

Introduction to intellectual property law

Intellectual property law concerns commercially valuable ideas, secrets, concepts and reputations. We introduce some different fields of intellectual property law here.

Patents

Patents protect new ideas that may be applied industrially. You can protect most new ideas by a patent, provided the inventor has developed a way to put the idea into effect. You must apply for a patent before you publicly disclose or use the idea. You can get patents in New Zealand and most other countries.

Registered trade marks

Registered trade marks protect brand names and logos. You can register trade marks in New Zealand and in most other countries.

Geographical indications

The Geographical Indications Wines and Spirits Act prevents businesses misusing geographical names of goods. An example is the name "Champagne" that can only be used on wines that originate in a geographical region of France.

Registered designs

You can register designs to protect the visual design of objects that are not purely functional. You must apply for a design registration before using the design or showing it to other people. You can register designs in New Zealand and most other countries.

Copyright

Copyright gives the owner of the copyright a right of action against unauthorised copying of original work including drawings, articles, computer programs and written matter.

Passing off

Passing off is an action in law that prevents misuse of another's reputation for commercial purposes, whether that use is accidental or deliberate.

The Fair Trading Act

The Fair Trading Act prohibits misleading and deceptive practices in business.

The Commerce Act

The Commerce Act controls anticompetitive practices.

Plant variety rights

Plant variety rights provide particular rights for owners of new plant varieties.

Trade secrets and confidential information

The law can provide remedies where equitable or contractual obligations relating to trade secrets and confidential information have been breached.

Franchising and licensing

Franchising and licensing allow other parties to use intellectual property rights under defined conditions.

Computer law

Computer law relates to computer software and hardware. Computer law often concerns licensing and copyright aspects of computer software and computer contracts.