

Is your proposed business name somebody's trade mark?

Applicant

Full Name: _____

Postal Address: _____

State: _____ Postcode: _____

Phone Number: _____

Fax Number: _____

Proposed Business Name

Name: _____

(One name per application only)

Nature of Business

E.g. 'clothing retail' or 'manufacture of furniture'

Payment (Fee \$40) *Make cheques payable to IP Australia. Please indicate method of payment.*

Mastercard Visa Cheque

Cash Money Order

Cardholder's Name: _____

Credit Card Number

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Please charge \$ _____ to my credit card

Signature: _____

Expiry Date: / /

How to lodge your application

By Phone: 1300 651 010 By Fax: (02) 6283 7999

By Mail: IP Australia, PO Box 200, Woden ACT 2606

(cheque, credit card or money order)



Australian Government

IP Australia

Make sure your new business name isn't old hat...



...with IP Australia's search service.

Contact details

IP Australia

Phone: 1300 651 010

Secure fax: (02) 6283 7999

Postal address: PO Box 200
WODEN ACT 2606

Email: assist@ipaustralia.gov.au

Website: www.ipaustralia.gov.au

Protect your business, protect yourself

Did you know that you may be inadvertently infringing someone else's trade mark with your business name?

Choosing a business name which infringes an existing trade mark can be a costly exercise – it could mean hefty legal bills, drawn out disputes and even the closure of your business.

Be aware that registering your business name does not give you ownership of that name. That's why IP Australia offers a service to help you get your business name right the first time around.

How does a trade mark differ from a business name?

A **trade mark** identifies a product or a service, distinguishing it from other similar products or services. Registration of the trade mark gives the owner the exclusive right to use the trade mark for the goods and/or services for which it is registered.

Registration covers the whole of Australia.

A **business name** is a trading name only, and is only valid in the state(s) and territories it is registered.

Registering a business name provides the owner with no proprietary rights to that name.



IP Australia's search service



Let one of our trained staff do all the hard work for you. For **\$40 (GST inclusive)** we will perform a skilled search of existing registered or pending trade marks. We guarantee the results of the search will be provided within one business day of receiving your request.

Other assistance available

Alternatively, you can access our trade mark database (ATMOSS) and conduct your own search from the IP Australia website at www.ipaustralia.gov.au.

Professional searches are also available from patent and trade mark attorneys, legal practitioners and search firms.

To find out more about why you should carry out a trade mark search, call IP Australia on **1300 651 010 during business hours (9am to 7pm EST)**.

Note: The Search Service will locate only those registered or pending trade marks which are identical or very similar to your proposed business name. Only those trade marks actually registered or pending (subject to indexing) on the day of the search will be considered. We accept no responsibility for matters resulting from our reporting.

How to request your search from IP Australia

- 1) Ring IP Australia on 1300 651 010 between 9am and 7pm EST; or
- 2) Complete the application form (see over page) and fax to our secure fax number (02) 6283 7999; or
- 3) Mail your completed application form to: IP Australia, PO Box 200, WODEN ACT 2606.

IP Australia

Trade marks are just one form of intellectual property. IP Australia is the Australian Government agency responsible for administering patents, trade marks, designs and plant breeder's rights.

www.ipaustralia.gov.au

