

# The GATHERER

Volume 4

## *Bondi Washout*

**CRISPR - Cas9  
Technology**

USE OF META TAGS IN  
SOURCE CODE NOW  
APPEARS TO INFRINGE

**GOING GREEN: THE  
BENEFITS OF GREEN  
TECHNOLOGY PATENTS**



## EDITORIAL TEAM

### REBECCA HEMBLING

Marketing & Business Development Manager  
rebecca.hembling@wrays.com.au

### KATE FISHER

Marketing & Business Development Consultant  
kate.fisher@wrays.com.au

### LOUISA TAYLOR-BOND

Graphic Designer, Reflect Design  
louisa@reflectdesign.com.au

## CONTRIBUTORS

### CHRIS CAO

Senior Associate  
chris.cao@wrays.com.au

### PENELOPE FARBEY

Senior Associate  
penelope.farbey@wrays.com.au

### CRAIG HUMPHRIS

Principal  
craig.humphris@wrays.com.au

### CHRIS JUHASZ

Principal  
christopher.juhasz@wrays.com.au

### TYSON KEED

Associate  
tyson.keed@wrays.com.au

### DAVID KING

Principal  
david.king@wrays.com.au

### JENNIFER MCEWAN

Principal  
jennifer.mcewan@wrays.com.au

### ROBERT PIERCE

CEO  
robert.pierce@wrays.com.au

### GUY PROVAN

Principal  
guy.provan@wrays.com.au

### TODD SHAND

Principal  
todd.shand@wrays.com.au

### JONATHON WOLFE

Director, Wrays Solutions  
jonathon.wolfe@wrays.com.au



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## CEO MESSAGE

Welcome to the latest edition of The Gatherer – our regular flagship publication developed by our thought leaders especially for our clients. I'm delighted to share this, my first edition as CEO, with you. Through The Gatherer we aim to provide you with the most relevant insights and news into the ever changing intellectual property landscape, both here in Australia and overseas.

This edition delves into some fascinating industry developments, such as the legal contest between two Ivy-league universities (and their commercial investors) over the CRISPR-Cas9 system – one of the most exciting developments in molecular biology in the last ten years.

For those engaging with advertising agencies, David King offers an insightful analysis of the traditional cultural hurdles advertisers and lawyers must overcome in order to collaborate cohesively and avoid campaigns which fall into the pitfall of providing false or misleading representations.

Recently the media has shone a spotlight on the difficulties faced by Bondi Wash, an Australian company, seeking to register its trade mark in the United States. As an American high-end fashion retailer had previously registered the name of our iconic, Bondi Beach in the US, Bondi Wash had to overcome many obstacles to launch its products in the American market. Jennifer McEwan raises some really interesting reasons why geographical landmarks should be avoided when contemplating and creating trade marks.

One of the questions regularly asked of our technical experts is whether it is legally possible to make their own replacement parts rather than purchasing these parts from the original manufacturer – which is often much more expensive. Our new principal, Guy Provan, provides a great checklist while examining this tricky question which highlights the key points both the original manufacturer, and anyone toying with the idea of creating their own replacement parts, should consider from the outset.

Jonathan Wolfe explores some exciting new approaches in today's modern business environment that remove the guess work

from strategy and innovation development, enabling us to know with accuracy where competitors are looking to enter new markets and changes the way a business can be developed globally.

Finally, as the new CEO of Wrays, I recently had the opportunity to interview the extremely innovative Chairman of REMSAFE, Mike Lane, for our innovation podcast Pioneer. Mike and his team saw an opportunity to improve the safety of mines in Western Australia some years ago by developing smarter, faster and safer remote isolation systems. This story is fascinating and I encourage you to read not only the transcript but also to listen to the full conversation on our website.

With so much happening across the intellectual property landscape, I hope that this magazine brings to light some of the exciting trends we're observing in industry today – or that you've discovered something new! I'm thrilled to be at the helm as we delve in to explore the legal, cultural and commercial challenges facing our industry as we navigate the future together.



### ROBERT PIERCE

CEO  
T +61 8 9216 5115  
robert.pierce@wrays.com.au

# THE CRISPR BATTLE

## CRISPR-Cas9 Technology

The CRISPR-Cas9 system is one of the most exciting developments in molecular biology in the last ten years, massively increasing scientists' ability to tinker with cells. It is a scalpel technology for gene manipulation, precise and able to be specifically controlled without off-target effects. It is also cheap, quick and easy to use, and as a result has swept through labs around the world.

The system has already been used for a wide range of applications, such as creating mosquitoes that are resistant to carrying malaria, treating muscular dystrophy, encode a film in the genomes of living bacteria, altering the wool colour of sheep, making super muscled goats and dogs, and engineering mini-pigs.

The CRISPR-Cas9 system is derived from a naturally occurring mechanism developed by bacteria over millions of years to defend themselves from viral infections. There are two main components of the CRISPR-Cas9 system, an enzyme (Cas9) that acts like a pair

of scissors to cut DNA, and a small RNA molecule (CRISPR) that directs the scissors to a specific location to make the cut. Generally, the cell's native DNA repair machinery then repairs the cut.

However, this repair machinery often makes mistakes. Scientists can therefore use this system to precisely interrupt a gene and work out what it does. For example, if the repair machinery makes an error, this may completely disrupt the ability of the cut gene to function. As the gene no longer functions in its purpose, scientists can then see what effect this has on the cell.

There are other advantageous aspects to the system. Scientists can use a different DNA repair mechanism to repair the cut as they wish, for example by using a template to edit the genome and inserting additional DNA sequences. As the cut can be made anywhere in the genome, and the template can code for any gene, scientists can essentially edit the genome with nearly any sequence they desire at

nearly any location of their choosing.

A variant CRISPR-Cas9 system can also be used to controllably switch a gene on and off, without affecting the sequence of the gene. For example, switches based on light, chemicals etc have been developed for control of gene expression.

A further variant CRISPR-Cas9 system has been developed that can control epigenomic marking of DNA. The epigenome is a series of markers on DNA that are a record of the chemical changes to the DNA of an organism. Unlike the underlying genome, which is largely static within an individual, the epigenome can be dynamically altered by environmental conditions. Furthermore, these changes can be passed down to an organism's offspring. The epigenome can govern access to DNA, opening it up or closing it off to the proteins needed for gene expression. The markers change over time, added and removed as an organism develops and its environment shifts. The location and activity of these

markers can be manipulated using a CRISPR-Cas9 system.

The holder of key patents could make hundreds of millions of dollars from CRISPR-Cas9's applications in industry. The technique has already sped up genetic research; and researchers are using it to develop treatments for human diseases and disease-resistant livestock and crops.

