



Australian Government

BSBIPR404 Protect and use innovative designs

Release: 1

BSBIPR404 Protect and use innovative designs

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 the appearance or look of manufactured or handmade articles as registered designs. It covers identifying the need for protection, the process of design registration, monitoring and protecting registered designs, and using registered designs commercially.

It applies to individuals and organisations who are involved in creating industrial or fashion designs across a variety of work environments.

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 innovative designs	1.1 Research what constitutes a registrable design and what exclusive rights are obtained through registration 1.2 Identify legislative requirements governing design registration 1.3 Conduct research to determine what has already been published or registered in the area of design 1.4 Assess whether copyright provides protection and determine adequacy of non-registrable protection 1.5 Identify innovative designs within own organisation with commercial potential 1.6 Evaluate and make recommendations for commercialisation

ELEMENT	PERFORMANCE CRITERIA
	potential of innovative designs
2 Identify and initiate application for protection of innovative designs	2.1 Identify sources of information and advice regarding protection of innovative designs 2.2 Evaluate the role of intellectual property professionals in the registration process 2.3 Identify processes required for the application for registration of a design 2.4 Identify process for international design registration 2.5 Participate in a design registration process and, if applicable, provide relevant information to an intellectual property professional
3 Monitor the market and protect and use registered design	3.1 Identify and review organisational policies and procedures to protect and use the organisation's designs correctly 3.2 Identify and establish processes to use own and others' registered designs for business growth 3.3 Ensure procedures are followed for the organisation to maintain innovative design protection 3.4 Ensure all employees are aware of the importance to the organisation of the protection of designs, and implement training if required 3.5 Monitor the market for possible infringements of registered designs 3.6 Pursue appropriate legal measures to protect designs against infringements, if required, using appropriate professional advice 3.7 Identify and review organisational policies and procedures to ensure all employees respect the work of other designers in fair and open competition

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	1.1-1.4, 1.6, 2.1, 2.2,	Monitors and reviews organisational policies and procedures to ensure compliance with legislative

	2.4, 3.1, 3.3, 3.4, 3.5, 3.7	requirements Researches and analyses complex text including legislation to identify relevant information
Writing	1.1, 1.3, 1.5, 1.6, 2.5, 3.2, 3.4, 3.5, 3.7	- Summarises research findings relevant to the organisation - Records and maintains information and conveys details in accordance with requirements using appropriate terminology and grammatical structure
Oral Communication	2.5, 3.4	- Uses clear language to provide information or explain requirements - Uses listening and questioning techniques to obtain expert advice and clarify understanding
Navigate the world of work	1.2, 1.4, 3.1, 3.3, 3.6, 3.7	- Recognises and follows explicit and implicit protocols and meets expectations associated with own role - Monitors and reviews organisational policies and procedures to identify required amendments and ensure compliance with relevant legislation
Interact with others	2.5, 3.4	- Selects and uses the appropriate form and mode of communication for a specific purpose and audience - Collaborates with others to achieve joint outcomes
Get the work done	1.1-1.6, 2.1-2.5, 3.1, 3.2, 3.4, 3.5, 3.6	- Plans and implements tasks according to required procedures and processes - Uses systematic, analytical processes to gather information, evaluate options and decide on actions - Recognises and anticipates an increasing range of familiar problems, actively looking for infringements and implementing required actions - Use digital systems and tools to access information

Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
BSBIPR404 Protect and use innovative designs	BSBIPR404A Protect and use innovative designs	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 BSBIPR404 Protect and use innovative designs

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Performance Evidence

Evidence of the ability to:

- identify issues with the use, management and protection of innovative designs
- develop and implement plans to manage and protect the organisation's innovative designs, and use others' designs legitimately, according to legislative requirements and organisational policies and procedures.

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 application guidelines, formats and procedures to protect innovative designs
- explain the requirements and purpose for registering a design
- outline relevant legislation concerning designs, including the overlap of intellectual property rights between design protection and copyright
- identify sources of information and advice about protection of designs.

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:

- information about relevant legislative requirements
- workplace procedures and resources
- information about innovative design protection requirements
- case studies and, where possible, real situations.

Assessors must satisfy NVR/AQTF assessor requirements.

Links

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