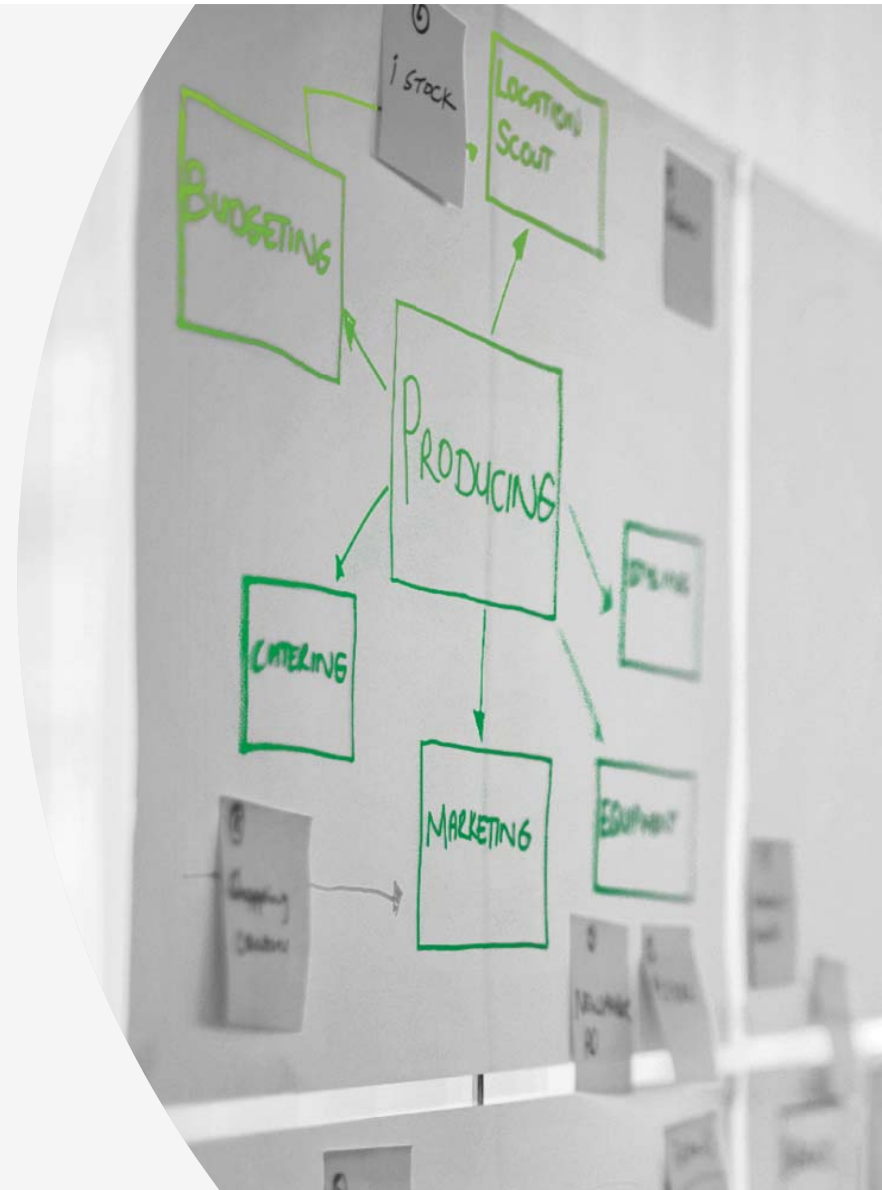




Introduction

- Entrepreneurship
- What is intellectual property?
- Registered and unregistered rights
- Which is the correct IP right for my business?
- Why is intellectual property important?
- How does Mātauranga Māori fit?
- Tips for your IP strategy



What is entrepreneurship?

Entrepreneurship

- The capacity and willingness to develop, organize, and manage a business venture along with any of its risks in order to make a profit or to serve some other purpose (social, environmental, etc).
- Business leaders
- Innovation
- Risk-taking
- Passion



What is Māori entrepreneurship?

Māori entrepreneurship

- Underpinned by a sense of commitment to Māori
- For Māori
- With Māori
- Māui
- Moana



What is IP?

Intellectual property

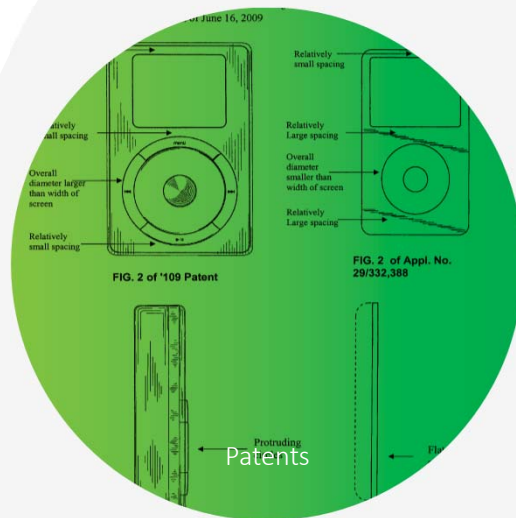
- The tangible or intangible result of some creative or intellectual activity.
- An asset that can be bought, sold, licensed, exchanged or given away.
- The owner has the right to prevent the unauthorised use or sale of the property.