## The Patent Stoush

In 2012, Jennifer Doudna at the University of California-Berkeley, Emmanuelle Charpentier, then at the University of Vienna, and their colleagues outlined how the CRISPR-Cas9 system could be used to precisely cut isolated DNA. Berkeley filed patent applications in May 2012, their patent applications exclusively discussed the use of the system in prokaryotic bacterial cells but had claims to use of the CRISPR system without regard to the type of cells it was used in.

In 2013, Feng Zhang and his colleagues at the Broad Institute of MIT and Harvard - and other teams - showed how the CRISPR-Cas9 system could be adapted to edit DNA in eukaryotic cells such as plants, livestock and humans. The Broad team filed the first of their patent applications in December 2012 at the time of filing they requested that the United States Patent and Trademark Office (USPTO) 'fast-track' its patent examination process for their applications.

## In the US

Although Berkeley filed for patents earlier, the USPTO granted the Broad's patents first, due to the fast-tracked examination process.

Berkeley then filed an 'interference'

proceeding, in an effort to have the Broad's patents revoked. An interference is a legal proceeding to determine who was the first to invent a given technology. The case was presented on the basis that the Broad's patents overlapped with Berkeley's first filed and still pending CRISPR patent applications. However, in February 2017 the USPTO patent judges determined that there was no interference, meaning that the Broad's invention is distinct from Berkeley's, and the Broad patents will stand.

This decision was appealed by Berkeley in April 2017. If the appeal is unsuccessful, Broad will keep its CRISPR patents, while Berkeley's patent application - which includes claims encompassing CRISPR without regard to cellular environment - should issue as a patent. In this case, researchers wishing to use the CRISPR technology will need a license from both parties (Berkeley for CRISPR-Cas9 in any cell and especially prokaryotic cells, Broad for CRISPR-Cas9 in eukaryotic cells).

If the appeal is successful, the case will be returned to the USPTO for further proceedings in relation to the alleged interference, which could lead either to the same outcome, or to a decision to remove the Broad claims to using CRISPR in eukaryotic cells.

## Further afield

Patent applications all over the world for both parties are still being prosecuted. Although the USPTO found that the Broad patent was inventive in light of the Berkeley patent on the grounds that the Berkeley patent did not suggest a eukaryotic use and that additional

invention beyond that described in the Berkeley patent application was required, other Patent Offices such as the European Patent Office could come to another conclusion and find that the Berkeley patent provided 'sufficient motivation' to try the technique in eukaryotic cells, thus rendering the Broad applications lacking in an inventive step. Berkeley has been granted patents in the UK and Europe.

## Other players

In addition, there are other groups battling it out for patents to various certain aspects of the CRISPR-Cas9 gene editing system and related systems that use a component other than Cas9. Over time, holders of those patents may try to assert those rights.

## The outcome

Whatever happens in each Patent Office, this story will continue for some time. The battle is not between two universities, but between commercial investors in technology that could be worth hundreds of millions of dollars, and has already attracted invested funds and a market cap of over a billion dollars.



**TODD SHAND**  
Principal



**CRAIG HUMPHRIS**  
Principal



**PENELOPE FARBEY**  
Senior Associate

# BONDI WASHOUT



## Bondi Wash vs. Abercrombie & Fitch

In the media recently, there was a report about the difficulties faced by an Australian company, Bondi Wash Pty Ltd, in registering its trade mark BOND WASH in the US. This is because Abercrombie & Fitch Inc, a well-known American high end fashion retailer, previously registered a suite of trade marks in the US for or including the names BOND BEACH and BOND BEACH CLUB. During the examination of Bondi Wash's application, the United

States Patent and Trade Marks Office (USPTO) raised three prior Abercrombie & Fitch trade marks in Class 3 for goods including "body lotions; body sprays; fragrances for personal use" as barriers to registration on the basis that names BOND WASH and BOND BEACH were too similar in appearance and covered similar goods.

In order to try to overcome these three cited earlier trade marks, Bondi Wash filed a consolidated petition for cancellation against the registrations, on the basis that

Abercrombie & Fitch was no longer using the trade marks and had abandoned them. An answer was subsequently filed by Abercrombie & Fitch denying abandonment. After approximately 14 months of back-to-back consented extensions of time to discuss a potential settlement, the petition was withdrawn by Bondi Wash Pty Ltd on 13 June 2017 and the USPTO dismissed the petition.

The Waverley Mayor was said to be preparing a letter to send to Abercrombie & Fitch asking it to relinquish its trade mark rights over the name BOND BEACH.

## The outcome

The parties subsequently entered into an agreement to settle the matter – this involved Bondi Wash having to restrict the goods covered by its trade mark application in the US and also having to agree to some trading restrictions. The restrictions to the goods covered by Bondi Wash's application allowed the trade mark to be accepted for registration. It was reported in the Wentworth Courier that Bondi Wash was also prevented from securing registration of their trade mark in two other countries because of the existence of Abercrombie & Fitch's trade mark registrations. Concern was expressed by Bondi Beach's local Waverley Council regarding registration of trade marks of famous Australian place names, such as BOND BEACH, overseas. The Waverley Mayor was said to be preparing a letter to send to Abercrombie & Fitch asking it to relinquish its trade mark rights over the name BOND BEACH.

## Registering place names in Australia

In Australia, the names of well-known places cannot be registered as trade marks on their own such as LOS ANGELES, PARIS, MELBOURNE and SYDNEY. Places which have a connection or association with the relevant goods or services, for example, GOULBURN VALLEY for fruits and tinned fruits, YARRA VALLEY for wine or even BOND BEACH for clothing, cannot be

registered as trade marks either. There is an exception to this rule if the applicant is able to provide significant evidence showing use of the place name for many years and evidence of a reputation that the applicant has acquired for their goods or services associated with the name. However, the rule of thumb is that the larger or more well known a place is, the more difficult it will be to register the trade mark even with long standing evidence of use. There is a good reason behind our law and that is to prevent a trader from obtaining a registered trade mark for a well-known place that other traders would legitimately wish to use to describe the origin of their goods or services.

## Registering place names in the United States

There are subtle differences in the law in the US when compared to Australia. Under US law, place names can be refused registration if its geographic location is of primary significance to the relevant consumers in the US. Therefore, consumers in the US must recognize the name as having a geographic significance first and foremost. Although a place mark may be iconic or well recognized in Australia or other countries, this may not necessarily be the case in the US. The population of the United States is currently about 323 million. Statistics show that approximately 60% of Americans have never left the country. Therefore, the

recognition of famous non-US place names may not be high. In the case of Abercrombie & Fitch's BOND BEACH registrations, it seems that the USPTO took the view that the marks BOND BEACH and BOND BEACH CLUB were not primarily of geographic significance to the relevant consumers in the US.

