

**Understanding intellectual property**  
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**Protecting IP rights early pays off for VisitVineyards.com**

Food and wine tourism has skyrocketed in Australia. People are tired of gazing at historic monuments and natural attractions and are instead choosing gastronomic experiences that connect them to the culture of a destination and the local producers for their getaways.

Luckily for Robyn Lewis, the CEO of [VisitVineyards.com](#), she was at the forefront of this trend in Australia.

VisitVineyards.com is Australia's leading online wine travel guide, showcasing the best of Australia's wine and food. The website provides free wine and food related information, a national events calendar, recommendations and reviews of cellar doors and wineries as well as information on other food and wine travel experiences across the country.



The travel guide was developed around 10 years ago after Robyn, who has a background in food and wine tourism and marketing, saw travel trends starting to move in the gastronomic direction in Asia and realised that this would also become big in Australia.

Today, the directory includes the biggest database of Australian wineries and vineyards (around 5000), around 50,000 subscribers and received more visits to the site in the last three years than the individual tourism sites of Western Australia, South Australia and Tasmania. It has, on occasion, also exceeded the visits of the tourism sites of the other states. The directory has also added a smartphone app, VisitVineyards, to the mix.

Robyn was aware of the need to protect the intellectual property of VisitVineyards.com early on to ensure others didn't copy their trend-setting ideas.

"I participated in a 'commercialisation ready' course catered for businesses in the start-up phase. The course placed a large emphasis on intellectual property and prompted me to register the dot com name and logo as a trademark early on."

"I have seen a lot of businesses hit stumbling blocks as a result of failing to protect their IP."

"I would advise any business to protect their IP early, particularly those in the wine and food industries and online. It is not enough to have a registered business or domain name."

Robyn suggests start-ups begin their IP journey with a trade mark search.

"Step one is to conduct a trade mark search on the IP Australia website. There is no point even proceeding if your name, or something similar, is already taken. You should go back to the drawing board until you find a unique name."

"If you find a name that is similar in another class, it may still be OK to use it. At this point it would be wise to get some professional advice."

When asked why Robyn thought it was important to protect her IP she explained that investing in a brand is what a business is all about.

"If your business is based on a trade mark that is not protected, it will always have a shaky foundation."

"When it comes time to sell your business one of the first things a potential buyer will look at is what protection it has."

Robyn found the process of registering her trade mark an easy one.

"By using the IP Australia website you can do a lot of it yourself. It is fast and simple and user friendly."

"I recently applied for a renewal online and it only took me ten minutes to complete."

When the trade mark is granted Robyn suggests displaying the trade mark symbol on your logo and including it in your terms and conditions.

"Display your trade mark symbols on your logo and include information about this so there is absolutely no doubt your intellectual property is protected."

Robyn and VisitVineyards.com have not had any direct challenges to their intellectual property.

"By protecting our intellectual property early we have saved ourselves from issues and legal stoushes, which can cost your business and you personally a lot of time, money and energy"

We provide information to help businesses get started on their intellectual property journey. Once you have a proposed trade mark you can use our [Australian Trade Marks Online Search System \(ATMOSS\)](#) to search if any similar trademarks already exist. You can then also use our [TM Headstart](#) service that helps you assess the potential registrability of your trade mark before you decide to file your application.

*Last Updated: 30/7/2014***Meet Derek**

Bachelor of Science (Physics - Hons)

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