



Australian Government

BSBLEG525 Apply legal principles in intellectual property law matters

Release: 1

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Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 7.0.

Application

This unit describes the skills and knowledge required to apply legal principles in intellectual property law matters. It covers maintaining control over the copyright owner's work, commercialising copyright material, preventing the unauthorised use of an original work and using other party's original work legitimately.

The unit applies to individuals who provide support in a range of legal service settings with a degree of responsibility to plan and complete investigations.

It also applies to people who may be authors, creators or other owners of works covered by copyright, as well as employees who have a role in ensuring that their organisational copyright is protected and/or that their organisation uses others' copyright appropriately to benefit the organisation without infringing the rights of copyright owners.

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

Unit Sector

Technical Skills – Legal Services

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. Prepare to apply principles of intellectual property	1.1 Identify task requirements 1.2 Identify key principles of intellectual property law according to task requirements 1.3 Identify key provisions of legislation and common law, policies or procedures relevant to task requirements
2. Employ principles of	2.1 Apply principles of intellectual property law to relevant legal

ELEMENT	PERFORMANCE CRITERIA
intellectual property	matters arising in the workplace 2.2 Analyse and evaluate key issues 2.3 Develop recommendations of legal and economic implications of copyright infringement according to task requirements
3. Finalise application of intellectual property principles	3.1 Review analysis with designated person 3.2 Obtain feedback from relevant personnel 3.3 Amend advice according to feedback 3.4 Store documents and data used according to organisational policies and procedures

Foundation Skills

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

Skill	Description
Reading	- Researches and analyses complex texts, including legislation, to identify relevant information - Monitors and reviews organisational policies and procedures to ensure compliance with legislative requirements
Writing	- Records and maintains copyright documentation according to legislative and organisational requirements - Reviews and updates organisational policies and procedures to ensure compliance with legislative requirements
Oral Communication	- Provides advice using language and terminology appropriate to audience - Obtains information from others by listening and questioning
Initiative and enterprise	Implements, monitors and reviews policies and procedures to ensure organisational compliance with legislative requirements
Self-management	- Follows accepted communication practices when seeking or providing advice about intellectual property - Identifies and complies with legislative requirements associated with own role
Planning and organising	- Plans, organises and implements tasks needed to ensure compliance with legislative and organisational requirements - Systematically gathers and analyses information to decide on action needed to prevent or address copyright infringements
Technology	Uses digital technologies or tools to access and record information

Unit Mapping Information

No equivalent unit. Supersedes but is not equivalent to:

- BSBIPR301 Comply with organisational requirements for protection and use of intellectual property
- BSBIPR401 Use and respect copyright
- BSBIPR402 Protect and use new inventions and innovations
- BSBIPR403 Protect and use brands and business identity
- BSBIPR404 Protect and use innovative designs
- BSBIPR601 Develop and implement strategies for intellectual property management.

Links

Companion Volume Implementation Guide is found on VETNet -

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

Assessment Requirements for BSBLEG525 Apply legal principles in intellectual property law matters

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Performance Evidence

The candidate must demonstrate the ability to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including evidence of the ability to:

- apply principles of intellectual property law in at least four different matters.

In the course of the above, the candidate must:

- review and interpret information to determine how copyright applies in the organisation
- recommend actions to address risks and infringements
- communicate advice or recommendations about copyright to relevant stakeholders.

Knowledge Evidence

The candidate must be able to demonstrate knowledge to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including knowledge of:

- legislative framework for copyright and its application to the organisation including:
 - copyright owner of original works within or used by the organisation
 - policies and procedures for use of own copyright materials by other parties
 - policies and procedures for legitimate use of others' copyright materials
- sources of information and advice on copyright
- the types of works that attract copyright
- circumstances where a copyright notice is required
- regulations on selling copyright rights including:
 - commercialisation potential of copyright material
 - potential benefits for the firm
- intellectual property agreement documentation requirements
- further actions where intellectual property rights are breached
- methods to limit or deter unauthorised use of copyright material
- direct and indirect infringement of copyright
- when authorisation for use of copyright material is needed and how to obtain it

- different types of licences and how they apply to the firm.

Assessment Conditions

Skills in this unit must be demonstrated in a workplace or simulated environment where the conditions are typical of those in a working environment in this industry.

This includes access to:

- relevant legislation, regulations, standards and codes relevant to intellectual property.

Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards.

Links

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