It is interesting to note that the famous place names of other countries have also been registered as trade marks in the United States by US companies. For example, BELLAGIO, the name of a famous lakeside town in Italy, is registered for a wide range of goods and ST TROPEZ, the name of a glamorous jet-set town on the French Riviera made famous by Brigitte Bardot, is registered for skin care products, tanning products and tanning booths.

## Looking forward

Place names can be very difficult to register, not to mention being a time consuming and costly exercise if the name selected is a common geographic name or a name of big city, or if the place has a reputation for those goods or services. It is always best to seek our advice before selecting a geographic name as a trade mark.

*Jennifer McEwan received coverage on this issue in the Daily Telegraph, the Wentworth Courier, ABC TV and ABC online.*



**JENNIFER MCEWAN**  
Principal



## MEET OUR NEW CEO ROBERT PIERCE

After two months of leading the charge in his new role as CEO at Wrays, we sat down with Robert Pierce to gain further insights into his vision for the business.

Prior to becoming CEO, he was Chief Financial Officer for four and a half years and a member of the management team.

Based in Wrays' Perth office, Rob has a deep knowledge of the business and has already made valuable contributions in helping drive Wrays' long-term growth strategy

*Q: What are your priorities over the next 12 months?*

A: My number one priority is to ensure our national firm continues to deliver consistently excellent service to all our clients.

To support our clients' needs on their continued journey and taking their IP to new heights, we will be investing in new technologies – equipping our people to deliver innovative solutions across the full spectrum of IP services.

I will be connecting with as many of our clients as possible over the coming months – taking the time to fully understand their business drivers and looking at how Wrays can continue to deliver the best value that is truly aligned to those drivers.

*Q: Tell us about your leadership style.*

A: Consultative. There is no point trying to lead a team that doesn't believe we're headed in the right direction. I'm very lucky to have worked closely with the Board and the Chairman over the last few years, so I'm clear about our direction and importantly have valuable context to decisions made over that period. Even more importantly I have a strong, stable and experienced management team to support me.

The team are very clear that we must continue to deliver excellent client service - all that we do is viewed through that lens.

Overall I aim for authenticity and to lead by example - by working very hard, by doing what I say I'm going to do, and to help create exciting opportunities for our clients and our people.

*Q: What trends are you seeing in the market?*

A: The recent listing of firms in the IP space has created some noise. I do not know how this will play out, but I do know that Wrays must offer its clients and people certainty at this time. We are proudly independent and believe we can offer a more intimate service to our clients as a result. This also enables our team members to maintain their career trajectories.

The increasingly present 'innovation landscape' can't be ignored either. Whilst it's certainly become the buzz word of the moment following the release of the Federal Government's National Innovation & Science Agenda, as an IP firm, it's an area where we've been heavily entrenched for many years. You could say it's part of our DNA.

*Q: Who are you inspired by?*

A: I take inspiration from many sources - my family, my colleagues and our clients. Having relocated from Wales five years ago, I find Australia a hugely inspiring place. It is an incredibly beautiful and diverse environment that my family and I enjoy very much. I find the realism and tenacity of the Australian mindset very refreshing – it creates an atmosphere where anything is possible – that is exciting and creates many opportunities. It is the willingness to explore those opportunities that I find the most inspiring.

# COPYING REPLACEMENT PARTS:

Is it legal and what can be done to stop it?

It's a common question: 'can we make our own replacement parts or do we need to buy the parts from the Original Equipment Manufacturer (OEM)?' The equipment might be a crusher or other heavy duty machinery with wear parts. The amounts of money involved can be significant, with a substantial price difference between the OEM and locally manufactured parts. Quality and local availability are also issues.

The answer may well be 'yes' but there are a number of issues to consider involving both:

- Intellectual property, including patents, registered designs and copyright.
- Contractual obligations.

## Issues to address

Below is a checklist setting out a number of issues which need to be addressed when manufacturing replacement parts.

### 1. Patents

Is there any patent protection for the part in question? Generally, it is not an infringement of a patent to make and supply a replacement part for a machine even if the machine itself is subject to patent protection. But there may be patent protection for the part itself. Product

documentation may give notice of patent rights. If in doubt, patent searches can be carried out.

### 2. Registered Designs

Are there any registered designs for the part in question? Manufacturers are known to apply for design protection, particularly where the shape of a part is dictated by where it fits in the machine and the function it performs. Again, if in doubt, registered design searches can be carried out. There is also a defence where a part is replaced for the purpose of 'repair' which may be available.

### 3. Confidential information

Is any confidential information being used in connection with the making of the part? For example, information on materials or details of tolerances contained in a drawing supplied by the OEM may be confidential information. Generally, information which can be obtained from publicly available sources or ascertained by analysis of the part itself is not capable of being confidential information. In some circumstances, it may be necessary to carry out and document the process of reverse engineering to avoid allegations of misuse of confidential information.

### 4. Contractual provisions

Are there any agreements which expressly or by implication prohibit the manufacture of spare parts by or for the party which owns the machine or equipment? A detailed analysis of relevant provisions may be required and there may be issues as to enforceability where provisions are anti-competitive or an illegal restraint of trade.

### 5. Copyright

Generally, copyright subsists in engineering drawings and it can be an infringement of copyright for a person to make a three dimensional copy of what is depicted in a drawing (i.e. making a part in accordance with the drawing). However, there are provisions in the Copyright Act which provide, in effect, that it is not an infringement of copyright in an engineering drawing to make a part where the copyright owner (or a licensee) has itself made and sold the part in commercial quantities. Further, in such circumstances, any drawings made during the process of reverse engineering will not infringe copyright. There are exceptions to this and it is a tricky area of law. But the policy of the law is that copyright is not intended to protect the manufacture of mass produced machine parts.

### 6. Trade marks

A spare part manufactured by a person other than the owner of a trade mark (or a licensee) cannot be sold or supplied by reference to the trade mark. For example, a supplier cannot say 'this is a Toyota part'. However, it is generally permissible to say, for example, 'this part is made for use with a Toyota car'.

### 7. Misleading or deceptive conduct

Generally, a supplier must not mislead or deceive a customer or the public at large by making statements or omitting information which results in the customer or the public being misled or deceived in any way (or the likelihood of being misled or deceived). For example, representing that parts are OEM parts or are approved by the OEM, when this is not the case, is misleading or deceptive conduct. Similarly, omitting information or staying silent can be misleading or deceptive conduct if a customer or the public are misled into a false belief.

A decision to source a part from a local supplier rather than the OEM is not to be taken without considering the rights of the OEM. But in the right circumstances, it can be done.