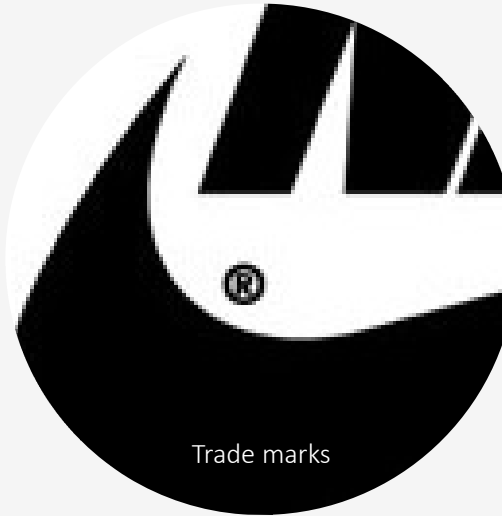
Registered vs unregistered



Registered vs unregistered



Patents



Trade marks



Designs



Plant variety



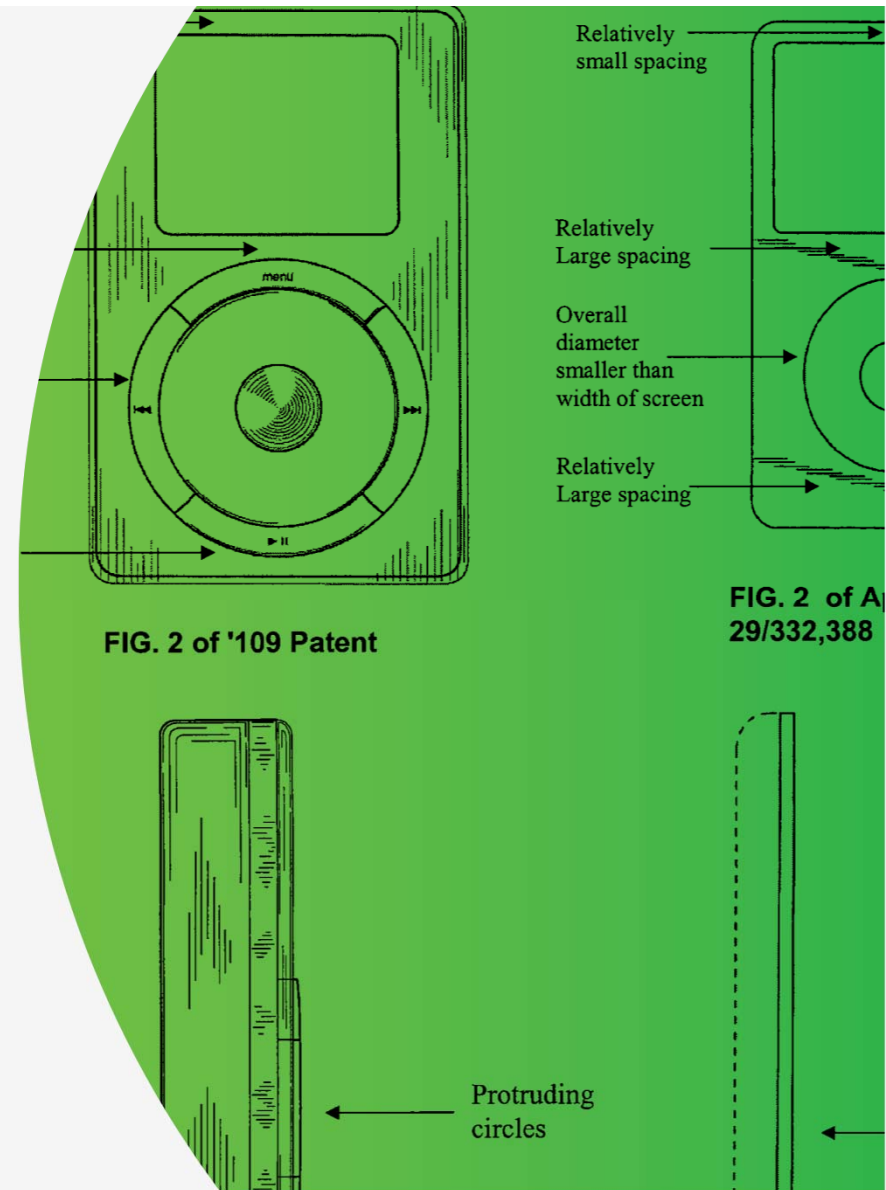
Trade secrets



Geographical indications

Patents

- Generally protect inventions and innovations, new products or processes
- Must be novel – not done by anyone already, anywhere in the world
- Must be inventive – not obvious to a professional in that field of technology
- Give exclusive rights for 20 years to make, use, sell, import
- Only enforceable in the country where it is granted



