

I.P. STRATEGIES FOR FUTURE BUSINESS

- David Higginbottom, Principal Consultant

Generally my experience is that I.P. in Australia has been very neglected, and it only becomes important when people focus on the medical, science, mineral exploration, marine biology and other areas where there are obvious benefits to be gained from know-how, and know-how becomes the central core business of the business being promoted or launched on the Stock Exchange.

All businesses, no matter what their background, develop know-how. They develop this through the following means:

- 1. Developing policies and templates** to conduct company business appropriately, and in a time and cost-effective manner.
- 2. Protecting themselves from infringement of other organisations' I.P.**, licensing rights etc.
- 3. Identifying new systems and new ways of doing things** – i.e. know-how. This includes manuals, protocols, processes, training programs, rules, regulations, software, photographs, databases, marketing and promotion material, reports and documented procedures for handling customer complaints, research, competitive marketing intelligence and methods of collecting this, syndicated ways to compiling market share, new Q.A. systems etc.
- 4. Legal and business based documentation** that protects I.P. and business commercialisation systems such as confidentiality agreements, written material disclosing market information, market directions and strategies, systems designs, drawings and designs, layouts etc.
- 5. Developing brands, proprietary CD-roms, video or other multimedia** and electronic processes, procedures, templates, assessment material, logos, trademarks, catalogues, promotional and marketing material designs, icons, etc.
- 6. Ancillary business equipment or materials** that lead to cost effectiveness, improvement in operations, better bottom line results, or protection against competitors, reduction of risk management etc.
- 7. Development of licensing or royalty based products/ services.**



8. **Registration of copyright in business innovation and product designs, patents and trademarks.**
9. **Specific contracts and procedures** such as employment contracts, job descriptions, performance reviews, systems procedures (e.g. chemical development), methods or procedures for handling online registrations and databases, Web contact, online business, technology, templating and designs.
10. **Systems for dealing with outsourced people and organisations.**
11. **Structures and strategies** for recognising, recording, valuing and costing, and protecting I.P. for the I.P. register.
12. **Monitoring and evaluation systems** to protect I.P. in the interests of the business entity.
13. **Other areas of I.P. that you can contribute to.**

These are just some of the ways in which I.P. is created.

No matter what we do, we create know-how and better systems over time. Many of these can be replicated through other industries, to industries without systems that would normally cost money to create, and to those who are anticipating “getting into business” with us or others in the market place.

For this reason, I.P. strategies and I.P. structures are essential.

Rather than thinking of them at the end of time when I.P. has become a problem, or even a tax cost, we should be anticipating that we will create know-how and develop proactive systems, procedures and practices for handling this achievement.