## Actions for OEM

Looking at it from the point of view of the OEM, a different question arises: 'can I do anything to stop my customers making their own replacement parts?'. My lawyer's answer to this is 'yes' and includes:

- Where appropriate, apply for patents, registered designs and trade marks.
- Protect your confidential information, with agreements and appropriate practices and procedures.
- Include contractual restrictions, but be careful of laws relating to anti-competitive conduct and illegal restraints of trade.

Strangely, where copying replacement parts is involved, the law of copyright can be of limited assistance to the OEM, except

where there is direct drawing to drawing copying. If the copy drawings are produced by a process of reverse engineering, this usually does not amount to infringement (with some exceptions).

## What can you do?

Ultimately, for both OEM and customer it is a matter of knowing the legal landscape and making informed decisions as to what can and cannot be done. Getting it right, or wrong, can have serious consequences.



**GUY PROVAN**  
Principal



# MASTERING COMPLEXITY

## The modern day business executive

No doubt you have felt the changes in today's modern business environment in some way, shape, or form. We know we are operating in a faster paced and complicated business environment on a global scale. The cost of launching a global business has plummeted – and thanks to cloud services, new online businesses can grow from launch to millions of dedicated users in less than 6 months.

In this environment we need new techniques and sources of information in an actionable and timely way to allow us to effectively compete. However, many of us are using outdated means to gather data and evaluate strategic alternatives. The modern day business executive needs better tools and approaches for making sense of this new environment in order to effectively plan and respond to the market. Because of the rapid advancement of technology and the ubiquitous nature of the digital infrastructure and data, these tools are now within the economic reach of all Australian businesses to help plan and participate in their markets.

With the help of these tools, business owners and senior executives can better position their businesses – resulting in increased resilience, success, and growth.

## Complex versus complicated

In order to operate effectively, it's critical to gain a better understanding of the type of business system you are operating in. For example, some markets are complicated, but this does not mean that they are complex.

Complicated business systems are 'large' but we can still use new tools to create evidence based patterns to see how they work. Complex business systems have emergent properties and behaviour (such as self-organisation) that makes them very difficult to map and predict.

In most cases, the market systems we operate in are complicated but not complex. There are new tools available to help map the type and attributes of your specific market system. These tools allow you to step back and observe the patterns and interconnections in your environment. If we take a holistic systemic approach, we can often create new and powerful insights to seemingly intractable market problems.

## Data driven perspective

Drawing from academic research, network mapping tools are well known and include proven statistical techniques that allow you to gain an entirely new perspective on your market. These data driven graphical tools produce ecosystem maps. These can be produced rapidly using a combination of data from existing sources.

The network maps generate a data driven perspective of the interrelationships between the various factors and actors in any given market system. This delivers new insights that unpack the assumptions and any confirmation biases from our decision making. With this new insight we can more easily track and adapt our strategies. In the current digital economy, much of this information is available in near to real time so we can monitor and adjust as we learn more.

We have all read about the rise of the data scientist in many firms and this trend is set to accelerate as more data becomes available from IoT systems, market places and social media. Since the business of today and tomorrow can be analysed in real time, digital diplomacy and marketing will be core skills for future strategic planning.

## The intellectual property landscape

Similarly the intellectual property (IP) landscape benefits from a good global regime of registration and notification via national bodies. This means that with visualisation tools we can graphically depict global IP activity by industry sector, technology and inventor – which significantly enhances our ability to find new potential partners, gain early visibility on likely competitive strategies and more.

Using these new visualisation tools we can take the guess work out of strategy and innovation development. We can know with accuracy where competitors are looking to enter new markets – allowing us to build early and unique understanding of the market and environment. These approaches mean that we can disrupt the competition and build a sustainable business globally.



**JONATHON WOLFE**  
Director, Wrays Solutions

# The IP Perspective

with Chris Juhasz

## The Role of Diversity in Innovation

The BBC has a history of making innovative decisions, and this has no doubt contributed to the success of its programmes. Perhaps the most recent such decision from the BBC is that of casting a woman, British actress Jodie Whittaker, as the new Doctor in Doctor Who.

The interest that this decision, which has been lauded as brilliant, has sparked in the show led me to cast my mind as to what lessons there may be, within the story lines of Doctor Who itself, as to the value of diversity in innovation and gaining a competitive edge.

The Daleks are an all-time favourite Dr Who villain. They are an alien race of mutants, each encased in a tank like, robotic shell, and genetically modified to lack every emotion apart from hate, demand total conformity and seek to purge the universe of any life that is not like them.

**‘Strength lies in differences, not in similarities’** *Stephen Covey*

Over time the Daleks came to the realisation that this demand for total conformity, particularly in their thinking, was a weakness. This led to the creation of the Cult of Skaro within the Dalek Empire. The Cult consisted of Daleks created with the ability to think as their enemies and find new ways of surviving. In the show, this ability extends to them developing imaginations and taking on individual names, unheard of for a Dalek, and embarking on a number of innovative projects.

In the real world, a similar approach can be seen in some special forces units. For example, it has been said that a core ideology of the highly successful Australian Special Air Service Regiment (SASR) is heterogeneity, rather than homogeneity, of personalities, ideas, and perspectives. This ideology of difference, rather than sameness, has been said to be reflective of a desire by the unit to be a genuinely unconventional force, and promote a culture to generate unconventional answers to strategic and tactical problems from any soldier in the unit regardless of rank.

One of the tests patent attorneys apply when looking for whether something is inventive, is whether it is counter intuitive. Put another way, a situation where conventional wisdom is telling you to zig, and you are zagging instead!

It can be seen that when someone is trying to create innovative or disruptive solutions, that is what they are trying to do. Look for and implement a zag (when everyone else is zigging) to have an advantage. Having diversity in perspectives and problem solving approaches increases the likelihood of finding such an elusive “zag” and bringing it to fruition.

The BBC, the Daleks, and the SASR, all appear to have all learned and reaped the rewards that can come from having diverse contributors.

Who leads and drives innovation in your business? Is it a handful of individuals who have the same gender, are close in age, went to the same schools, and have similar backgrounds, and the same outlook?

If it is, then the question arises as to what opportunities (and “zags”) are potentially being missed, or are being much more difficult to find, because everyone has the same perspective and problem solving approach?

At your next strategy meeting, reflect on how adding some diversity to the mix may assist in escalating your business to the next level.

