



Terri Janke and Company Pty Ltd

Intellectual Property Lawyers

Your Knowledge: Your Future

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FIRM PROFILE

TERRI JANKE AND COMPANY

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Intellectual Property Lawyers

Your Knowledge: Your Future

Knowledge is a dynamic and valuable asset – financially, emotionally and culturally. Whether you are a business, organisation or government, your future success will be determined by how well you assert, control, manage and transfer your knowledge.

Terri Janke and Company are specialist Intellectual Property Lawyers with a difference - **we empower our clients**. We enable our clients with the 'skills and tools' to 'convert' their knowledge into intellectual property rights. We advise our clients on the laws, rules, frameworks and protocols of intellectual property law.

Commercial examples of intellectual property law include brands, trading names, website content, product names, confidential information, technical knowledge, operation manuals, tag lines, symbols, images, literary and artistic endeavour and more... there are no limits on the creations of the mind.

Why Terri Janke and Company? 4 reasons...

- **Empowerment.** We empower you with an understanding of the legal process involved in intellectual property law. This adds value to your enterprise.
- **Communication.** We actively listen, empathise and engage with your issues and concerns. We translate complex legal jargon into simple English.
- **Cost transparency.** We provide written estimates prior to commencing work and are cost effective with limited budgets.
- **IT adapters.** We use LEAP Legal Software, a relationship management system that is digital and secure; Leap enables us to manage our time and costs effectively and these savings are passed on to you.

Our background

Terri Janke and Company Pty Ltd was established in April 2000 as an intellectual property law firm providing solutions for business, organisations, statutory authorities and government. Today we are a team of seven people that are Sydney based, yet internationally focussed. We travel and work all over Australia and have clients or agents on every continent.

For more than a decade Terri Janke and Company has been finding simple solutions to complex legal matters for clients with limited budgets. We are cost effective and strategic, veterans of many David and Goliath type struggles. At Terri Janke and Company our strengths are; communication, client empowerment, cost transparency and information technology adaptation.

We focus on client outcomes without resorting to lengthy litigation as we maintain a commercial perspective on your intellectual property related issues, whilst being mindful of your needs and requirements.

Our values: respecting your knowledge

Terri Janke and Company's (TJC) core values are that people and processes are just as important as outcomes. Our goal is to build a culture of respect where knowledge and innovation work together.



Photo courtesy NAIDOC
Photographer: Wayne Quilliam

Ms Terri Janke is the Solicitor Director and sole shareholder of TJC. Terri has more than 16 years' experience as a solicitor. Terri was born in Cairns with family connections to both the Torres Strait Islands (Meriam) and Cape York Peninsula (Wuthathi). With her upbringing, travel and experiences Terri recognises that people all over the world share not only common life challenges, but also opportunities in sharing their knowledge and talents with the wider community to mutual benefit.

Terri's depth of knowledge in the field of intellectual property combined with her inclusive leadership style supports a cohesive legal team which is able to provide you with a high level of intellectual property advice and support.

Our strengths: empowering you

At Terri Janke and Company we empower you with skills and tools so you have greater control over your knowledge. We add value and resilience to your intellectual property rights. We understand that successful enterprises and organisations take an holistic approach to managing their knowledge assets. We help you identify your intellectual property and advise you on your options to leverage opportunities. We provide strategies to deter and repel threats from pirates, predators, poachers, parasites and free-riders.

What is Intellectual Property (IP)?

Much of the growth in the Australian business sector has been due to the increasing importance of intellectual property (IP) assets. The Australian Bureau of Statistics has valued Australian IP at over \$170 billion per annum. However, while more and more business owners become concerned about their IP rights, only a portion take full strategic advantage of their IP assets to establish an advantage against their competitors, protecting their corporate identity and increase profits.

Our Services: how we help you

At Terri Janke and Company, we recognise intellectual property is a central theme to the following service packages we provide, including:-

- **copyright:** advising you how to assert your IP rights and leverage them against competitors;
- **intellectual property management plans:** failing to plan, is planning to fail;
- **drafting agreements and release forms:** getting your rights in writing and managing your risk;
- **trade marks:** registering your brand registered in Australia and internationally;
- **litigation for enforcement and defence:** our focus is on transactional intellectual property and minimising the need to resort to lengthy litigation;
- **information technology law:** advising you regarding domain names, ecommerce, privacy, website hosting, social media and other digital related legal issues;
- **competition and consumer law:** advising your business on IP related matters;
- **corporate governance:** advising boards, editing and interpreting; constitutions;
- **transfer of business:** providing certainty over IP assets;
- **employment agreements:** including digital and social media clauses;
- **advising on confidentiality agreements:** to protect your knowledge and assets;
- **protocols:** to codify your values as a precursor or substitute to legislation;
- **Indigenous cultural intellectual property (ICIP):** your culture is your future;
- **workshops and public speaking:** person to person.

