IP management

1. Review **adherence** to policies and principles
2. Measure **understanding** through training sessions, quizzes and questionnaires.
3. Identify IP **issues and risks** through analysis and in-person sessions.

Compliance Strategies

Intranet searches

Team meeting reminders

Staff learning and development



IP policies

Intellectual Property Policy elements

Purpose - rights, roles and responsibilities of stakeholders in relation to intellectual property

Scope – lists stakeholders policy applies to

Applicable Legislation – specifies Patent Act 1990, Designs Act 2003, Copyright Act 1968 and any regulations

Definitions – explains key terms

Responsibility – lists key stakeholders and their responsibilities

Policy Statement – outlines the policy

- Specific creators and works
- Assignment of Intellectual Property Rights
- Protection and Commercialisation of Intellectual Property
- Attribution
- Dispute resolution

Communication – details steps undertaken such as announcements, notifications, publications, digital distribution

Implementation – details steps undertaken such as publication, inductions, training sessions

Copyright policy elements

Purpose - establishes a framework for managing the use of third-party material within an organization and its staff in compliance with the law

Scope – lists stakeholders policy applies to

Applicable Legislation – specifies Copyright Act 1968 and any regulations

Definitions – explains key terms

Responsibility – lists key stakeholders and their responsibilities

Policy Statement – outlines the policy

- Communication and information provision (commitment to stakeholders)
- Prevention and risk mitigation (assigning responsibilities, centralizing management, providing support and training)
- Compliance and breach management (compliance with the Act, statement that copyright cannot be breached, copyright take-down procedure)

Communication – details steps undertaken such as announcements, notifications, publications, digital distribution

Implementation – details steps undertaken such as publication, inductions, training sessions

