

# WIN TRADE MARKS

## Should you register your trade mark?

Check the applicable boxes below to find out:

- You are promoting your business to Australians and earning revenue from Australian customers**  
You don't need a trade mark in Australia unless you intend to grow your business in Australia over the next few years. If you're trading in other countries you may want to consider applying for a trade mark in those countries as well.
- You intend to use your brand for 3 years or more**  
A trade mark registration lasts for 10 years so it's probably not worth getting your trade mark registered if you don't intend to use it over the long term.
- It would cost you more than \$1,500 to change your business name and/or branding**  
If the cost of changing your name or branding is high then trade mark protection may be appropriate.
- It would cost you more than \$1,500 in lost customers, lost SEO and decreased market recognition if you had to rebrand**  
Trade mark registration can protect you against the indirect costs that may arise if you have to rebrand.
- You are emotionally attached to your branding**  
If you want to keep your business name and/or branding, even though it may be cheaper to change it, then you should consider protecting it with a registered trade mark.
- Your trade mark actually can be registered**  
Not all business names, logos or tag lines are capable of being registered as a trade mark. Trade mark registration is a legal process and there are a number of complex legal tests that must first be satisfied. Many businesses waste money trying to register a trade mark that does not meet the strict requirements.
- You will consider taking appropriate action if someone infringes your trade mark rights**  
While having a registered trade mark can prevent issues from arising in first place it may, at some time, be appropriate to contact another a business owner if they are infringing your trade mark rights. This does not have to be an expensive process but it is important to understand that enforcement of your trade mark rights does rest with you.

If you ticked yes to one or more of these items then you should consider protecting your brand with a registered trade mark. Before making a decision, it's best to seek professional advice. You can schedule a free telephone consultation with Lisa Win, registered Trade Marks Attorney, by visiting [www.wintrademarks.com.au](http://www.wintrademarks.com.au) or by clicking the link below.

**BOOK FREE  
CONSULTATION**

