

About commercialisation



Australian Government

IP Australia

What does commercialising intellectual property (IP) mean?

Commercialisation is the process of bringing a product or service to market. It involves transforming an idea or invention into a commercially viable offering that can make a profit and generate value. This process includes market research, product development, production, marketing, sales, and customer support.

You can generate profit yourself by launching the product or service independently, or work with others to bring the product to market. This may involve assigning, licensing, or franchising your IP.

Your IP could be a unique invention, design or idea that sets you apart from others – it is your business asset, one that can create revenue for you and your business.

Commercialisation is a strategic step in the lifecycle of an idea or technology, as it allows you to monetise your IP and potentially disrupt existing markets with your innovation.

How can I commercialise my IP?

To commercialise your IP, you'll need to decide whether to compete or collaborate with existing market players. Consider if you want to compete directly with them by launching your product or service independently, or whether you prefer to build value with partners by sharing ideas.

How well your IP is protected will influence your commercialisation options. More details on the options for commercialisation of IP can be found on [our website](#), including a [short video](#) explaining the commercialisation process.

Why is IP protection important in the commercialisation process?

Secure intellectual IP rights before you go to market

By securing IP rights in markets that you want to operate in, you can protect your idea from imitation and prevent competitors from using it in their own commercial activities. This includes during the manufacturing and marketing stages. In some cases, even sharing your idea on social media before your IP rights are registered can lead to complications in the future, as it may prevent you from claiming ownership of your IP and potentially open the door for others to imitate or profit from your idea.

Capitalise on your intangible assets

IP rights are a valuable asset in attracting investor interest as they signify a company's potential for future growth and profitability. Registered IP rights demonstrate that you have unique, protected assets, which provides a competitive edge in the market. Intangible assets such as patents, trade marks and brands are scalable markers of future business growth. Evidence shows that for start-ups, the possession of trade marks and patents increase the perceived value of the company in the eyes of investors. ([IP Report 2024](#)).

This valuation boost occurs because trade marks signal that a company is serious about carving out a market niche and patents demonstrate that a company is effectively run and can make good use of its technology investments.

IP and international expansion

Your commercialisation plans may include going global. If you're planning on taking your idea to overseas markets, you'll need to consider IP protection in each of the countries you plan to do trade in, as IP registrations are geographically managed. An IP right registered in Australia only provides protection within Australia – nowhere else. It is also important to know that there is no such thing as an 'International Patent' – this is most likely to refer to a portfolio of patents, granted in several jurisdictions. You can read more about international IP and how to efficiently manage yours on [our website](#).

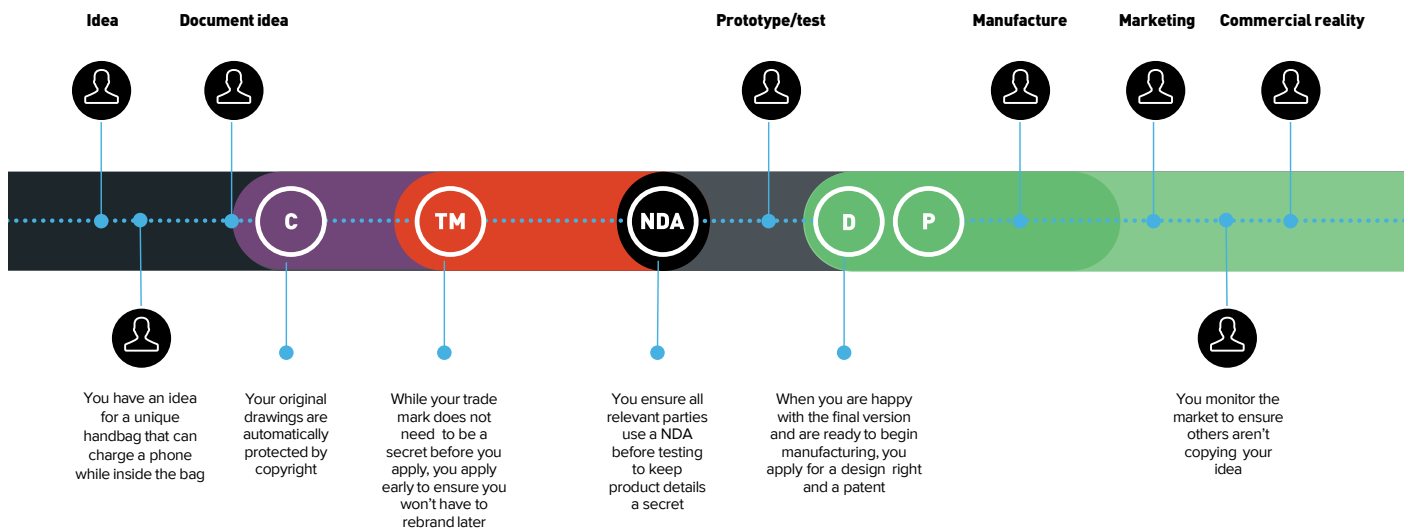
Commercialisation pathway

Commercialising a new product or service is typically a journey of many steps comprising a 'route to market' or 'commercialisation pathway'.

Examples of steps during commercialisation (not necessarily to be performed in this order) include:

- filing for IP protection
- sourcing a commercialisation opportunity, such as accessing clear legal rights to existing IP
- defining and documenting the IP and its related commercial opportunities
- evaluating the IP to determine if the risks of commercialisation are worth taking
- establishing a legal business structure
- preparing a detailed commercialisation plan
- sourcing funding
- developing the product or service to a marketable level
- building capability for manufacturing (if applicable), sales and marketing.

Commercialisation — typical route to market



On the commercialisation pathway, several steps may be taken simultaneously, some can be skipped, and some may require repeating. The most appropriate steps and their best sequence depends on the specific IP involved and will require careful consideration.

Understanding the role of IP rights is essential for anyone looking to bring a new product or service to market. By securing your IP rights, you can protect your unique ideas and creations, giving you the best chance of commercial success.

An IP story:

EMVision – Revolutionising stroke diagnosis

Many Australians living in rural and remote areas can miss out on timely diagnosis and treatment for strokes, due to their lack of access to medical facilities and imaging services. It's this market gap that led Australian company EMVision medical devices to develop innovative portable brain scanners that can be used by any healthcare professional at the bedside or in pre-hospital settings.

Scott Kirkland, the CEO and co-founder of EMVision, explains how they are using their IP strategy and protection to maximise their market share and impact. As Scott states, "We're developing a new technology which has required significant investment to get us to where we are. It's critical to protect the value of that investment and ensure that there are no competitors that can copy our product. And ultimately, we're looking to maximise market share." EMVision invested in patenting their technology and methods in order to facilitate a global impact on stroke outcomes.

To learn more about EMVision's commercialisation journey, visit [our website](#).

