

January 2007

Business News

Legal Issues update for Canberra Businesses



Volume 3, Issue

Snedden Hall & Gallop are moving to Deakin.

For any of you who have recently visited our offices, you will be aware that we are gradually being encircled by construction sites and new development. Parking has become a major problem for clients, contacts and staff, and the pleasant views we once experienced from our office are quickly disappearing.

In the circumstances, we have decided to relocate our office to new premises in Geils Court at Deakin and we will be moving probably in about March 2007. We will let you all know when we have moved and provide our new contact details, but needless to say, we will be offering a new start with plenty of parking and an excellent work environment.

The other good news for the firm is that a senior ACT lawyer, Col Blain, has joined our

firm as a senior consultant. Col has a wealth of experience in all types of litigation and commercial matters and is now a qualified mediator. We are thrilled to have him on board and look forward to a long association with him.

We look forward to catching up with you in our new office in the New Year and although we sense there may be some temporary discomfort in our move, we are excited about a new start and we take on board the words of the French novelist, Natole Francé who wisely said : *"One must never lose time in complaining about the changes which cause us discomfort, for change is the very essence of life"*.

Managing Partner, Richard Faulks



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When is trust not enough?

Feature story on intellectual property

Over the past 10 years, intellectual property has become one of the most valuable and heavily-traded commodities in the business world. However, many businesses, whether new or old, fail to appreciate the importance value of their intellectual property, and therefore fail to take the appropriate necessary measures in order to protect it.

Intellectual property is a generic term that describes how the law protects the creations of a person or a company. Essentially, intellectual property rights can be protected, depending on their form, under different pieces of legislation. Different types of intellectual property that you may be familiar with include copyright, trademarks, patents, designs and moral rights.

These categories usually relate to well-developed ideas and concepts, but what do you do before an idea is ready for registration under legislation? Your thoughts and concepts in these early stages are known as Confidential Information, which may include material that is important to your business know-how and that you need to protect from your potential competitors. Australian law provides an action at common law (usually under contract) to protect your confidential information and prevent the disclosure or misuse of it.

One way of protecting your confidential information is through non-disclosure agreements, which you should consider when entering into commercial relationships with potential partners, clients or even staff. But many don't appreciate just how important they can be in order to set out the kinds of information you will be providing to the other party and what may or may not be done with it.

Snedden Hall & Gallop has had to help many people who have failed to take the necessary steps to protect their confidential information and have therefore made significant losses. We commonly hear words such as: *"We have a very good working relationship and I trust him"*. While we, of course, value trust in a relationship between business partners, contractors or clients, we urge extreme caution be taken by anyone who wants to rely on trust when entering into a relationship where intellectual

property is at risk.

Recently, Snedden Hall & Gallop has assisted a client who had shared all of his confidential information with a business partner, but had not given any thought to what would happen if that relationship went sour. When the relationship failed, our client faced losing all of his intellectual property. It was only with careful negotiation that we have been able to secure our client's rights, and avoid ending up in an expensive and time-consuming battle before the courts.

Snedden Hall & Gallop has an experienced legal team, including two members of the Intellectual Property Society of Australia & New Zealand. We can answer your questions about intellectual property and would be delighted to help you protect your valuable assets.

For more information contact Maria Gawander or Nicholas Tebbey on 6201 8900.

"We have a very good working relationship and I trust him".



Snedden Hall & Gallop are pleased to announce our sponsorship of ACT tri-athlete Kirra Rankin in her quest to win the 2007 Iron man Event. Good luck Kirra !!!

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