

How to protect your retail brand.

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**"An annual survey by
Ocean Tomo reveals
that in 2015 an estimated
84 percent of market value of S&P
500 companies was in their
intangible assets."**

Ocean Tomo LLC. (2015). Annual Study of Intangible Asset
Market Value, [Web log post]. Retrieved from <http://www.oceantomo.com/blog/2015/03-05-ocean-tomo-2015-intangible-asset-market-value/>





A question to begin:

What's an intangible asset?

IP Australia---"IP is your business"

Intangible asset = Trade marks, patents,

- designs, and plant breeder's rights!

Bunnings Warehouse for hardware;

Aesop for natural beauty products;

and Woolworths for groceries.

Not to mention Qantas, Boost Juice,

- Penfolds, and Weet-Bix!
- Trade mark is the identity of your business
- Value increases as the business grows

Can be a letter, number, word, slogan, sound, smell, shape, logo, picture, aspect of

- packaging, or a combination of these.

x my focus = trade marks

Creating a retail brand for TM.

- > Value assets for business---brand name and brand identity
- > Protection is often overlooked until too late---ie, when business is being sold
- > Strategic approach and process---aesthetic judgement at end of process.





Why TM?

Benefits.

- > It gives you exclusive rights to use
- > Can licence the TM to others ie, Franchise
- > It differentiates your goods and services
- > It makes good business sense
- > Is easier to defend.



What to do?

Starting the process...

When you need to start the process is when:

- > You are creating a new retail business
- > You are creating new retail products and services within an existing business.

Create TM-ready brand identity by starting with the strategic plan.

Business name and domain name registration important but not enough.



Creating value.

1> Concept exploration

2> Concept validation

3> Specification

4> Design



Building value.

- > You must use the registered TM
- > You must educate your staff about the importance of TM
- > You must monitor your competition
- > As your business grows, you must ensure that you have the correct classes registered
- > It is not set and forget.



Helpful hints!

Tips + tricks.

- > Use your strategic plan as the guide to create a brand identity (logo) that has the best chance for TM registration (what makes your business different?)
- > Stop and do the TM checks along the way
- > Think long-term and consider future products and services
- > It is not set and forget..it's an ongoing process and maintenance is key!



Exemplars!

Case studies.

- > Apple
- > InSitchu
- > Coffee Club
- > Breville.

Maintenance program.

- > Conducting regular / annual brand audits of all customer touch points (digital + instore)**
- > Creating education programs and workshops for staff and other key stakeholders**
 - > Quarterly reviews of existing and recently created products and services to ensure the IP is protected ie, additional classes may be required.**



Resources + cases.

- > Australian Government: <https://www.business.gov.au>
- > IP Australia: <https://www.ipaustralia.gov.au>
- > National Retail Association: <https://www.nra.net.au>



Thank you!

Please don't hesitate to contact me if you have any questions...

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