

Making sure your trade mark ®, is more trademark-able!

What's in a brand name?

Brand identity is fast becoming one of the most valuable assets for a business. Contemporary asset value (for intangible assets such as brands) is now over 90% of the market value of S&P 500 companies, according to an annual survey by *Ocean Tomo* in 2020. Yet protection of brand identity is often overlooked until it's too late—when a company receives a “cease-and-desist” order to stop using another organisation's trade mark!

More than a logo!

Prior creating your brand's identity (logo), the trade mark strategy is created to dovetail into the brand strategy. This includes specifications on what direction to take as well what direction not to go. And once the logo concepts are developed, another review is conducted to check for both registered and unregistered trade mark conflicts. Once the logo is completed trade mark is submitted to IP Australia for formal registration.

How do you maintain brand protection?

Successful trade mark registration isn't enough for long-term brand protection. We help organisations leverage this important asset by:

- > *Conducting regular brand audits*: Formal registration means easier and more effective protection in your competitive market place, but your organisation must use the trade mark in its registered format on all existing and new communication touchpoints. This ensures maximum protection.
 - > *Creating education programs and workshops with staff and suppliers on the importance of asset protection*: Workshops to ensure all employees, suppliers and other stakeholders understand their role in ensuring the proper use of the trade mark.
-

Our strategic Trade Mark registration process

Pre-Application

- > Interview with Founder/CEO to understand vision and strategy for the brand
 - > Review status and work to date—current TM ®?; logo designed or wip?; and/or, business name registration (ASIC) and domain name secured?
 - > Choose appropriate IP Australia goods and services classes/sub-classes
 - > Review other trade marks (registered and unregistered)—brand name and identity tweaked (if required).
-

Application

- > Lodge/File with IP Australia (Australia only*) via *TM Headstart*
- > Pay *IP Australia* fees once accepted (Part 1)
- > Await formal feedback by IP Australia TM assessor—and respond to adverse report (if required)
- > Pay *IP Australia* fees once accepted (Part 2) and application is formally submitted.

*For TM registration in other countries will be processed after registration achieved in Australia.

Post-Application

- > Await formal feedback/opposition by third parties—and respond to adverse report (if required).
- > After advertising period has expired a confirmation letter and TM registration certificate will be issued

> Pay *IP Australia* fees as required to complete the registration process and once processed include ® in your brand identity

> Apply for TM registrations in other countries[^] (if required).

[^]For TM registration in other countries: Await outcome of Australian TM registration prior to application/filing by Madrid System.

Ongoing maintenance and review

> Review of all materials using the registered Trade Marks (via *DropBox*)

> Respond with report outlining any issues.

Christine Moody BA GradDip(Comn)(Dist) MDes(Research) GradCertAppLaw FAIM FDIA GAICD IPANZ AFHEA

Positioned as one of Australia's leading brand strategists and the founder of brand management consultancy, Brand Audits. With more than 40 years' professional experience, Christine has partnered with a diverse client base of local and international brands—including Gold Coast City Council, Hilton Hotels, Wrigleys, and International Cricket Council's Champions Trophy, Twenty20, and Women's Cricket tournaments, Terry White Chemists, and Become—to develop, protect, and achieve brand differentiation resulting in business growth through an increase in brand value. Christine has design, advertising, business, and law qualifications.

IP Australia blog

[Managing and protecting your valuable assets: Your trade marks](#) x Christine Moody

IP Australia Trade Mark information

[Trade Mark General Information](#)

[Trade Mark Basics](#)

[Trade Mark Examination Process](#)

[Trade Mark Costs](#)

Contact details

GPO Box 260 Brisbane Queensland 4001 Australia

+61 (0)419 888 468

email@christinemoodys.com.au

<https://au.linkedin.com/in/christinejanemoodys>

<https://christinemoodys.com.au>