- a) ***Advice on Copyright* ©** - how to assert it and leverage it. We advise clients on the; what's, when's, who's and how long's...
- b) ***Intellectual Property (IP) Management Plans*** - failing to plan, is planning to fail. An IP management plan is an holistic plan for your business or organisation, that creates a management strategy for all intellectual property that is created and used by the business or organisation. Intellectual property is an asset and just like real property it can be rented or sold for competitive advantage. However many businesses do not keep accurate records of their IP, or have a strategy in place for the development and management of their IP. An IP management plan is more than just a pre-cautionary measure; it clarifies the present with a vision to the future prosperity of the business.
- c) ***Agreements and Release Forms*** - get it in writing, manage your risk. We have a suite of templates to create agreements and forms specific to your needs and goals. We also assist clients in reviewing existing forms/agreements to achieve consistency (avoid confusions and contradictions, which lead to lost time, conflict and inefficiencies).
- d) ***Trade Marks* ®** are powerful tools that communicate the branding of your goods and services to distinguish you from similar entities. Trade marks deter 'predators and poachers'. How do we help you? We make it easy for you, as the trade mark application process is lengthy and bureaucratic. We help you describe your goods and services and identify the trade mark class(es) for registration. We keep you informed and we keep the process cost effective. Ask about our TM Status Reports and our network of international legal agents.
- e) ***Litigation for enforcement and defence*** - our focus is on avoiding the need to resort to lengthy litigation and in turn reducing your legal costs. Sometimes negotiations fail. In this instance we can advise you on the steps to take to enforce your intellectual property and defend your assets.
- f) ***Information technology law*** – the digital realm is an evolving space with endless commercial opportunities and numerous intellectual property risks. We can advise your business on digital related IP issues.
- g) ***Competition and consumer law*** – our advice will help you to avoid the pitfalls in the new competition and consumer laws. We provide practical advice on the consumer law and how it impacts your intellectual property rights.
- h) ***Corporate Governance*** - In the last decade we have witnessed an increase in the responsibilities demanded from company directors and board members. It is important to ensure compliance with statutory and legal requirements for corporations and organisations. Yet often the challenges are far greater than differences in personalities and politics. We are experienced at assisting clients with interpreting the constitutions and amending outdated and unworkable clauses to assist boards achieve their goals. Our expertise also extends to advising boards on governance.

- i) ***Transfer of Business*** - Buying or selling a business can be stressful, with large sums of money on exchange and the need for; secrecy, speed, due diligence and certainty over the mix of IP assets. Know your risks and opportunities. Understand what is on offer (stock? trade marks? web sites?), what isn't (debts? existing disputes?) and what's in the 'grey area's' (3rd party agreements?) When you need more than a handshake to sleep at night... we can help.
- j) ***Employment Agreement*** - Get it right at the beginning. The quality of the relationship between an employer and employee will determine the success of an SME or organisation. It's about communication within the team. In the last few decades, the trend has been for an increase in both rights and responsibilities in the workplace, plus there has been a huge impact relating to information technology, social media and intellectual property. A clear and concise agreement leads to a confident and more productive work environment.
- k) ***Confidentiality Agreements*** - Many transactions in business begin with each party handing the other a confidentiality agreement and each party battling over whose “form” controls. However, it’s common for both parties to overlook the fact that there is no “one-size-fits all” form. Before entering into an agreement, we provide advice to ensure that the agreement makes sense for your business. This means protecting your information, while not going so far as to subject the other party to confidentiality procedures that can create issues down the road.
- l) ***Protocols*** - codify it, as a precursor or substitute to legislation. TJC have drafted policy and protocol documents for organisations, statutory authorities and government agencies, we have provided advice on legislation and drafted consultancy agreements.
- m) ***Indigenous cultural and Intellectual Property (ICIP)*** - Terri Janke and Company is the international authority on ICIP. The firm provides advice, protocols, models and agreements for dealing with museum repatriation issues, heritage sites, arts, language use and recording; traditional knowledge of plants and animals and its use in bio-prospecting, publishing and other domains. In 1998 Terri Janke wrote *Our Culture: Our Future*, a report about Indigenous IP. This theme was expanded in 2009 when Terri wrote “Beyond guarding ground: a vision for a National Indigenous Cultural Authority”.
- n) ***Workshops*** - We present the following popular workshops (at our venue or yours): ***Looking Out For Business: an introduction to Intellectual Property and IP Management Plans for organisations and SME's*** (two hour workshop + course materials). ***Looking Out For Culture: an introduction to Indigenous Arts, Copyright, Trade Marks and Designs*** (one day workshop + course materials). Public Speaking. Terri is a popular Keynote Speaker, she is enthusiastic, articulate, engaging and adds humour, whilst linking personal perspectives with contemporary situations.

Our team: a spread of experiences and skills base

Terri Janke and Company is a multi-disciplinary law firm with a range of skills. TJC often works on matters as a team, with work ratios dependent on the client's needs and budget. We can solve issues related to business, organisation, and government, with a mix of wisdom, youth innovation and the practical experience in the field. The team at TJC rely on each other with confidence.

