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IP Commercialisation: The Key Legal Issues

Wednesday 27 July 2016 • 1.30pm–5.30pm
UNSW CBD Campus, Level 6, 1 O’Connell St Sydney
Course cost includes tuition, materials and refreshments $440
I cannot attend please provide the papers cost $165

IP Fundamentals Series: Law of Trade marks

Thursday 28 July 2016 • 1.30pm–5.30pm
UNSW CBD Campus, Level 6, 1 O’Connell St, Sydney
Course cost includes tuition, materials and refreshments $440
I cannot attend please provide the papers cost $165

Please return this registration form with your payment to:
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**IP Commercialisation: The Key Legal Issues**

**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**
This seminar will investigate advanced practice in Intellectual Property Commercialisation, including finance options and licence negotiations. The important link between IP and cloud computing will also be analysed.

**CPD Points Four (4)**

**IP Fundamentals Series: Law of Trade marks**

**Audience**
- Solicitors in general practice
- In house counsel
- School principals and administrators
- Commercial lawyers
- Intellectual property lawyers
- Family lawyers
- Business managers

**Objective**
This seminar will provide an overview of the foundations of trademark law in order to primarily assist lawyers who may encounter issues relating to trademarks but do not have a formal intellectual property background. This installment of our IP Fundamentals Series will also be of interest to young lawyers looking to diversify their skillsets, IP lawyers looking to refresh their knowledge and non-lawyers with an interest in protecting and promoting their intellectual property.

**CPD Points Four (4)**

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**IP Commercialisation: The Key Legal Issues**

**Wednesday 27 July 2016 • 1.30pm–5.30pm**
**UNSW CBD Campus, Level 6, 1 O’Connell Street, Sydney**

**1.30pm** Welcome and introduction
**Chair:** Frank FOTEA, General Counsel, UNSW Innovations

**1.35pm** Topic 1: Data as a new form of IP?
**Speaker:** Mark VINCENT, Principal, Shelston IP
- The increasing recognition of data as a new asset class and its destination on the balance sheet as an intangible asset
- Making sure data collection, use and management drives value and enhances a brand rather than being a compliance risk
- How lawyers protect data assets: copyright, contract and confidential information
- Dealing with unauthorized access, best practice in dealing with data breach to avoid serious brand impact

**2.30pm** Topic 2: The role of venture capital and other finance options in IP Commercialisation
**Speaker:** Richard HORTON, Partner, Squire Patton Boggs
- Negotiating key terms in angel and venture finance transactions for Australian startups with global aspirations
- Key issues facing founders
- Key considerations driving choice of investor and deal structure
- Understanding imperatives of later stage Silicon Valley and other global investors

**3.25pm** Afternoon Tea

**3.40pm** Topic 3: Negotiating Royalty in an Intellectual Property Licence
**Speaker:** Sylvie TSO, Special Counsel, Spruson & Ferguson
- The Economics of Intellectual Property
- How much should I ask/pay for the IP?
  - The magic number
  - A percentage of what?
- Other payment provisions in a licence agreement

**4.35pm** Topic 4: IP Commercialisation: getting it right from the start
**Speaker:** Andrew CAMERON, Lawyer, Brett Oaten Solicitors
- Innovation – what does it really mean?
- The importance of shareholders’ agreements and employee share incentivisation
- Setting the right goals and IP strategy
- Preparing to commercialise: IP audit and consolidation
- Lessons from the entertainment industry

**5.30pm** Q&A and Close

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**IP Fundamentals Series: Law of Trade marks**

**Thursday 28 July 2016 • 1.30pm–5.30pm**
**UNSW CBD Campus, Level 6, 1 O’Connell Street, Sydney**

**1.30pm** Welcome and Introduction
**Facilitator:** Dr. Alexandra GEORGE, Senior Lecturer, UNSW Law

**1.40pm** Introduction to the law of trade marks
- How are trade marks different from other areas of intellectual property law (patents, designs, copyright)?
- What sort of material does trade mark law protect?
- Introduction to the Trade Marks Act 1995 (Cth)
- P Australia – Australian Trade Marks Office
- Registered trade marks
- Trade marks at common law

**2.30pm** Registering and using trade marks
- Pre-registration actions – ascertaining the registrability of a trade mark, conducting searches, accurately specifying the class of goods/services
- Overview of the registration process and the advantages of registration
- The use and non-use of a registered trade mark
- Selling, mortgaging and licensing trade marks

**3.20 pm** Afternoon tea

**3.35pm** Rights, infringement and enforcement
- What rights does a trade mark holder get?
- When are rights infringed and what action can the trademark holder take?
- The elements of a successful infringement action
- Common law passing off actions

**4.25 pm** Defences, overseas jurisdictions and interesting cases
- Defences to an infringement action
- The Court’s approach to trade marks over time
- Trade mark law and litigating in foreign countries
- Seminal and interesting cases

**5.15 – 5.30 Final Questions & Close**

About the facilitator: Dr Alexandra GEORGE joined the UNSW Law Faculty in 2007 following academic appointments at Queen Mary, University of London, the University of Wales, Swansea and the University of Exeter in the UK. She has also worked at the European University Institute, Florence, Italy and at the University of Sydney, has practised as an intellectual property and media lawyer, was Associate to Justice MF Moore in the Federal Court of Australia and the Industrial Relations Court of Australia, and worked in journalism at Reuters.

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