



intellectual property

if you're not **protecting your intellectual property**, you're opening yourself to competitors and copycats

intellectual property is an asset that should be part of any business strategy

Whether it's trade marks, designs, patents, trade secrets or copyright, IP is what makes your business special and stand out from everyone else. You need to protect and enforce it to maintain your position in the market.

Our award winning IP lawyers help businesses harness and exploit the value of their intellectual property.

They're advisors who look at where IP fits into your overall business strategy and how to make it work for you. Whether you need to licence IP to a third party, file a trade mark application in China or stop copycats, the team uses its experience to ensure you're protected.

our promise is – law fit for business

- Relationships with our clients come first. We value you and your business.
- We give you recommendations, not just options, and advice you can act on.
- We understand your industry and the bigger picture your business operates in.
- We talk straight and are flexible in how we work with you so you can get on with the job.
- We're upfront with fees so there are no surprises. We want your investment to deliver the returns you're seeking.

our services

- Application and competitor watching services
- Australian Border Force notices of objection (customs watches)
- Brand, product and technology licensing
- Business names
- Confidential information and trade secrets
- Copyright, trade marks, patents, designs
- Counterfeit goods
- International IP protection
- IP creation and assignments
- IP litigation and dispute resolution
- IP ownership consolidation and transfer
- IP reviews and audits
- IT software and internet advice
- Parallel (grey) import strategies
- Plant breeders rights
- Portfolio management
- Registration and renewal of IP rights
- Social media, domain names and cybersecurity

recent experience

defending local salumi maker's trade mark

We successfully defended Borgo Salumi against an attempt by an Italian salumi manufacturer to stop our client from registering its trade mark in Australia. The Italian firm, A.I.A. Agricola Italiana Alimenare claimed our client's trade mark was too similar to its own. We showed the two trade marks were not similar and the Australian Trade Marks Office dismissed AIA's case, allowing Borgo to use its trade mark.

consolidating ip strategy after audit

Our client, a communications company, was undergoing a restructure and asked us to conduct a full audit of its intellectual property. We identified the IP and developed a strategy to isolate it in appropriate companies. Our ability to simplify complex transactions enabled the client to achieve its goal of restructuring its corporate group, consolidating its IP into appropriate entities and minimising any tax issues associated with the movement of the IP.

beefing up gym's ip

Macpherson Kelley assisted leading US fitness centre franchise Planet Fitness, Inc. to establish a presence in Australia, laying the groundwork for an expansion across the country. We advised Planet Fitness on all legal issues around entering the Australian market, including effective management of its intellectual property assets. We created an intercompany licence for Planet Fitness's IP to enable the Australian head franchisor entity to create new franchises. We also prepared an interim licence to permit existing gyms in Australia to continue to use the company's IP while either converting to a non-Planet Fitness gym or while arranging to become a Planet Fitness gym. All Planet Fitness IP was analysed by the firm and we advised on future strategy for ongoing protection, including filing of further trade mark applications.

our team



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