

Why seek patent protection for your R&D – is it worth all the effort?

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About DCC

History of the firm dates
back over 140 years!

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DCC has a long standing relationship
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2023 Australian
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What is intellectual property (IP)?

Content of human intellect deemed to be unique and have sufficient actual or perceived **marketplace value** to warrant **protection under the law**.



What is intellectual property (IP)?

It's a property right – a bit like a title to a plot of land!

- sell
- lease/rent
- stop trespassers



What is intellectual property (IP)?

So if you have the intellectual component, the "I", how do you turn that into a property right, how do you get the "P" into "IP"?

The legal system has been developing mechanisms to help do just that since the 1600's!

Modern legal mechanisms for protecting intellectual property rights include **designs**, **trade marks**, **copyright**, **confidential information (CI)**, **patents**, **plant breeder's rights** and **circuit layouts**.

What is intellectual property (IP)?

There is no prohibition against copying.....

unless what you are copying has an associated property right.

 **Polaroid** VS



\$1B

 **apple** VS



\$B++



VS



\$200M+

What is intellectual property (IP)?

Plain and simple - **IP is a business tool**

- IP can be licensed or sold just like real estate
- IP can function as a deterrent to competitors
- IP can help attract investment or secure grant funding
- IP can enhance the sale price of a business
- IP can be used as a bargaining tool in business deals
- IP can be used to foster relationships
- IP provides a means to take legal action against infringers
 - not actually a common occurrence

So is it worth trying to patent your R&D?

Yes or possibly No – it depends on the circumstances

- is there an actual or likely commercial outcome?
- is the commercial outcome expected to have longevity?
- can the R&D be copied?
- if the R&D was copied would it adversely effect the commercial outcome?
- who are the parties that have a stake in the R&D?
- are you likely to seek investment funding?
- cost vs reward!

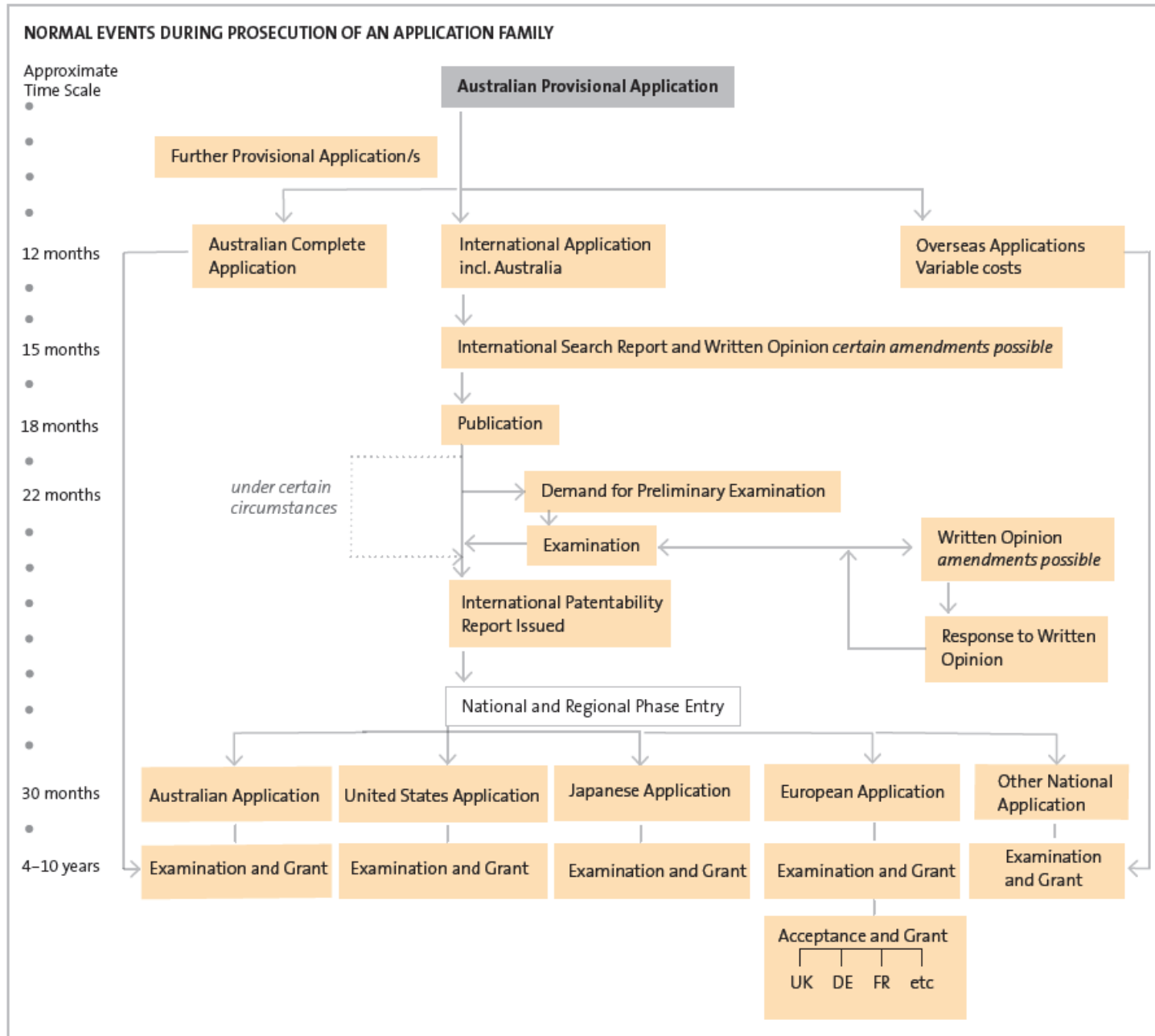
TOP tip if you are thinking about filing a patent

- To preserve the broadest scope of protection you need to file a patent application **BEFORE** the invention is publically disclosed or commercially exploited.



- Don't forget you can file today and publish tomorrow!
- Engage with your commercialisation managers or patent attorney as early as possible to keep all your options open.

Australian and Overseas Patents



Thank you

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