

Dome Group of Companies - Wake up and smell the IP

For John Groppoli, Chairman of and General Counsel to the Dome, Group of Companies, the aroma of freshly ground coffee beans is the smell of intellectual property.

While many in the hospitality and food industries wouldn't give intellectual property a second thought, The Dome Group of Companies sees it as the cornerstone of their business. They have developed a comprehensive strategy, which flows into almost every aspect of day-to-day business.

This aggressive approach to intellectual property is rare throughout Australian industry, and in fact, was not a feature of their early days in business. It wasn't until Groppoli, also a partner in the high profile law firm of Deacons was appointed a director, that management and protection of intellectual property became a focal point of the business operations.

According to John Groppoli, "For whatever reason, there is still the continuing myth in many business quarters that 'intellectual property is patents', or 'intellectual property is high tech', so most business operators are very removed from the concept of intellectual property and intellectual property rights. They just don't see it as relevant to their operations or are able to appreciate the positive impact it can make to their balance sheet."

For the management group at Dome Coffees Australia, the first step was to identify and catalogue their intellectual property assets, then take the necessary steps to protect and manage those assets. In practical terms, this meant determining what constituted intellectual property, its value, the cost of policing it and setting aside the resources needed for all of these areas.

"In this regard, it's each business to its own, because there aren't texts on how to create a standard intellectual property strategy," says Groppoli.

But there are recognised principles to intellectual property protection and management, and Groppoli integrated them into a set of standard operating procedures within the business which is an impressive model for any industry, and responsive to their specific needs. Their strategy includes:

- registering trade marks in Australia with the IP Australia, and overseas for nation-wide monopolies in specific goods and services classes;
- registering each of their business names in each Australian state and territory. This move saves on inadvertent infringement and the subsequent cost of following up on infringement;

- identifying and acknowledging trade secrets and confidential information. These are protected through limited access arrangements, confidentiality agreements with franchisees and employee agreements, and stipulate the consequences of abusing this privileged information;
- placing copyright notices on all written material, including press releases, marketing materials, training manuals and so on. Also formal, written assignment of copyright to Dome, in respect of any promotional and operating materials created externally including logos, press releases and advertisements;
- active and regular monitoring of abuse of their intellectual property in the marketplace, including searches of IP Australia's registered trade marks database, state business and national company names registers, new telephone listings and the Internet. When breaches are found, a "cease and desist" letter is immediately sent to the infringing party from John Groppoli;
- protecting their franchise image, includes a style guide for ways in which franchisees can use their registered trade marks. The Franchise Agreements also contain clauses prohibiting the use of the Dome name in franchisee company names. This includes the production of Dome Cafes in kit form for overseas franchisees to ensure the integrity of the Dome 'look'; and
- educating Dome employees at every level, of the significance of intellectual property so that they feel a sense of ownership towards these assets.

According to Groppoli there are other measures which have become second nature to the running of both Dome Coffees and Dome Cafes, and which provide a watertight structure and invaluable peace of mind.

"You have to be prepared to spend the necessary money to develop a comprehensive intellectual property strategy, but the benefits are obvious to us. And as far as we are concerned, money spent in this area, is money saved and money made" says Groppoli.

There is no doubt that the Dome approach to intellectual property has certainly helped to create a brand leader in an already innovative industry.