Patents

Products and processes

- Mechanical devices
- Electric devices
- Electronic devices
- Computer implemented inventions
- Chemical formulations
- Manufacturing processes
- Modified plants/animals
- Medical treatment in some countries



Patents

Eligibility

- Novel and Inventive
- Gauged by conducting prior art searching
- Judged against the prior art (including own prior art)



Patents

Should you file? Consider...

Strength of protection / enforceability	Translate the idea into reasons why the idea may generate revenue or reduce costs eg, <ul style="list-style-type: none">• Will save labour costs because of the innovation• Prevent competitors, take larger market share
Market value of the invention Worth copying and for how long	
First to market value. Balanced with legal protection	
Litigation bargaining tool	Cross licensing tool
Prevent others from patenting the same idea	

Patents

Should you file? Consider...

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Litigation bargaining tool

Prevent others from patenting the same idea

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- Prevent competitors, take larger market share

Cross licensing tool

Patents

Other considerations and pitfalls

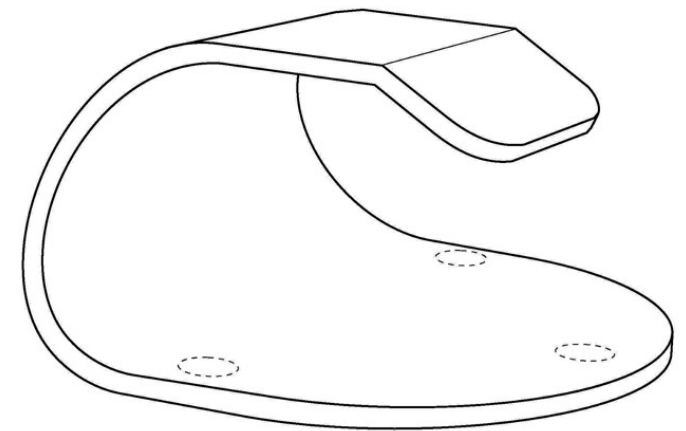
- FTO
- Ownership
- Prior disclosure
- Collaboration
- R&D research



Designs

Protect the appearance of a product, not the idea itself

- Must be new
- Gives you 15 years to exclusively make and use commercially
- Cheap and quick to obtain compared to patents
- Only infringed if the other product looks very similar



PERSPECTIVE VIEW

Trade marks

A name, sign, symbol, brand or design that is intended to identify the goods or services of one seller or group of sellers and to differentiate them from those of competitors



Trade marks

The role of a trade mark

Origin

Identifies the goods or services of a business and distinguishes them from goods or services of other businesses

Guarantee

Goods or services bearing the same trade mark are of an equivalent quality

Marketing

Creates awareness and recognition for the goods or services



Trade marks

What can be protected?



Plant Variety Rights



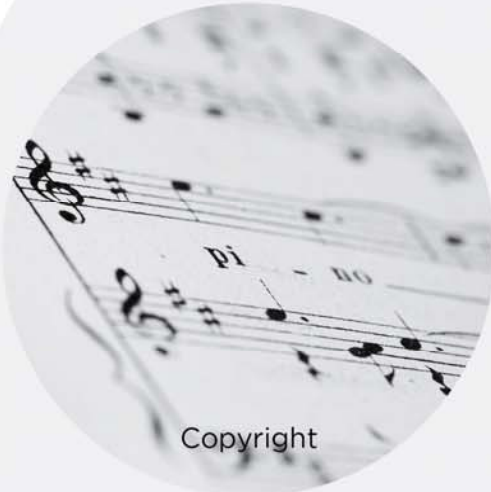
Domain names



Geographical indications



Registered vs unregistered



Copyright

Protects the expression of an idea

- Artistic works
- Engineering/architectural drawings
- Films
- Graphical works
- Literary works
- Software
- Musical works

