



Trade Marks Procedures

1. COMPLIANCE OBLIGATION SUPPORTED

[Intellectual Property Laws Amendment \(Raising the Bar\) Act 2012 \(Cth\)](#)

[Brand Communications Policy](#)

2. PROCEDURAL DETAILS

2.1. As a risk management measure, intellectual property related to the Curtin University brand which is of significant monetary or strategic value will be protected by being trade marked. Such intellectual property includes but is not restricted to marks (including names), logos and designs.

2.2. Proposals for trade marking

2.2.1. Only marks, logos and designs consistent with the Brand Style Guide or the [Brand Hierarchy](#) may be trade marked.

2.2.2. Areas wishing to obtain a trade mark will submit a proposal addressing the matters in [Schedule 1](#), endorsed by the relevant Executive Manager, to the Director, Brand and Marketing.

2.2.3. The Director, Brand and Marketing will provide expert advice to the relevant area on the need for the specific trade mark requested.

2.2.4. If the area decides to continue with the application, the Director, Brand and Marketing will forward the submission to Legal Services for a cost estimation, which will be provided to the Executive Manager.

2.2.5. The Executive Manager will consider and may approve the expenditure. Legal Services will manage the trade mark application process to completion and will inform the area of the result.

2.3. Requirements to trade mark

2.3.1. A mark, logo or design may be deemed by the Director, Brand and Marketing to be of such strategic or monetary value or risk to the University that it should be trade marked. Areas responsible for the mark, logo or design, once notified of this by the Director, Brand and Marketing will:

- (a) submit to the Director, Brand and Marketing the information in [Schedule 1](#); and
- (b) pay for costs incurred in trademarking.

2.3.2. University Marketing will liaise with Legal Services to manage the trade mark application process.

2.4. Register of trade marks

Legal Services will maintain a register of all trade marks related to the Curtin University brand.

2.5. Inappropriate or unauthorised use of a trade mark

If a party external to the University uses a trade mark without authorisation or inappropriately, the Director Brand and Marketing will refer the matter to Legal Services.

3. RESPONSIBILITIES

Responsibilities as set out in section 2.

4. SCOPE OF PROCEDURES

These procedures apply to all Curtin Council members, students, staff, University Associates, Curtin controlled entities, global campuses and all persons participating in University business or activities, including whether as a visitor, adjunct appointee, service provider, or contractor.

5. DEFINITIONS

(Note: Commonly defined terms are located in the [Curtin Common Definitions](#). Any defined terms below are specific to this document)

A **trade mark** is a right that is granted for a letter, number, word, phrase, sound, smell, shape, logo, picture and/or aspect of packaging. A registered trade mark is legally enforceable and gives the owner exclusive rights to commercially use, licence or sell it for the goods and services that it is registered under.

6. SCHEDULES

[Schedule 1](#): Requirements for trade mark registration proposal

7. RELATED DOCUMENTS/LINKS/FORMS

[Brand Hierarchy](#)

[Brand Style Guide](#)

[Brand Communications Policy](#)

[Risk Management Procedures](#)

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| Policy Compliance Officer | Kate Jennings , Director, Brand and Marketing |
| Policy Manager | Chief Strategy and Marketing Officer |
| Approval Authority | Chief Strategy and Marketing Officer |
| Review Date | 1 st April 2024 |

REVISION HISTORY

| Version | Approved/ Amended/ Rescinded | Date | Committee / Board / Executive Manager | Approval / Resolution Number | Key Changes and Notes |
|---------|------------------------------------|------------|--|------------------------------------|---|
| New | Approved | 24/06/2013 | Vice President, Corporate Relations and Development | EM1316 | Unconditional |
| | Administratively Updated | 06/10/2015 | Director, Legal and Compliance Services | EC 76/15 | Executive Manager Title Changes |
| | Amended | 03/05/2016 | Vice President, Corporate Relations | EM1613 | Formally Reviewed No Changes |
| | Amended | 04/07/2016 | Vice President, Corporate Relations | EM1641 | Policy Contact changed; link in Schedule 1 added |
| | Approved | 21/04/2020 | Vice President, Corporate Relations | EM2007 | |

Schedule 1

Requirements for trade mark registration proposal

A proposal for trade mark registration will include:

- (a) What is to be trade marked (mark, logo, design etc.);
- (b) The owner of the item to be trade marked;
- (c) A description of the business relating to the item to be trade marked;
- (d) Categories/classes for registration (if known);
- (e) How the proposed trade mark links to the University's Strategic Plan;
- (f) A commitment to fund the process of obtaining a legal trade mark, including the cost centre to be charged; and
- (g) The relevant area contact officer.

Please submit a request at <https://brand.curtin.edu.au/requests/request-for-help/>