

## Patents 101.

Patents protect new inventions. Patent law in Australia is governed by the *Patents Act 1990* (Cth). To obtain a patent you need to apply at the Patents Office which is located at IP Australia in Canberra.

Applying to register a patent is a specialist matter that can only be done commercially by registered patent attorneys. Marshall IP Group does not currently employ a registered patent attorney but has relationships with various patent attorney firms in Sydney that can advise and assist with the protection of your invention. Marshall Legal, can however, provide initial advice and assistance on the suitability of your invention for patenting.

It usually takes a considerable amount of time (measured in years) to obtain a patent and costs are significant (at least \$6,000), especially if you wish to obtain patent protection overseas.

If you have created a new invention, it is vital that you keep it confidential until you have obtained advice from a patent attorney or an IP specialist, such as Marshall Legal, and until after you have applied to register it as a patent. If you disclose your invention before applying for a patent, it may invalidate or prevent your patent from being granted. This means you may be unable to prevent others from using the invention covered by the patent or patent application.

We can attend to your patent law needs, including:

- general advice and assistance in relation to protection of inventions;
- liaising with a patent attorney to apply for a patent for your invention;
- commercial agreements relating to patents – licence agreements, transfer agreements (assignments); and/or
- patent litigation and disputes.

Businesses that are likely to need patent law advice include:

- innovative manufacturers;
- high technology businesses;
- clean/green technology businesses;
- biotechnology businesses;
- universities;
- importers of patented products; and/or
- anyone dealing with any of the above.

### Contact us today about PATENTS

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**IP**Peace of mind