IP risks

IP and Privacy risks

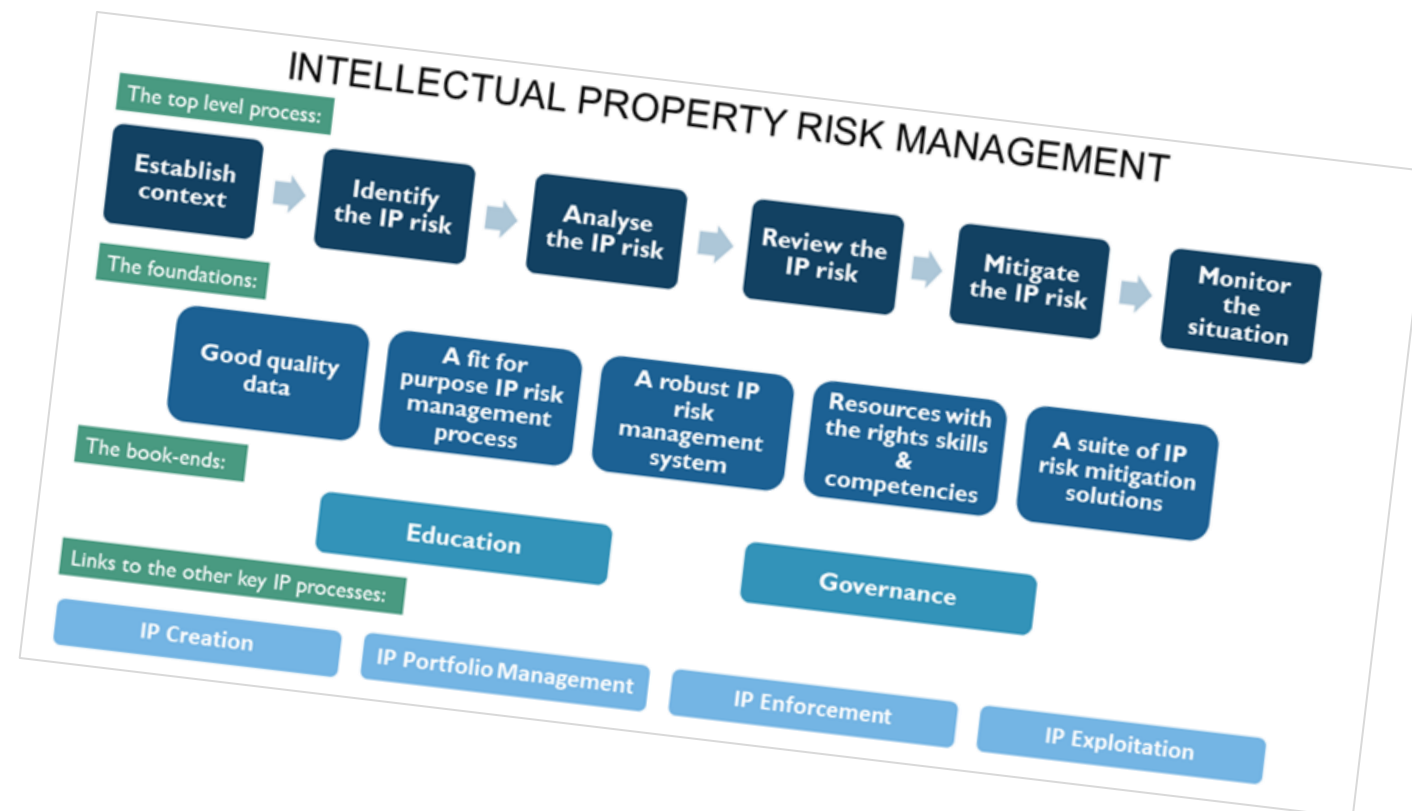


Organizational IP Risks

- ✓ Risk of theft of trade secret
- ✓ Copyright issue with images
- ✓ Standards Setting Organization changing policies with Essential Patents
- ✓ Counterfeit products reported
- ✓ Trademark issue in foreign language jurisdictions
- ✓ Domain name issues with new extensions
- ✓ Inventor dispute
- ✓ Concerns about infringing 3rd party patents
- ✓ Concerns about Trademark issues in sectors
- ✓ IP Assertion letter
- ✓ Issue with the IP provisions in Collaboration Agreement

IP Risks in virtual environments

- ✓ Reproducing content without permission - Copyright)
- ✓ Using similar logos or brand names without permission - Trademark)
- ✓ Unauthorized use of designs or artwork (Designs, copyright)
- ✓ Potential data leaks of sensitive information (IP, Privacy)



IP risk management

IP risk management

1. **Identify** IP threats to the organization. Review the **vulnerability** of critical IP assets.
2. Determine the **consequences** of IP threats.
3. Determine ways to **mitigate** the IP risks. **Implement measures** based on the overall IP strategy.
4. **Review** approach



IP register

Details of all IP assets created and owned by the organization including:

- ✓ Patents, registered designs, registered trademarks
- ✓ Documented agreements
 - use of material within the organization created by others (licensing agreements)
 - use of IP created and owned by the organization (licensing agreements)
 - ownership of IP created within the organisation (employment or assignment agreements)

Financials	✓	▼	SRA ...	Title	IP/ PIP/...	Nature IP Rights	IP Category	IP Ownership
Intellectual Property	✓	^	2016/000_BIP1	Test case BIP	BIP	2. Confidential informati	DATA	Sugar Research Australia Limited - 100.00%
IP Records	(7)		2016/000_PIP1	Test for time zone devic	PIP	5. Patent	DEVICE (Sensor)	Horticulture Innovation Australia Ltd - 50.00%, Sugar Research
Related SRA Projs	(1)		2016/000_PIP2	Test2 variety	PIP	6. PBR	PRODUCT, BIOLOG	CSIRO - 50.00%, Sugar Research Australia Limited - 50.00%
Other	✓	▼	2016/000_PIP3	Project IP Tester	IP Asset	4. Design	DEVICE (Tool)	Sugar Research Australia Limited - 70.00%, CSIRO - 30.00%
User Defined	✓	▼	2016/000_PIP4	Project IP Tester2	IP Asset	3. Copyright	DEVICE (Tool)	Sugar Research Australia Limited - 70.00%, CSIRO - 30.00%
			2016/000_PIP5	Project IP Tester3	PIP	2. Confidential informati	DEVICE (Tool)	Sugar Research Australia Limited - 70.00%, CSIRO - 30.00%
			2016/000_TPIP1	Third Party test SOP of	TPIP	3. Copyright	DOCUMENT	

Key IP register elements

1. Application or registration number
2. Names of the owner(s)
3. Description of the item
4. Date of filing
5. Type or classes of IP protection registered
6. Dates, deadlines including renewals
7. Location of IP (related designs, documents, etc)
8. Copies of related agreements
9. Details of related activity (evidence via activity or financial logs)

Dispute resolution for IP

1. Grievance process (staff/policy issues)
2. Assertion/take-down notices
3. Legal process

Any Questions?