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“The ideas I use are mostly the ideas of people who don't develop them.”

Thomas Edison

Innovations

Thomas Edison took out his first patent at the age of 21. By the time of his death he held a record 1093 of them. Hard work made him a legend. After all, it was he who defined genius as 1% inspiration and 99% perspiration.

We can't help wondering about the breakthroughs Edison made while others watched. Do they really reflect only his great willingness to toil? Or betray a lack of fight in those who went before him?

Perhaps Edison's would-be competitors had great ideas but lacked the right strategies for getting those ideas to market. Even breakthrough thinkers need the help of an experienced professional team to shepherd them along the path from inspiration to profit.

Innovation can be tough. First there's the lightning flash. Then the grind: the research, round after round of development, the wait to secure protection, the tentative steps into the market, the deals, the first glimmers of a return, the arrival of competitors – some ethical, some not – and the constant need for vigilance in retaining what is justly yours. At each step it gets easier to lose the way.

Middletons' Innovations team gives its clients the know-how, the structure and the support needed to see innovation through to profit.

We understand your excitement at the lightning flash. But we won't let you get blinded by it. That's because we understand what is needed to transform business ideas and invention into commercial success. We take a positive view, and with you we look to the future realisation of your idea.

We are among the best commercial strategists of innovation on the Australian legal landscape. With runs on the board in strategic, prudent and proactive patent, trade mark and

design registration, confidentiality deeds, commercialisation and restraint agreements and where necessary enforcement litigation, we truly are at the cutting edge of this area of legal practice. Our people are tuned in to the industries in which you do business. We are up to speed technically and legally, meaning we never have to learn at a client's expense. When it comes to innovation we are... well, innovative.

Something in particular that distinguishes our team from the others is that you will never hear us use the tired refrain of the under-prepared: "I'll need to go and talk to someone else on that". It is the strength of having such an experienced team: it means informed answers at the ready.

Our team excels at helping businesses maximise those assets that are the drivers of their success and innovation. Our experience with IP audits has confirmed to us that our clients need us to know their business to help them register and protect their assets before problems arise, when it is often too late. We firmly believe that a stitch in time saves nine: early identification of intellectual property, the timely execution of agreements and registrations, and constant market scrutiny are a priority. This strategy protects the lifeblood of a business and saves our clients' money.

The Innovations team, backed by the expertise and standing of Middletons as a full-service firm, has precisely the skills and experience – academic, legal and commercial – that can help progressive organisations turn the spark of an idea into a winner.

Middletons' Innovations Team

The Innovations team at Middletons is led by partners with extensive real-world experience in fostering creativity, securing title, funding development, cementing commercial partnerships and enforcing innovators' rights.

Controlling the environment

Intellectual property rights are increasingly the jewel in the crown of many organisations. Our team offers protection of those assets through:

Clearly defining ownership

We can advise on managing employment contracts and drafting enforceable letters of offer, deeds of assignment, 'restraint of trade' provisions and other instruments. We believe bullet-proofing ownership can avoid costly and distracting battles with employees, collaborators, backers, distributors and licensees at a later stage. In this crucial area we believe an ounce of prevention is worth a pound of cure.

Securing exclusivity

Our lawyers and patent attorneys display best-practice leadership in:

- copyright protection
- trade mark registration
- patent registration
- design registration.

We work equally well in registration or opposition and have extensive experience in litigating in these areas. Many members of our team have both scientific and legal qualifications – they talk the talk, know the terrain and, whether its biotechnology, information technology, newly emerging business methods or the ever-shifting fashion industry, they don't need to be schooled at our clients' expense.

Going commercial

There are few clients for whom successful commercialisation is not the ultimate measure of innovative enterprise. As a leading commercial law firm, Middletons is able to extend to its clients the benefits of introductions to an extensive network of accountancy practices, bankers and capital providers. We help business build from the ground up by assisting with confidential disclosure, IP due diligence, R&D agreements and putting in place manufacturing and supply chains.

We take pride in the way in which we have helped business move forwards by arranging private placements, stock exchange listings, licensing arrangements and the establishment of franchise operations.

Holding the ground

We believe that creators and innovators have the right to benefit from their daring and diligence. So we fight hard to protect the exclusivity to which they are entitled. Middletons has extensive experience in alternative dispute resolution and, when needed, major dispute proceedings. We are tough litigators and have the experience that comes from appearing in many of the leading IP decisions of the past 10 years.

We have particular experience in the Federal Court bringing actions under the Copyright Act, Trade Marks Act, Patents Act, Designs Act, the consumer protection sections of the Trade Practices Act in preventing false and misleading conduct and misrepresentations and the misuse of confidential information.

