

Big Business Bill creates trade mark rush

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Baldwins is advising kiwi businesses with a strong export focus to protect their intellectual property before new legislation making trade mark registration here easier for overseas companies comes into force.

The new legislation, The Trade Marks Amendment Bill, which has passed through parliament and is awaiting royal assent, brings New Zealand in line with many countries around the world through the Madrid Protocol. The Protocol allows international organisations to register a trade mark in any country which uses the Protocol in one single procedure.

Philip Thoreau, partner at Baldwins Intellectual Property, says that kiwi businesses need to be prepared and should protect their brands before the new legislation comes into force, which is expected to be mid-2012.

“New Zealand companies need to take proactive steps in response to the new legislation and ensure they have protected their trade marks by registration before the legislation comes into force.”

“We are expecting there will be a significant increase in the number of trade mark applications filed in New Zealand by offshore competitors who are already members of the Madrid Protocol. At the touch of a button, large international corporates could severely inhibit future economic growth, from local startup companies to established exporters, blocking access to key markets,” he says.

Other countries in the Madrid Protocol are many of our major trading partners including Australia, China, USA, the United Kingdom, Japan, Switzerland, Korea, Singapore, the Russia Federation, and members of the European Union.

For further information [click here](#).