

COVID-19: [get the latest updates](#)

×

Australian Intellectual Property laws

Intellectual property (IP) and other intangible assets that relate to doing business include patents, trade marks, designs, and secret processes and formulae.

Australian IP law is designed to encourage innovation and protect businesses that develop original IP in order to have a competitive advantage. Australia is also a signatory to a number of international agreements that protect IP in other countries.

IP Australia is the Australian Government agency that administers IP rights and legislation.

Further information on the laws and procedures governing the registration and use of IP in Australia is provided below.

Patent protection

An Australian patent provides a legal right to stop third parties from manufacturing, using and/or selling an invention in Australia. It may also be used to license someone else to manufacture an invention on agreed terms. Australian patents are administered by IP Australia.

We recommend that you seek professional assistance before applying for a patent.

For more information on Australian patents and qualified patent professionals, see IP Australia: [Patents](#).

Trade mark protection

Australia has a well-developed legal system that protects the intellectual property of businesses and individuals.

Businesses can register a trade mark as a marketing tool. A registered trade mark provides legal protection that prevents others from using your brand. Trade marks are issued and protected nationally.

For further detail on registering a trade mark in Australia, see IP Australia: [trade mark protection](#).

Registering a domain name

A domain name is a unique internet site address that allows others to access your website. Internet addresses ending in '.au' are registered in Australia and are administered and regulated by the .au Domain Administration (auDA).

To register for an .au domain, the domain name must be available and the business must meet auDA's policy on domain name eligibility and allocation. For more information on registering a domain name in Australia, including a complete listing of registration companies, see auDA's web page on [Domain Name Registration](#).

Design protection

Australia has a statutory framework for the registration of designs. A design application can be filed containing one design, a single design in relation to many products, or multiple designs.

Applications for registration of designs must be filed with the Designs Office of IP Australia. The Designs Office will assess whether the design meets legislative requirements.

For more information on registering a design in Australia, see IP Australia: [Designs](#).

Copyright protection

Australian copyright law is designed to encourage and protect those businesses which invest their time and talent in the creation of new material. Australia is also a signatory to a number of international conventions that deal with copyright.

Material is automatically protected by copyright in Australia under the legislative framework. No specific registration is required. There are some exemptions from what is covered and around the use of copyrighted material.

For more information on copyright protection, including legislative requirements, see Australian Copyright Council: [Find an Answer](#).

BENCHMARK REPORT



Compare Australia across key investment indicators – Economy, Industries, Skilled Labour, Business Environment and Innovation.

[Latest data](#)

[More reports](#)

BENEFITS OF FDI

Read about the benefits of foreign direct investment (FDI) to the economy and Australians.

[Read more...](#)

CONTACT US



Call 13 28 78



Send us an email info@austrade.gov.au or use our [Contact Form](#)

In the spirit of reconciliation we acknowledge the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

The Australian Trade and Investment Commission (Austrade) is the Australian Government's international trade promotion and investment attraction agency.

We generate market information and insights, promote Australian capability, and facilitate connections through our extensive global network.

2020 Australian Trade and Investment Commission

Terms and Conditions

Site Disclaimer

Web CMS by Elcom

Privacy Policy

Web Design by MC3

Site Map

ABN 11 764 698 227