We are based in a modern office in a commercial building in Rosebery, midway to Sydney CBD and the airport. We are a team of seven people that are Sydney based, yet internationally focussed. We travel and work all over Australia and have clients or agents on every continent.

Terri Janke and Company Pty Ltd is



Our team:

- 1) Ms Terri Janke, Solicitor Director
- 2) Ms Lucinda Edwards, Senior Solicitor
- 3) Ms Sarah Gee, Solicitor
- 4) Ms Marnie Anderson, Office Manager
- 5) Mr Andrew Pitt, Finance and Marketing
- 6) Ms Lucinda Verge-Wallace, Paralegal
- 7) Ms Joanna Janke, Administration and Research



Ms Terri Janke is the Solicitor Director. She helps clients succeed through holistic management of their intellectual property. Terri is a UNSW graduate (Laws & Arts), a graduate member of the Australian Institute of Company Directors (AICD) and a board member of Tourism Australia. She is a prolific author, an entertaining public speaker and an international authority on Indigenous Cultural Intellectual Property (ICIP). Terri was born in Cairns and has family connections to the Torres Strait Islands (Meriam Mir) and Cape York (Wuthathi). Terri Janke is *NAIDOC Person of the Year 2011*.



Ms Lucinda Edwards is a solicitor and holds an Unrestricted Practising Certificate with the Law Society of NSW. She helps clients manage their intellectual property, drafts agreements, pursues infringements and advises clients on digital licensing and internet terms of use. She is a graduate of the Australian National University (Laws & Arts degrees) and previously worked as legal counsel for the Copyright Agency Limited (CAL). She has almost completed a Master of Laws (Media and Technology) at the University of NSW.



Ms Sarah Gee is a solicitor who specialises in the commercial aspects of intellectual property. Sarah's skills include drafting agreements and resolving disputes. She gained familiarity with commercial litigation in the field of media law during an Internship at the ABC and is a graduate of the Australian National University (Laws & Arts degrees). She has worked in a range law firms and speaks fluent German. Sarah is completing a Master of Laws (Media and Technology) at the University of NSW, as well as a Graduate Certificate in Trade Mark Law and Practice at UTS.



Ms Marnie Anderson is the Office Manager. She plays a pivotal role looking after the front desk. So, it certainly helps that she has fantastic people skills. Her friendly manner is the first (and lasting) impression she has on most callers. Marnie was born and raised in Sydney and has family connections to the Eora mob and the Yuin mob on the south coast of NSW. She has completed a Certificate II in Business and is the 'go-to' office expert for LEAP software.



Mr Andrew Pitt manages the firm finances and marketing strategies. He also assists clients with business planning & negotiation, land management & development, website strategies and corporate governance. He is a company director of; Barlow International Pty Ltd (trading as Surfing Ramps), Teraq Pty Ltd, Wildlife Philatelic Collections Pty Ltd and Aqua Song Pty Ltd. Andrew is a graduate of Sydney Boys High School and has a degree in Landscape Architecture from the University of NSW.



Ms Lucinda Verge-Wallace is a Paralegal. She helps clients with legal research, document editing and administration. She is completing degrees in Laws and Business at the University of Technology, Sydney (UTS). Lucinda is also studying Italian language and completing her Practical Legal Training (PLT) with the firm. She has worked in retail, education and the financial sector.



Ms Joanna Janke is the Senior Researcher and an Administration Assistant. She advises on government process, with several decades of experience working in Aboriginal and Torres Strait Islander affairs in both Canberra and Cairns. She also worked in Nursing at the Cairns Base Hospital. Joanna is of Torres Strait Islander and Cape York Peninsula Aboriginal (Wuthathi) heritage and holds a Certificate III in Business Administration.

Our fees: we add value to your intellectual property

Team members at Terri Janke and Company charge out at an hourly rate and have set rates for trade mark registration services. Charge out rates are reviewed on an annual basis and adjusted according to skills base. Our legal software, LEAP, has the capacity to record time on a per matter basis.

Terri Janke and Company schedule of fees is available on request.

TJC may incur expenses and disbursements (being money which we pay or are liable to pay) to others on your behalf. These may include: search fees; IP Australia filing fees; enquiry fees; court filing fees; experts' reports; travel expenses, barrister's fees, postage and other. We will inform you of these expenses and disbursements as well as any other payments required to be made, as soon as is reasonably practicable.

We provide written estimates prior to work commencing.

Your knowledge: your future

There are four reasons why clients chose Terri Janke and Company.

1. **Empowerment.** We will empower you with an understanding of the legal process for intellectual property. We believe this will add value to your enterprise.
2. **Communication.** We read and listen with empathy to your issues and concerns. We translate complex legal jargon into simple English.
3. **Cost transparency.** We provide written estimates prior to work commencing and we know how to be cost effective with limited budgets.
4. **IT adapters.** We use LEAP Legal Software, a relationship management system that is digital and secure and we pass on these time savings.

Our contact details: Your Point of Contact

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