



Australian Government

BSBIPR402 Protect and use new inventions and innovations

Release: 1

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Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 1.0.

Application

This unit describes the skills and knowledge required to protect and use new inventions and innovations as the exclusive intellectual property of an organisation or individual. It covers identifying the need for protection of new inventions or innovations, working with specialists to file a successful patent application, monitoring and protecting intellectual property rights, and using the patent for business growth.

It applies to individuals who are actively involved in work concerning the development or ownership of inventive and innovative products. They may work as individual inventors or innovators in a range of industries or organisational contexts, as part of a research and development team within an organisation or be commissioning or employing others to develop new inventions or innovations.

It will give individuals an understanding of patent law and how patents are assigned, to develop an understanding of the actions of patent specialists employed to patent the organisation's new inventions or innovations.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Unit Sector

Regulation, Licensing and Risk – Intellectual Property

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1 Identify the need for protection of new inventions and innovations	1.1 Research what constitutes a new invention or innovation in Australia 1.2 Identify legislative requirements governing invention and innovation protection

ELEMENT	PERFORMANCE CRITERIA
	1.3 Identify inventions and innovations within own organisation that may require protection and identify the type of patent applicable 1.4 Conduct research to determine other inventions or innovations in a specific area of technology 1.5 Research patent information, use patent search and patent search tools, and evaluate their usefulness for the organisation 1.6 Evaluate commercialisation potential of new inventions or innovations to determine if protection is worth pursuing
2 Identify and initiate the process for protection of inventions and innovations	2.1 Identify sources of information and advice on protecting and searching new inventions or innovations 2.2 Identify processes required for filing a successful patent application 2.3 Identify processes for international invention protection 2.4 Evaluate the role of intellectual property professionals in the patent application process 2.5 Participate in a patent search and patent application and provide relevant information to an intellectual property professional for patent search and patent application, if required 2.6 Identify non-registrable forms of a protection strategy and evaluate the benefits of utilising patent alternatives
3 Monitor the market and protect and use new inventions and innovations	3.1 Identify and review organisation policies and procedures to ensure the protection and use of new inventions and innovations 3.2 Identify and establish processes to use own and others' patents for business growth 3.3 Identify appropriate legal measures to protect an invention or innovation against certified infringements, if required, with assistance of appropriate professionals 3.4 Monitor the market for possible patent infringements 3.5 Ensure all employees are aware of the importance to the organisation of protecting new inventions and innovations and implement training if required 3.6 Identify and review organisation policies and procedures to prevent infringement of others' inventions and innovations

Foundation Skills

This section describes language, literacy, numeracy and employment skills incorporated in the performance criteria that are required for competent performance.

Skill	Performance Criteria	Description
Reading	1.1-1.6, 2.1-2.6, 3.1-3.6	- Comprehends and interprets workplace documentation - Recognises text within job specifications and work processes related to intellectual property requirements
Writing	1.1-1.6, 2.1-2.6, 3.1-3.6	- Records information and conveys details in accordance with requirements and audience needs - Inputs data and information using appropriate technology
Oral Communication	2.1, 2.4, 2.5, 3.5	Explains issues and requirements clearly and obtains information from others by listening and questioning
Interact with others	2.5, 3.5	- Selects and applies the appropriate form and mode of communication for a specific purpose and audience - Collaborates with others to ensure shared understanding of requirements
Get the work done	1.1-1.6, 2.1-2.6, 3.1-3.6	- Plans and implements a range of routine and non-routine tasks and effectively achieves required outcomes - Recognises potential problems and uses problem solving strategies to address them - Recognises the potential of new ideas and opportunities - Uses digital technologies and tools to access and record information

Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
BSBIPR402 Protect and use new inventions and innovations	BSBIPR402A Protect and use new inventions and innovations	Updated to meet Standards for Training Packages	Equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>

Assessment Requirements for BSBIPR402 Protect and use new inventions and innovations

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Performance Evidence

Evidence of the ability to:

- identify any issues with the use, management and protection of new inventions or innovations
- review and amend policies and procedures for the use, management and protection of new inventions or innovations and legitimate use of others' inventions or innovations
- monitor markets to identify infringements and opportunities for the legitimate use of others' inventions or innovations within legislative requirements
- identify the need for training employees where knowledge gaps are evident.

Note: If a specific volume or frequency is not stated, then evidence must be provided at least once.

Knowledge Evidence

To complete the unit requirements safely and effectively, the individual must:

- describe what is considered an invention or innovation
- outline registrable and non-registrable forms of protection
- identify patent application guidelines
- outline the relevant legislation concerning patents
- identify sources of information and advice on protection of new inventions or innovations.

Assessment Conditions

Assessment must be conducted in a safe environment where evidence gathered demonstrates consistent performance of typical activities experienced in the regulation, licensing and risk – intellectual property field of work and include access to:

- relevant legislation, standards and codes
- relevant workplace documentation and resources normally available to a patent applicant

- explanatory material and guidelines
- interaction with others.

Assessors must satisfy NVR/AQTF assessor requirements.

Links

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