

Intellectual Property Checklist



Use this checklist to help you identify your IP assets

Key: R = IP registered with a national IP office like IP Australia. U = Unregistered IP.

| HAVE YOU GOT THIS? | TYPE OF IP | YES | NO | STEPS YOU CAN TAKE |
|------------------------------------|---|-----|----|--|
| Business or trading name | Trademark (R or U) | | | Before trying to register your name with IP AUSTRALIA, first use an online search engine to check no one else is using this business name or has one that looks or sounds similar. |
| Logo | Trademark (R or U) | | | If you're commissioning a graphic designer to make you a logo, first check it's unique and can be registered. |
| Customer database | Copyright and/or confidential information (U) | | | Limit access to any customer databases you may have and change passwords regularly. |
| Website content | Copyright and/or confidential information (U) | | | Don't put confidential information on public websites. |
| Algorithms or software code | Copyright (U) | | | There is copyright not only in software code but also in database structures and screen layouts/graphical user interfaces. Make sure ownership of all forms of copyright is clear. |
| New packaging design | Design (R) | | | Have a confidentiality agreement in place before discussing your design with anyone. |
| Advertising or signage | Trademark and/or copyright (R and U) | | | If you haven't registered your logo with IP AUSTRALIA, add the TM symbol. If you have, use ®. |
| Photos or imagery | Copyright (U) | | | If you're getting a photographer to take pictures for you, make sure you get in writing that you own the images – not them. |
| Goods | Trademark (R or U) | | | Check your sales agreement to make sure your supplier is legitimate. |
| Slogan | Trademark (R or U) | | | Check no one else is using your slogan by running it through an online search engine. |
| Secret recipe | Trade secret (U) | | | If you're sharing your recipes with staff, you can try and prevent them from telling your competitors by including a clause around this in their employment agreements. |
| Invention (new product or process) | Patent (R) | | | Don't tell anyone about your idea. If you have already, don't give up hope because you might still be able to assert some rights. |
| Employment agreements | Confidential agreements (U) | | | Never rely on a handshake. Make sure all documents are signed by the founders, employees or any third-party service providers. |