



Company Policy – Intellectual Property

Policy current as at June 2022

This policy is a guideline designed to enable Prowler Proof to meet legislative requirements. It applies only to intellectual property which Prowler Proof can control and over which it can be expected to have an influence.

Overview

Prowler Proof is committed to the protection of the intellectual property of the business and other persons who may have dealings and / or contracts with Prowler Proof. This policy outlines the use of creative assets owned by Prowler Proof.

Scope

The policy applies to all customers, dealers, and end-users (homeowners), competitors, and / or other persons who may wish to use Prowler Proof's intellectual property.

Policy

According to the [Australian Government's Intellectual property \(IP\)](#) an IP refers to a range of different, legally enforceable rights that arise from the productive new ideas you create. It can be an invention, logo, design, brand, or the application of your idea.

IP rights exist in many forms. Each type of IP provides different competitive advantages. Some forms of IP require formal application and examination before you can claim a right to ownership. Others do not.

IP's that do not require you to apply for protection are:

- Copyright
- Trade Secrets or confidential information
- Circuit layouts

The Prowler Proof is governed by [The Copyright Act 1968 \(Cth\) \(Copyright Act\)](#) and has put in place procedures and policies to ensure protection of the form of expression of ideas, rather than the ideas, information or concepts expressed.

[The Copyright Act 1968 \(Cth\) \(Copyright Act\)](#) regulates copyright in Australia in relation to original literary, dramatic, musical, and artistic works, and subject matter other than works.

Prowler Proof reserves the right to restrict access to its creative assets, and access is to be at the approval of the Prowler Proof .

The following are restricted to Prowler Proof use only:

1. **Assets, including photography, TV commercials and videos with models or other creative expressions (e.g., voice overs, music, or jingles etc.).**

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2. Above-the-line advertising campaign materials (Proof Points campaign, Good Night Tony campaign, Tony On Patrol campaign)

3. The Prowler Proof tagline – Creating a Safe Place®.

Prowler Proof grants its Dealer royalty free, non-exclusive licence, while the Dealer is an authorised dealer of Prowler Proof, the following for dual branding purposes, to promote the Prowler Proof offer to the Dealer's customers:

1. The Prowler Proof product brands (i.e. ForceField®, Protec)

2. Prowler Proof registered logos, ProwlerProof® wordmark, H.I.T.® logo and P+® logos

3. Prowler Proof product photography

Their use must not attempt to pass off the element as being owned by anyone other than Prowler Proof.

The Copyright Act 1968 (Cth) (Copyright Act)

The Copyright Act requires the implementation of reasonable safeguards of creative assets that have been created by an individual or business associated with Prowler Proof and for the model / talent's work and image. Prowler Proof must take reasonable steps to protect these individuals and partners from loss, unauthorised access, modification, disclosure, or other misuse.

According to the [Australian Government's Department of Infrastructure, Transport, Regional Development and Communications](#):

- Copyright is a type of property that is founded on a person's creative skill and labour. Copyright is not a tangible thing.
- Copyright protects the original form or way an idea or information is expressed, not the idea or information itself. The most common forms of copyright are writing, visual images, music and moving images.
- Copyright provides an owner of a material with exclusive economic rights to do certain acts with that material. These rights include the right to copy and the right to communicate the material to the public.
- Copyright also provides authors and performers with non-economic rights, known as moral rights. Moral rights recognised in Australia are the right of integrity, the right of attribution and the right against false attribution.

Trademarks ®™

Prowler Proof has multiple registered trademarks that the company has applied and paid for.

According to [Australian Government IP Australia](#):

- A trademark is a way of identifying a unique product or service.
- It's a form of brand protection which distinguishes between your products or services and those belonging to your competitors.

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- A trademark is not just 'a logo'.
- It can be a letter, number, word, phrase, sound, smell, shape, logo, picture, movement, aspect of packaging, or a combination of these.

The Prowler Proof Trademark's include, the Prowler Proof logo, ProwlerProof® wordmark, H.I.T.® logo, P+ logo and Creating a safer place® wordmark and logo.



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Approval

Prior to using any of Prowler Proof's IP, approval should be sort, in writing, by emailing marketing@prowlerproof.com.au.

Request to cease using IP

Should you no longer be a Prowler Proof authorised dealer, you are required to:

- Remove any Prowler Proof IP from vehicles, uniforms, printed stationery, showroom, website and any other area or item that may have Prowler Proof's brand, logo, image, video, or product featured.
- Cease using any Prowler Proof printed marketing materials, such as brochures and flyers.
- Cease using any Prowler Proof digital marketing materials such as information sheets and Australian Standards Test Reports.
- Remove any Prowler Proof product from your showroom, at your own expense.
- Remove any reference to Prowler Proof from your website and online social media channels, at your own expense.
- Remove any reference to Prowler Proof from media such as bus shelters and billboards.

Prowler Proof may also, at its discretion, request that the use of all, or some of its IP is discontinued, for both active and inactive dealers.

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