# WHAT'S ON 2017

## CALENDAR OF EVENTS

### SEPTEMBER

**5th**

*AICC Harnessing Science and Innovation for Business Success*

*Dr Alan Finkel*  
SYDNEY, AUS

**8-10th**

*2017 IPSANZ Annual Conference*  
GOLD COAST, QLD

**7th**

*Westpac 2017 Innovation Challenge – Live Pitch and Winners Announced*  
SYDNEY, NSW

**12-15th**

*APPA 2017 National Conference*  
BRISBANE, QLD

**13th**

*WA Innovator of the Year – Finalist Presentations*  
PERTH, AUS

**14th**

*TTBC Emerging Leaders*  
*Andrew Baxter, CEO – Publicis Australia*  
SYDNEY, AUS

**19-20th**

*AFR Innovation Summit*  
SYDNEY, AUS

**25-27th**

*IP World Summit 2017*  
AMSTERDAM, THE NETHERLANDS

### OCTOBER

**12-13th**

*ACC Copyright Law and Practice Symposium 2017*  
SYDNEY, AUS

**13-17th**

*AIPPI 2017 World Intellectual Property Congress*  
SYDNEY, AUS

**25-27th**

*AusBiotech 2017*  
ADELAIDE, SA

### NOVEMBER

**1st**

*WA Innovator of the Year – Awards Ceremony*  
PERTH, WA

**4 – 7th**

*67th Council Meeting of the APAA*  
AUCKLAND, NZ

**14th**

*CEDA 2017 Annual Dinner*  
SYDNEY, AUS

**14th**

*IPO Education Foundation & EPO Conference*  
MUNICH, GERMANY

Chris Juhasz is a Principal based in our Perth office. Chris specialises in patents across electrical and electronic engineering, computer technology, software, computer implemented inventions, mobile application technologies and business methods.



**CHRIS JUHASZ**  
Principal





In our recent Pioneer podcast interview Wrays' CEO, Robert Pierce spoke with Mike Lane, Chairman of REMSAFE Pty Ltd about the inspiration for his invention and the journey for improved productivity.

*Mike Lane*

Chairman of REMSAFE Pty Ltd

*Rob: Mike, tell us about the Remote Isolation System, and the journey you've been on starting with ICM Engineering Group right through to Orbital?*

Mike: The journey really started around 25 years ago. That was way back when I was working for BHP Iron Ore in The Pilbara. I had a team of electricians and technicians that were very capable personnel that would specialise in troubleshooting, getting the plant up and running quickly.

Unfortunately, a lot of their time was spent having to isolate the fixed plant mining equipment, such as conveyors, your stackers, reclaimers, etc. Because it's the task of an electrician to operate these isolators, high voltage and low voltage, they were standing in the line of fire a lot of the time where you could have this potential for arc flash. Arc flash is an event where the switchgear can explode - it's a release of energy that happens in a few seconds with temperatures that exceed 20,000 degrees celsius. It's essentially where the copper, the main current carrying conductors in the switchboard, expands at around 60,000 times its volume.

*Rob: Wow. So a real concern in safety terms, not just financial terms, for the big mining firms.*

Mike: Exactly, subjecting your personnel to this potential risk. Not only that, it was quite a loss of productive hours that could have been saved because of the manual isolation process. Also, we had these highly trained personnel that were throwing isolators, when they were meant for bigger and better things.

So over the years I collected a lot information and kept in touch with people that had similar interests. It was around 2009 that we started to get a bit more traction in industry with people looking at better ways to isolate for production purposes. And sure, safety was definitely on the agenda, but they were looking for a system that sped up the isolation process, and ticked all the safety boxes.

So we partnered with Rock Automation initially who came on board with an excellent safety control system platform. We built a prototype system - a proof of concept. I remember it clearly; it was an electrical cabinet on a frame with wheels. It looked like a fridge trolley, essentially.

*Rob: So bringing that innovation to the market, kind of gathered pace in 2009 when you started partnering with the likes of BHP.*

Mike: Yes that's correct. BHP, Rio Tinto and FMG were all roughly landing about the same time. The price of ore was quite high and there was a lot of demand on throughput and resources on site to deliver the outcomes while recovering from faults. A lot of these faults required isolation to be done so definitely that the assets were being worked at an absolute maximum. The downtime that they were receiving was intolerable. They really had to get this plant up and running fairly quickly.

We were one of three people that submitted a proposal. The other two systems were basically a key exchange system. But we were banding around this concept of remote isolation. We put a concept together and proposed it, and they said, 'Yes, go ahead.' Then we thought, 'We've got to go and make this thing work now.' The challenge really started then.

BHP was absolutely fantastic. They came on board, sent a team with their design engineers around. We did a risk assessment on it. Normally that would take half a day, this went for nine days.

*Rob: So the fact that they committed nine days' worth of time to this highlighted that it probably was rather innovative and important to them.*

Mike: Absolutely. It was an essential part of their business going forward. It was largely a scoping exercise and it was quite a leap forward into the future for us. They were very generous, helping us with ideas, telling us exactly what they wanted. It was quite an eye opener for me.

*Rob: You've also developed the product with Fortescue Metals and with Rio Tinto as well. Tell us about your involvement with those firms.*

Mike: Those companies in their own right are very innovative, and they have their own ideas of how they want things to be.

They're always looking for a new and better ways to do things. And where safety complements for activity, it's a really good match. With Rio Tinto, they challenged us to come up with some ideas to make the system more adaptive for their requirements. They've been terrific; we keep in touch with them on a regular basis, same with FMG. The relationship with these companies continues to be close. They want a solution as much as we want to provide them with one.

*Rob: That in itself is quite innovative, being so close to three competitors out there in the market, but trying to satisfy their needs.*

Mike: Well, it's an interesting arrangement where you have your background IP that you bring to the client that we own and have developed over time. But, they're open and mature enough to appreciate that whatever project IP that's created on their work is ours to use wherever we want, however we want. Knowing that eventually it will come back around to them. So, yeah, we're sharing that information. After all it is a safety system, and why not make it better for everybody.

*Rob: Yes that's quite a good collegiate attitude to have. When you started to look for a partner to take this to the next level, how did you end up with Orbital?*

Mike: Well, I've always been told that if you're going to go for something, go at it hard, and do it properly. So, if you're going to hit the ball, hit it out of the stadium. And who in Australia doesn't know Orbital in Western Australia? The challenge was to find a partner that embraced innovation, was keen to grow and develop in the mining sector, would support this product to the various levels of development, and to mature those particular variations that we're offering with the product.

*Rob: Just walking into the office earlier, I was interested to see the sign, 'Step Into Innovation.' So Orbital certainly lives and breathes that.*

Mike: They do. That's a pretty good way of putting it. When they came up with that strapline, it was one of the first, and it won't go any further. We've found it.

