

# Registration Form / Tax Invoice

CRICOS Provider No: 00098G

ABN: 57 195 873 179

I would like to attend

Title Mr/Mrs/Miss/Ms:

First Name: \_\_\_\_\_

Last Name: \_\_\_\_\_

Firm/Organisation: \_\_\_\_\_

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

## Intellectual Property in the Commercial Context

Thursday 12 February 2009

8.45am-12.45pm

Grace Hotel, 77 York Street, Sydney

Course cost includes tuition, materials and refreshments  \$352

I cannot attend but please provide the papers  \$165

Total Price includes GST **Total \$**

### Payment Options

I enclose a cheque **payable to "CLE, UNSW"**,

or Payment by credit card  Mastercard  Visa

*We do not accept American Express*

Card number: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Expiry date: \_\_\_\_\_ / \_\_\_\_\_

Cardholder's name: \_\_\_\_\_

Signature: \_\_\_\_\_

Please return this registration form with your payment to:

**CLE,  
Faculty of Law,  
UNSW, Sydney  
NSW 2052.**

Tel: (02) 9385 2267 or (02) 9385 2195

Fax: (02) 9385 1155 or (02) 9385 1778

Email: [cle@unsw.edu.au](mailto:cle@unsw.edu.au)

Website: [www.cle.unsw.edu.au](http://www.cle.unsw.edu.au)

**Programme Variation:** The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.

**Cancellation Policy:** Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.

**Privacy note:** The information you have provided on this form will only be used by UNSW to distribute information about University courses and activities to you.

Office Use Only:

Rec'd

Inv No.

Auth No.

Printed on recycled paper



**Mixed Sources**  
Product group from well-managed  
forests, and other controlled sources  
[www.fsc.org](http://www.fsc.org) Cert no. SCS-COC-00787  
© 1996 Forest Stewardship Council



THE UNIVERSITY OF  
NEW SOUTH WALES

FACULTY OF LAW  
CONTINUING LEGAL EDUCATION

**CLE/CPD**

# Intellectual Property in the Commercial Context

Thursday 12 February 2009

8.45am-12.45pm

Grace Hotel, 77 York Street  
Sydney

[www.cle.unsw.edu.au](http://www.cle.unsw.edu.au)

## Audience

- Intellectual Property specialists
- Commercial Lawyers
- Patent attorneys and trademark specialists
- Corporate counsel
- Mergers and Acquisition practitioners
- Venture Capital and Private Equity advisors
- Company Directors and Secretaries
- Commercial or legal officers
- Licensing executives
- Solicitors in General Practice

## Objective

The seminar presented by leading IP practitioners will provide insight into intellectual property issues in a commercial context. In the current climate IP is an important focus for management in transactions and maximizing balance sheet strength.

A practical examination of key the issues encountered in a transactional context will be of assistance to you in relation to bringing greater value to commercial clients' matters. This seminar explores the key aspects of documenting and financing IP deals, licensing IP, protection of Trademarks and other important IP. This is an important seminar for commercial practitioners in today's environment.

**CLE/CPD Points:** Four (4)

## About CLE/CPD

The CLE/CPD programme is an important link between the Law School at UNSW and the professional community. The programme consists of a series of quality short courses assisting lawyers, accountants, financial planners, executives and other professionals whose work demands up-to-date knowledge of, and skills in, the relevant areas.

# Intellectual Property in the Commercial Context

Thursday 12 February 2009

## 8.45am Introduction

**Chair:** Paul SAVAGE, Partner Freehills

## 8.50am

### Topic 1: Essential IP Issues in Documenting a Deal

**Speaker:** Rodney De BOOS, Partner  
Davies Collison Cave Solicitors

- A strategic approach
- Structuring the deal appropriately
- Using appropriate terminology
- Ownership
- Scope of rights granted
- Standards of performance
- Obligations regarding maintenance
- Rights of enforcement
- Termination provisions
- Trade Practices Act and Patents Act (eg. tying and rpm)

## 9.45am

### Topic 2: Benchmarking, Structuring and Negotiating Financial Terms of IP Licences

**Speaker:** Rob McINNES, Partner  
Spruson & Ferguson Lawyers

- financial modeling of a commercialisation opportunity
- finding comparable transactions and benchmarking deal terms

- planning for and negotiating for a favourable outcome
- avoiding drafting pitfalls to ensure full value from an IP licence

## 10.40am Morning Tea

## 11.00am

### Topic 3: Trade Marks: "Reading between the lines – Just what is the law on parallel imports?"

**Speaker:** Scott SLOAN, Partner, Dibbs Abbot Stillman

- Review of the current case law: what does it really stand for?
- Global corporate and branding groups;
- Common commercial strategies;
- How does other IP affect the situation?

## 11.55am

### Topic 4: Key Trade Mark Issues: Registration and Infringement

**Speaker:** Scott BOUVIER, Partner  
Mallesons Stephen Jaques

Case study: –

*Barefoot Wine vs Barefoot Radler Beer*

- What is a trade mark?
- Is a mark deceptively similar?
- Are goods of the same description?
- When is a trademark used?
- Removal for non use

## 12.45–1pm Questions – Close

For more information visit our website: [www.cle.unsw.edu.au](http://www.cle.unsw.edu.au)