



Intellectual Property

By Baldwins Intellectual Property

Established in 1896, Baldwins is a leading provider of intellectual property (IP) services globally. Our mission is to help you achieve and maintain a competitive advantage when taking your business to the world by protecting, commercialising, and enforcing your IP assets in whatever market you choose.

Whether you're an established business or just starting out, we will work with you to understand your strategic objectives and provide pragmatic, cost-effective advice specific to your needs.

Our strength lies in tapping into the diversity of our people to provide you with a multi-disciplinary team of IP experts to successfully manage IP issues in regional and global markets, for businesses of all sizes, across all industries.

Our highly skilled teams have the ability to understand your product or service and ensure your IP portfolio is comprehensive, fit for purpose, and well managed.

Taking your ideas to the world

Exporting presents a huge opportunity for growth, providing access to new and potentially more lucrative markets around the world.

If your product or service is based on IP that has taken time and money to develop, it is important to protect it, both in New Zealand and abroad. If it is carefully protected, it can form a powerful barrier to competitors, but if it is stolen or disclosed without your permission, your entire business may be put at risk.

Even though a new business may protect its IP in New Zealand as a matter of course, this provides little protection beyond our shores. International protocols mean it may be possible to protect and enforce your IP rights with many of New Zealand's trading partners, but unless you have protected your IP in that specific country, you could be left without recourse.

Even if you're not intending to export straight away, having overseas IP protection for your invention, design, or brand helps preserve your ability to do so in the future. This may also open licensing opportunities if you decide to export the IP rather than the product itself.

Remember that you should also make sure that you are able to release your product or service in the countries of interest to you. If you are unable to obtain protection it is possible that someone else may have done so already. The key factor is to understand the IP risks and protections that exist, not only at home, where you manufacture your goods, but also wherever you aspire to sell in the future.

Understanding the risks and developing an IP strategy for expansion will put you on the best path possible for business success.

What is IP?

IP is the legal right to protect ideas and inventions that are unique to a business. In effect, IP is the property of the mind or proprietary knowledge. These rights ensure you get the full economic benefit from developing your distinctive brands, ideas, or products. Your IP can be a totally new concept or invention, an innovative design, a distinctive brand, or a combination of all three.

Whatever form your IP takes, it is one of your most important business assets - it is what differentiates you from your competitors, and even though it is an intangible asset, it has a very tangible value. Therefore it makes sense to protect this valuable asset from being used by other individuals or businesses.

Benefits of IP to your business

Establishing IP protection for your goods, services, or brand is important for a variety of reasons as it can:

- establish a right to, and ownership of, your original ideas so you can profit from them;
- prevent competitors from copying or closely imitating your products or services;
- protect the distinct identity, image, and reputation of your business; and
- build customer trust and loyalty by establishing an identifiable brand name or reputation.

IP is rising

Worldwide filings for patents, trade marks, and industrial designs are reaching record heights. Innovators around the world filed 3.17 million patent applications in 2017, a record number. Trade mark applications rose by 26.8 percent in 2017 to approximately 9.11 million covering 12.39 million classes, and worldwide industrial design



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