*Rob: Well it certainly seems to work. You mentioned about the sales channel being important, but also the testing. So we're in a suite of various testing laboratories here. Has Orbital's global network assisted in you moving outside of Western Australia?*

Mike: Most definitely, particularly internationally. So, now we've got opportunities and projects occurring in South Africa, North and South America. Having the experience, or the scar-tissue if you like, of having been there and done that, it fills me with confidence.

*Rob: The growth of the business since you've joined Orbital is plain to see, certainly the sales proportion is contributing to the wider businesses growing. How aggressive are your growth plans for Remsafe?*

Mike: We do have a rapid growth plan. And, I touched earlier on our product pipeline, we've got products sitting there that are partially developed that we don't think

industry is ready for, not for another five years or so. We have just released our Mobile Field Isolation Station. That product alone will reduce the cost of our systems that we were previously offering, around 30%.

*Rob: So, from the prototype you talked about that looked like a big fridge, you're now down to a mobile unit that you can carry around with you?*

Mike: Well, basically put in my pocket. That's the next iteration and we're certainly maximising all the options available to us with various communication platforms out there as well.

*Rob: So that's a hugely innovative process, to alter the product from a fridge size down to pocket size in 15 years, that was done in conjunction with the big mining firms?*

Mike: Yes, most definitely. We were being told that, 'Look, it's got to get smaller, got to cost less, got to be able to do this, or that, the other.' It doesn't happen overnight. It's a significant investment to get these products developed.

*Rob: You've spoken, obviously, about the mining uses at the moment, is there a use outside of mining for the product?*

Mike: Most definitely. The system is now adapted to operate in the rail industry, especially with this portable field isolation station. So, you can go out to a rail-link and you can put an isolation in place where you've isolated the overhead power lines. You've occupied the track, and you've operated track switches, or turnouts that they call them, in a particular configuration to make the job safe. So, no rolling stock is going to come onto that track while you're working on it. Your track is shorted, saying that you can't put rolling stock down there, and there's no power overhead. So, all of those can combine into the one system that would traditionally take one to two hours to isolate. So, we've got that down to around 25 seconds.

*Rob: Innovation is obviously core to everything that you're doing here at Orbital and Remsafe. Are you able to tell us about any new projects you might be working on?*

Mike: Sure, Rob. First of all innovation is at the core of Orbital and Remsafe, it's in their DNA. We have a very disciplined and structured approach to developing the products that we have, and beyond that, look over for what industry may be calling for. We'd like to be there ready for when the opportunity does land, so we do meet on a monthly basis. The discipline that we apply to our innovation approach is the same as what we would for our financial accounting.

*Rob: Really, that's very encouraging to hear, and sounds incredibly disciplined. So you as an innovation team meet in a structured way to record the new found innovations?*

Mike: Of course, the team's headed up by an embedded resource from Wrays who drives it, and they have some assistance here with the agenda. The follow-up items are the big thing - holding people accountable to follow-up on what they've been allocated to do. You don't dare come to this meeting without being prepared and done your homework!

*Rob: That's really interesting. So, are you able to let us in on any secrets, or anything that's about to hit the market?*

Mike: We've just released our Generation Five System, it's produced at a fraction of the cost of the initial proof of concept. It's really quick to install, safe, and the industry feedback is just outstanding, very supportive. That is complimented by the Mobile Field Isolation Station, that's a game-changer.

It feeds across to a lot more different types of isolations and tasks that can be done under that isolation. So where remote isolation systems are traditionally used for automating electrical isolators, we're now including mechanical isolators as well. It's quite a move forward into processing, and other areas of productivity like wash plants.

*Rob: Thanks Mike, I've really enjoyed talking to you this afternoon. Thank you very much for your time, it's exciting to see a West Australian firm really at the forefront of innovation - and I wish Remsafe and Orbital all the success in the future.*

To listen to the full conversation, please visit [www.wrays.com.au/insights/pioneer-podcast-series/](http://www.wrays.com.au/insights/pioneer-podcast-series/)





# KEEPING IT REAL IN TODAY'S ADVERTISING AGE

Twenty years ago, if you asked an advertising guru who they believed most hindered the creative process of developing an advertising campaign (of any sort), nine times out of ten the answer would have been the lawyers. It was not uncommon to hear descriptions such as destructive, unreasonable, uncommercial (or even worse) being used to describe the contributions by the lawyers to the creative process.

Lawyers, for their part, were known to refer to the advertising industry as the land of lies and half truths. The effects of the consumer protection provisions of the Trade Practices Act 1974 and their successor, the Australian Consumer Law (which forms Schedule 2 to the Competition and Consumer Act 2010) (ACL) meant that advertising agencies and lawyers needed, like it or not, to work together closely to ensure that their client did not fall foul of the law in marketing its products and services. That relationship was not always as close or as beneficial as it should have been.

Tensions between lawyers and the advertising industry stem from the differing aims each holds. The aim of the agency is to increase the public's awareness of their client's name, brand, goods or services. The aim of the lawyer is to minimise or eliminate any risks taken by their client in maximising that awareness. Unfortunately, these two aims may often not see eye to eye.

From a marketing perspective, advertising agencies find themselves faced with a highly competitive environment – where in effect you are only as good as your last marketing campaign. In such an environment, the pressures on advertising agencies to deliver can be extreme. In addition, it is not uncommon for people (both at an agency and client level) to become personally attached to the marketing campaign.

A lawyer is expected to provide legal advice in relation to the issues arising from the campaign in question. There are times when this advice includes recommendations that substantially alter the nature of an advertisement (or the whole campaign) in question. After the time and effort the marketing people put into developing the campaign, it's little wonder that sometimes quite strong debates arise on the nature of the advice given and its ramifications.

The problems that lawyers face with advertising are twofold. First they need to ensure that advertisements are truthful – not partially or almost truthful, not using disclaimers or asterisks to help disguise the truth, but actually truthful. And, second, they have to try and ensure that advertisements fall within the ambit of what society has deemed acceptable. To do otherwise is to leave a client open to breaches of a relatively small but nonetheless quite significant array of laws and codes that govern advertising in Australia.

Over the years advertising agencies – and clients – have come to appreciate that there are statutory limits placed on creative genius and that there is a need to work (with lawyers) within those limits.

The result is that clients, agencies and lawyers have a far greater understanding of the laws and codes affecting advertising, together with the need to develop a process of vetting ads so that they do not infringe those laws and codes.

## What are the relevant laws and codes?

The most commonly referenced legislation in this area is the ACL and in particular, sections 18 and 29.

Section 18(1) of the ACL provides that:

A person must not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive.

Section 18 of the ACL goes on to prohibit various forms of false or misleading representations including those wrongly claiming that:

- goods are of a particular standard, quality, value, grade, composition, style or model
- goods are new
- goods or services have sponsorship, approval, performance characteristics, accessories, uses or benefits
- goods or services are of a particular price
- goods have a particular place of origin.