IP Strategy

- IP audits
- Trade mark, design and patent portfolio management

Protection and Dispute Resolution

- Counterfeit detection and destruction
- 'Search and seizure' orders
- Opposition in trade mark matters
- Alternative dispute resolution
- Major dispute litigation

IP Rights

- Trade mark
- Patents
- Designs
- Plant Breeders Rights
- Copyright
- 'Look and feel'

Ownership

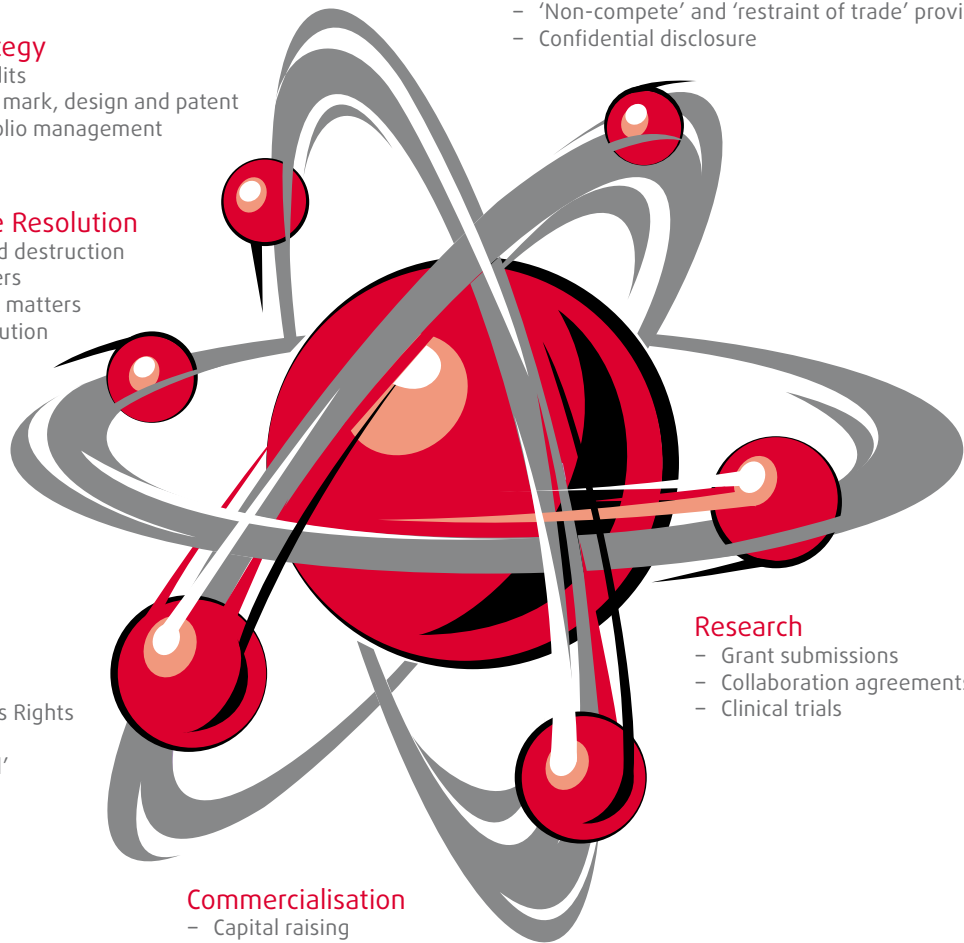
- Letters of appointment
- Deeds of assignment
- 'Non-compete' and 'restraint of trade' provisions
- Confidential disclosure

Research

- Grant submissions
- Collaboration agreements
- Clinical trials

Commercialisation

- Capital raising
- Networking
- Manufacturing and distribution agreements
- Licences and franchises



About Middletons

Middletons is a leading Australian law firm with offices in Melbourne and Sydney with around 60 partners, a further 190 lawyers and a total staff of more than 450.

We have extensive experience in acting for major corporates and industry leaders, and working on ground breaking transactions. Clients have chosen our firm because of our comprehensive skills, industry knowledge and approach to service.

Clients seek firms with industry knowledge and depth of experience to match. As a single service supplier of legal expertise, we offer our clients a broad range of legal services, including:

- anti-counterfeiting
- commercial & corporate advisory
- commercial litigation
- commercial property
- competition & regulatory
- corporate recovery
- dispute resolution
- franchising
- industrial relations
- intellectual property
- patents, trade marks & designs
- planning & environment
- taxation & revenue
- technology commercialisation & biotech
- workplace relations.

Middletons has expertise and knowledge in specific industries and markets we see as integral to the Australian and world economies to ensure we understand our clients' businesses.

Markets such as:

- banking, finance & insurance
- capital markets & M&A
- energy & resources
- manufacturing & retail
- projects & infrastructure
- property, construction & development
- sport, media & entertainment
- technology, telecommunications & innovations
- transport, trade & logistics.

Middletons breaks the mould when it comes to big law firms. Our lawyers talk our clients' language but challenge their thinking. Our approach is different to others - we offer advice and services built on intellect, inspiration, influence, involvement, integrity and individuality.

Middletons is large enough to provide detailed business advice, yet small enough to ensure cost effectiveness and guaranteed partner access.

Further Information



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