

# Newsletter

April 2009

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## *NSCCH Nursing & Midwifery Research & Innovative Practice Conference: Research for Health*

**When:** Thursday 21<sup>st</sup> May 2009

**Where:** Level 5, The Kolling Building, RNSH



This one-day conference will showcase nursing and midwifery research and innovative practice conducted within Northern Sydney Central Coast Health, and highlight the contribution towards excellence in health care. All NSCCH staff are invited to attend.

To download Registration form *Go to the NSCCH Home Page*. On the left hand menu click *Clinical*, then *Nursing & Midwifery*.

<http://intranet02.nscchahs.health.nsw.gov.au/clinical/midwifery/index.html>

## *What is Intellectual Property?*

Intellectual Property (IP) is often considered to be just patents and trademarks but it is important to note that IP is a collective term and includes seven different forms of IP. In this issue, we provide a brief overview of the different types of IP and give a real-life example of another, less-known IP asset of Northern

Sydney Central Coast Area Health Service.

### • **Confidential Information**

Confidential information is information and materials of a commercial nature (and may include information of a personal or commercial nature) that is not readily available to the public.

Example: Laboratory or Design Workbooks, Trade Secrets

### • **Copyright**

Copyright is a form of IP that protects the expression of an idea, but not the idea itself. In Australia, copyright is governed by the Copyright Act 1968 (Cth) where an exclusive set of rights are automatically granted upon creation of an original copyright work for a limited period of time.

Example: Databases, Marketing and Promotional materials.

### • **Domain Names**

Domain names are sequences of words which are translations of numeric internet protocol addresses.

Example: Web address

### • **Patents**

A patent is a form of IP that protects an invention. A patent grants a set of exclusive rights to the patent owner to commercially exploit the invention for a limited period of time. The grant of a patent is governed by the Patents Act 1990 (Cth) in Australia.

Example: Biological Materials (methods & uses)

### • **Plant Breeder's Rights**

Plant Breeder's Rights is a form of IP that protects a registered plant variety. In Australia, plant breeder's rights are governed by the Plant Breeder's Rights Act

DO YOU THINK YOU HAVE AN INVENTION? OR DO YOU HAVE ANY QUESTIONS ABOUT RESEARCH COMMERCIALISATION - CONTACT THE OFFICE OF COMMERCIALISATION

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The Office of Commercialisation is responsible for all IP owned by NSCCAHS and is also responsible for working with our partnering research organisations, to protect and commercialise any jointly owned IP. Please refer to our website [www.officeofcommercialisation.com](http://www.officeofcommercialisation.com).

1994 (Cth) where an exclusive set of rights are granted to the registered owner for limited period of time.

Example: Plant varieties

- **Registered Designs**

A registered design is a form of IP that protects the overall appearance of a new and distinctive design. In Australia, the Designs Act 2003 (Cth) grants a set of exclusive rights to the registered design owner to commercially exploit the design for a limited period of time.

Example: Medical Devices or Biophysical Apparatus

- **Trademarks**

A trademark is a form of IP that is a 'sign' used in trade to identify and distinguish a business's goods and services from other businesses.

Example: Graphical Designs, Words or Names

Extracted from Biotechnology Intellectual Property Management Manual, 2008, Blattman, A. et.al.

## **PUTTING THE PRESSURE ON TRADE SECRETS**

Intellectual Property (IP) is often referred to in terms of patent applications and trademarks but we often overlook alternative methods of protecting IP. Below we present you with a piece of IP that is currently being protected as a Trade Secret.

### **What is a Trade Secret?**

Trade secrets are confidential information in the context of business, commerce or trade. Confidential information is information that must be kept confidential by the recipient. When the confidential information is kept secret and used properly, this form of protection may be very effective. *The most famous well-kept and valuable confidential information is the Coca Cola recipe, said to be kept secret since 1885.*

The terms 'confidential information' and 'trade secrets' are often used interchangeably but strictly speaking, trade secrets are a subset of confidential information in the context of business, commerce or trade.<sup>1</sup>

### **NSCCAHS's Trade Secret**

One of NSCCAHS's Trade Secrets relates to an electropneumatic sensor pad device for measuring tissue interface pressures. Electropneumatic sensor pads are relatively simple and accurate devices typically used to assess pressure points for patients who are bedridden or use a wheelchair, and also assist in the set-up of the bed or wheelchair to minimise the risk of pressure sores. However these devices have fallen out of use due to the available products being unreliable and subject to errors from undetected failure in the device.

Dr Bill Fisher, Senior Rehabilitation Engineer, Clinical Technology Service at NSCCAHS identified a need for an affordable, scientifically accurate and reproducible device that could be applied in the clinical setting. Conceptually, Dr Fisher envisioned a device robust enough to be used repeatedly within a clinical setting

and as such he designed a device that embodies two key novel features that improve the use and reliability of electro-pneumatic sensor pads. The specifics of these novel features remain the Trade Secrets of NSCCAHS. The developmental focus for Dr Fisher currently lies with the novel electropneumatic sensor pad device, and engineers at NSCCAHS are currently testing the device for utility and efficacy with additional clinical testing under a confidential agreement with a Perth-based collaborator.

Protecting the IP as a Trade Secret has enabled Dr Fisher to pursue more extensive clinical testing under confidential terms and has granted the Office of Commercialisation the opportunity to undertake a comprehensive patentability assessment and commercial review of the technology before pursuing patent protection.

<sup>1</sup> Extracted from Biotechnology Intellectual Property Management Manual, 2008, Blattman, A. et.al.

## **Inaugural NHSC IP Conference a Success**

The Inaugural National Health Sciences Centre Ltd IP Conference entitled *ACT Health Industries IP Management and Commercialisation Conference* was held on 1st April 2009 at The Canberra Hospital, Canberra, ACT.



Among the keynote speakers was Professor Steven Boyages, Chief

Executive of SWAHS, who spoke on *'The Role of Innovation in Improving Patient Care at SWAHS'*.

## **NHS Innovations UK**

Ms Simone Jordan, Deputy Chief Executive Officer and Chief Operating Officer at the NHS Institute for Innovation and Improvement spoke at the recent SWAHS Innovation Forum on the topic of *'Transforming Healthcare for NHS Patients: The role of the NHS Institute for Innovation and Improvement'*.



The NHS Institute for Innovation and Improvement supports the NHS to transform healthcare for patients and the public by rapidly developing and spreading new ways of working, new technology and world class leadership throughout England and other parts of the United Kingdom.

### **REMINDER**

*Have you received an agreement with an Intellectual Property clause within in? Please contact the NSCCAHS OOC before you sign.*

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Contributions to the Office of Commercialisation NSCCAHS Newsletter - We are happy to publish your contributions, articles, press releases or calls for collaboration. Email the Publisher Ms Lindy Ferris [lferris@officeofcommercialisation.com](mailto:lferris@officeofcommercialisation.com) or call 0401 056 555.

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