The Advertising Standards Bureau (ASB) was established in 1998 by the advertising industry to regulate complaints about advertising in Australia. Its initial role was to consider complaints under the Australian Association of National Advertisers (AANA) Code of Ethics. That responsibility has since grown such

that the ASB now administers a range of Codes and Initiatives. Those Codes include:

- AANA Code of Ethics
- AANA Code for Advertising and Marketing Communications to Children
- AANA Food & Beverages Advertising and Marketing Communications Code
- AANA Environmental Claims in Advertising & Marketing Code
- AANA Wagering Advertising & Marketing Communications Code
- FCAI Motor Vehicle Code

So what do advertising agencies and lawyers need to take account of when trying to ensure that an advertisement doesn't breach the ACL or offend against a Code of Practice?

For codes, it's relatively simple. You have to know if a code or codes apply to the ad in question and, if yes, check to ensure that the ad complies with those codes.

For the ACL, here's a non-exhaustive list of things to look for to ensure that consumers viewing the ad are not mislead and deceived:

1. Who is the target audience?
2. What will the target audience understand the advertisement to mean? You can't presume that the audience has any special knowledge or understanding of jargon or industry terms.

Merely because an industry group uses a particular phrase in a certain way, doesn't mean that the consumer will know or understand that meaning. Where words or phrases can have more than one meaning in a given context, you should make sure that each of those meanings satisfy the requirements and none of them render the advertisement to be misleading or deceptive.

3. Do the pictures and images used in the advertisement accord with the message?

Example:

A print advertisement for clothing picturing sheep in the background likely gives rise to an inference that the clothing in question is made from wool. If this is not the case, then the advertisement will be in breach of sections 18 and 29 of the ACL.

4. What impression(s) could the advertisement leave with the consumer? As before, where more than one impression is possible, check to ensure that none of the possible impressions are misleading or deceptive.
5. Pricing and discounts are normally one of the most contentious and difficult areas to deal with. Some of the trickier issues include:

**Free** – when can something be said to be free of charge? Realistically, no retailer gives anything away, and anything given to consumers is normally factored into the price.

**Discounts** – what is a discount? It is common to see discounts being advertised as being measured as a reduction in price from the Recommended Retail Price (or RRP). However, this approach can be misleading if the retailer was not selling the items in question at the RRP prior to offering the discount.

**Sales** – when is a retailer holding a sale? This raises similar issues to those faced when examining discounts. If there are no genuine reductions in prices, it would be misleading and deceptive to refer to the event as a sale.

6. At times there can be a tendency for agencies to over-extol the virtues of the goods or services being advertised. The practice of using self-evident exaggeration is referred to as puffery such that agencies were wont to respond to legal criticism of an ad with: "What's your problem? – it's only puffery."

The problem is that a claim made in an ad must be justifiable by supporting facts, otherwise the making of the claim can be misleading and deceptive.

Some particularly difficult words and phrases to deal with include:

**Best** – is stating that a product is the 'best' a claim or mere puffery? A general claim that 'our product is the best ever' is likely to be seen as a claim rather than mere puffery, and require factual support.

**Number 1** – is a similar claim to 'best', and it's been held by the courts that referring to a product as being 'number one' is a claim that must be supportable by the facts.

**Cheapest** – can be a very dangerous word to use. The cost of a retailer's goods or services as measured against its competitors is something that can be directly measured, and a retailer's control over remaining the 'cheapest' can often be quite difficult.

7. What about the use of an asterisk (\*) or some other device to refer the consumer to "additional" information regarding the subject matter of an advertisement?

The Australian Competition and Consumer Commission (ACCC) notes in its Advertising and Selling Guide as follows:

"It is common to see advertisements with limitations or disclaimers using an asterisk (\*), 'conditions apply' or other requirements to limit the audience's expectations. Fine print is often used in advertisements, contracts, labelling and signs.

These qualifications usually appear close to the lead selling point. If an asterisk appears near the word 'free', for example, a business may be trying to trade on positive reactions to the selling point, while trying to keep within the law by putting the conditions in the fine print. This may not protect that business from breaching the ACL.

The main selling point used for a product or service may make such a strong impression that no disclaimer can dispel it. An advertiser must not make the real terms and conditions of the offer unclear or unreadable by:

- placing text in obscure locations
- using text that is too small
- flashing disclaimers on screen for only a moment
- using voice overs that are too quick or too quiet.

The type and context of the advertisement is relevant as well. For example, it will be harder to ensure that small print conveys the real terms of the offer on a billboard on a highway that cars pass at 100 kilometres per hour, as compared to small print in a newspaper advertisement."

8. Comparative advertising can, if used properly, be a very effective form of advertising but it's also one of the forms of advertising most likely to give rise to potential breaches of the law or a code of practice.

Comparative advertising generally extols the virtues of one product or service over one or more competing products but particular care has to be taken in ensuring that the comparative statements made are correct.

So, it's advisable to compare like with like and while this will often be the safest approach to construct a comparative advertisement, the courts have also held that it's possible to compare different products provided that the two products are in competition with each

other and that the assertions made in regard to the comparison are themselves true.

What are the consequences of failing to comply with the law in relation to advertising? Briefly, failing to comply may leave you liable to any one or more of the following:

- Prosecution by the ACCC
- Private litigation by a competitor or consumer
- Monetary penalties – under the ACL, this can be up to \$1.1 million for a company and \$220,000 for an individual
- Court orders or a court enforceable undertaking that can cover the following:
  - An injunction
  - Damages, compensation or refunds. Damages can be sought up to 6 years after the offending conduct occurs
  - Rescission of contracts
  - Corrective advertising that fully and adequately dispels the effects of any wrong or misleading information previously given to the public
  - Compulsory implementation of a compliance program
  - Adverse publicity orders.

### Some final thoughts

Clear and honest communication between a client's marketing staff, its advertising agency and its legal advisers is critical in ensuring that everyone is fully aware of the intended aims of the advertisement or marketing campaign. Legal advice cannot be effectively given in a vacuum.

Meaningful discussions help lawyers and marketers and agencies develop a better understanding of their respective roles in the advertising process leading to an enhanced relationship.

And one more thing – nearly all problems associated with misleading and deceptive advertising can be avoided by compliance with a simple maxim – "Tell the truth".



**DAVID KING**  
Principal

# GOING GREEN: THE BENEFITS OF GREEN TECHNOLOGY PATENTS



One of the biggest challenges of the 21st century is how to combat climate change and its global impact. Innovation in 'green technologies' is central to finding the solutions. Patent offices around the world have recognised the importance of the relationship between the development of green technologies and patents. Because of this, a number of 'fast tracking' programs have been implemented to encourage the use of the patent system.