Trade secrets

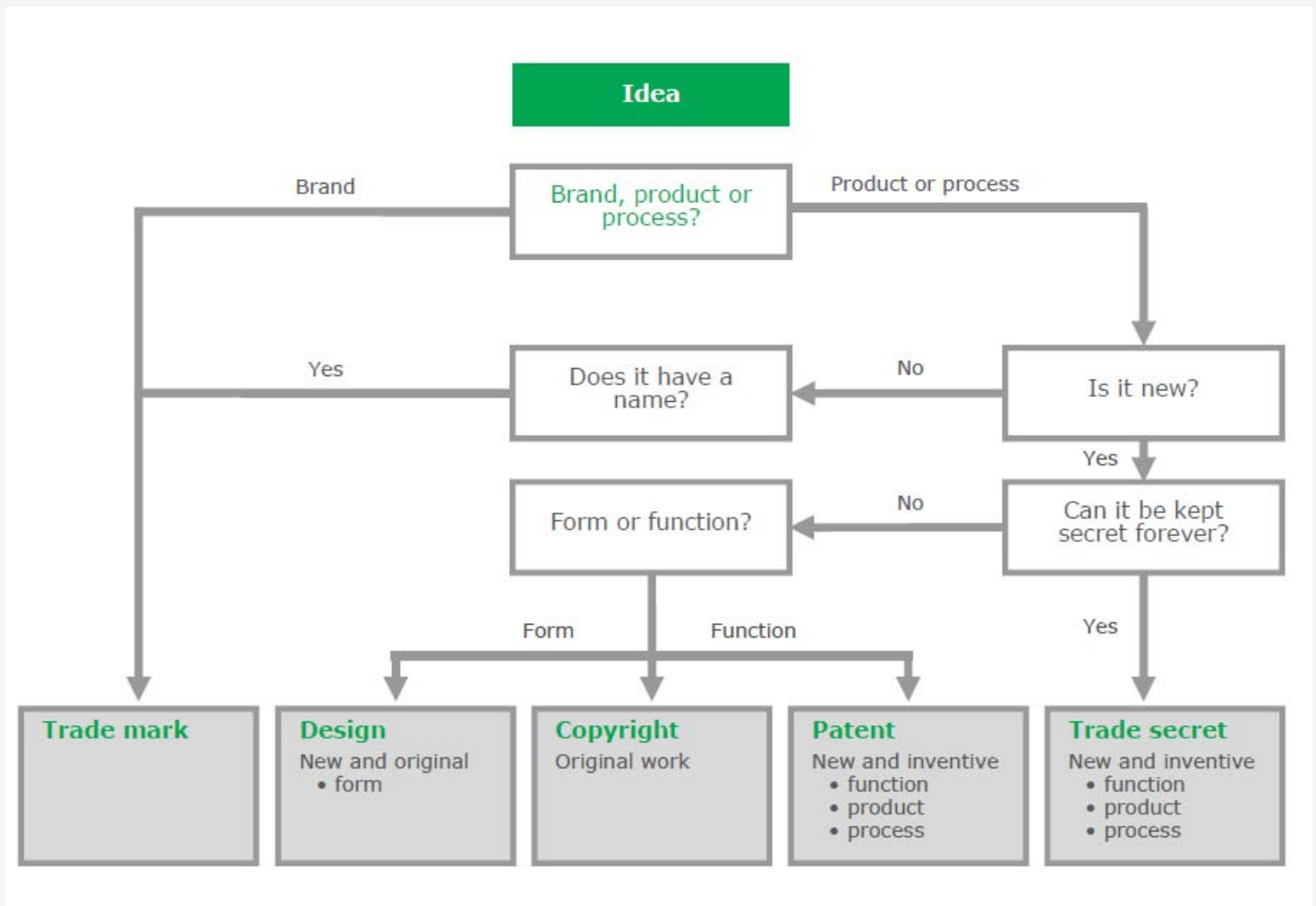
- Protect commercial information that isn't easily discerned or reverse engineered
- Information not generally known in the trade that the owner has taken steps to keep secret
- Provide owner with a competitive advantage in the market
- Do not expire as long as they are kept secret



**Confidential
information**



What protection is right for your project?



IP in industry

Intellectual property is extremely valuable.

Your ideas and creativity allow you to compete in the market.

**How or where does
Mātauranga Māori
fit?**

- It doesn't
- Consistent with Māori values
- Consistent with kawa, tikanga



IP Strategy for your business

- Identify the key component of your business and understand its value early on
- Keep it secret – NDAs, contracts
- Does your key component use mātauranga Māori or cultural heritage?
- Is your use consistent with kawa, tikanga?
- Do you have consent from kaitiaki?
- Are there are practices and procedures you need to put in place to keep info a secret, protect mātauranga Māori and cultural heritage, maintain IP rights?



IP Strategy for your business

- Is IP protection a possibility and/or appropriate?
- Can you negotiate legislative protection for you mātauranga Māori or cultural heritage?
- Have you got the right organisational structure to own or deal with IP, mātauranga Māori or cultural heritage?
- Be prepared to enforce when necessary, including stopping any misuse or misappropriation
- Review, monitor, and update regularly
- Lobby for change if the IP system is not protecting mātauranga Māori or cultural heritage



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