## Programs for 'fast-tracking' green technology patents

Programs for fast-tracking of patent applications allow for accelerated or expedited examination of patent applications. These programs aim to bypass the long waiting periods experienced by some patent offices. Programs for fast tracking of green patents programs have been initiated in various countries, such as Australia, Japan, United States, Canada, United Kingdom, Korea, Israel, Brazil and China.

### Why fast track?

The motivation behind such fast track programs is to minimise any prosecution delays at the patent offices in order to:

- Allow patent applicants to license and use their technologies earlier, increasing diffusion of the green technology into society
- Allow early publication of the patent which also increases diffusion of the technical knowledge of the patent.

### Benefits of fast tracking

While the above benefits are certainly altruistic in nature, there are additional benefits to the patent applicant. In most cases, the biggest advantage is that a fast patent grant will provide greater confidence in the technology, help to attract investors and aid in overall growth.

### Disadvantages of fast tracking

It is not always in an applicant's best interest to have a grant as soon as possible. By delaying the prosecution time, the final form

of the claims is also delayed. This allows the applicant more time to determine how the invention will be embodied commercially before finalising the claim scope.

Since patent applications must be disclosed when the patent is granted, an early grant could result in the publication of the patent prior to the normal publication date. In certain circumstances, this could limit the competitive advantage associated with being able to commercially use the technology, while full details of the patent remain unpublished.

### Does my technology qualify?

Each patent office has its own set of guidelines for what qualifies as 'green technology'. Generally, the technology has an environmental benefit, such as energy or environmental quality.

In Australia, expedited examination may be requested for technologies that are environmentally friendly. A request for expedited examination must be in writing and must include reasons why the technology should be considered as green. The expected time frame for receiving an examination report (clear or adverse) is within 8 weeks from the date of the request.



**TYSON KEED**  
Associate

# USE OF META TAGS IN SOURCE CODE NOW APPEARS TO INFRINGE

Meta tags are commonly used by website owners as a way to influence results on search engines (such as Google) in order for their website to be displayed in the top list of results. Meta tags generally consist of descriptive type 'keywords' used in source code of a website which help indicate the nature of the webpage content.

Whilst the source code is not visible when browsing on websites, any internet user can access the source code by right clicking on the browser and clicking on 'view source'.

There was an assumption that it would be safe to use a competitor's trade mark as a keyword given that it cannot be seen on the website itself. In reality, the majority of internet users would not view or would even know how to view source code.

However a recent decision confirms that using a trade mark in the source code of a website in relation to services provided can be considered trade mark use and therefore constitutes trade mark infringement.

## Accor Australia & New Zealand Hospitality Pty Ltd v Liv Pty Ltd [2017] FCAFC 56

Accor Australia & New Zealand Hospitality Pty Ltd ('Accor') has rights to use the trade marks 'HARBOUR LIGHTS' and 'CAIRNS HARBOUR LIGHTS' for a number of 'real estate letting services' in class 36 and 'accommodation letting services' in class 43. The trade mark is used for a hotel Accor are managing in Cairns.

Liv Pty Ltd ('LIV') is a property agency who was using the trade mark 'Harbour Lights Cairns', the domain names 'cairnsharbourlights.com.au', 'harbourlightscairns.com.au' and 'harbourlightscairns.com' (all use of which were found to be infringing). LIV were also trading under the business name 'Harbour Lights Property Management and Sales'.

LIV also used the following meta tag in the website source code:

*'content: = Harbour Lights Apartments in Cairns offer luxury private waterfront apartment accommodation for holiday letting and short-term rental'.*

In this Full Court decision, it was held that that use of 'Harbour Lights Apartments' as a meta tag in the source code was considered trade mark use. This is since the meta tag was used as a sign and referred

to LIV's place of business offering 'accommodation for letting and short term rental' services – such services being protected under the registered trade marks 'HARBOUR LIGHTS' and 'CAIRNS HARBOUR LIGHTS'.

Although there was no evidence that internet users did access LIV's website source code, the judge nevertheless accepted that it was infringing use since the meta tag was 'visible to those who know what to look for'.

It is highly doubtful that a trade mark owner would take action solely based on trade mark use as a meta tag. Rather, it would be an additional action that can now be taken against the infringing party. Nevertheless and in light of this decision, we recommend to avoid using the trade marks of competitors as meta tags when you or a third party (such as a website developer) is creating your website. This is because such use in the source code of a website could be considered trade mark infringement, especially if the words are referring to the same or very similar competing goods or services.



**CHRIS CAO**  
Senior Associate

# INDUSTRY INSIDER

## eGroup

Wrays is pleased to be a sponsor of eGroup - hearing the stories of guest speakers as they share their entrepreneurial journey.

eGroup WA Association represents the digital economy in the West. Present or past owners, senior managers and investors of online businesses meet on the first Tuesday of every month at Wrays' Perth offices. At these forums, industry come together to exchange experiences and build informal alliances, providing peer support and sharing valuable insights and knowledge and facilitate expert discussion, mentoring and collaboration in an open environment.

So far this year we've seen speakers from an admirable cross section of technology sectors including Nathan Buzza of CommtechWireless, a middleware clinical workflow solution for healthcare companies and Dr Ashley Aitken from HEDventures and Innovately.

## Curtin Ignition

Congratulations to Melbourne based Anthony Petterson of Hone Product Design who was the winner of this year's Wrays' Curtin Ignition Scholarship.

The Curtin Ignition Program is an intensive five and a half day education program for aspiring entrepreneurs, academics and corporate innovators to trial and prepare their business ideas for the

commercial environment.

Sponsored by Wrays, the Program is run by the Curtin Centre for Entrepreneurship and is based on the successful Ignite Program managed and delivered by the University of Cambridge Judge Business School's Centre for Entrepreneurial Learning.

The program ran from Sunday 13 to Friday 18th August 2017 at Technology Park Function Centre in Bentley, Perth comprising a blend of keynote and workshop teaching sessions, small group mentoring, panel, clinic and networking sessions. IP specialists from Wrays took part in the expert clinics and pitch panel session on the concluding day of the program on Friday 18 August.

## CONGRATULATIONS

Western Australia Innovator of the Year finalists announced  
Congratulations to the finalists of the 2017 WA Innovator of the Year program. Wrays are proud to support the next generation of WA innovators by sponsoring

this program again this year. A special mention goes to Wrays' clients Tap into Safety, Boratna Pty Ltd, GoPC Pty Ltd, Holyoake, Alerte Digital Health Pty Ltd and Zoodata who have been announced as finalists.

Winners will be announced at the awards ceremony on 1 November 2017.

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