

INTELLECTUAL PROPERTY RIGHTS

New Zealand has a strong intellectual property rights system in place. There has been recent reform of the New Zealand legislation protecting intellectual property (IP) rights, including to ensure compliance with international obligations under trade agreements like the EU-New Zealand Free Trade Agreement ('FTA').



New Zealand law provides comprehensive protection on a range of IP-related rights, including copyright, trademarks, patents, designs, plant varieties, Geographical Indications (GIs), circuit layouts and trade secrets.

Benefits of the EU-New Zealand Free Trade Agreement

The FTA includes comprehensive IP provisions which cover the range of IP protection already included in New Zealand's domestic regime. The following are those **areas where New Zealand has agreed in the FTA to extend or amend protection:**



Industrial designs - New Zealand will make "all reasonable efforts" to ratify or accede to the Geneva Act of the [Hague Agreement Concerning the International Registration of Industrial Designs](#) which sets up a mechanism for an industrial design to be registered in multiple countries with a single application to the World Intellectual Property Organization.



Copyright- Under the FTA, **New Zealand will extend the rights of an author to run for their life and for 70 years** after their death (currently 50 years). This amendment has to be made within four years of the FTA entering into force.



Resale right for an author of graphic of plastic art - New Zealand has established an artists resale royalty right of 5% on resales of original visual artworks or plastic art between NZD 500 - 5,000.



Geographical Indications (GIs) - Under the FTA, New Zealand will protect the full list of EU wines and spirits GIs (close to 2000 names). In addition, New Zealand will protect 163 of the most renowned EU food GIs. Refer to the leaflet on "Agriculture" for more information.

Enforcement of intellectual property rights

The FTA provides for robust enforcement commitments of New Zealand, including border enforcement, i.e. a right to request customs authorities suspend the release of or detain goods suspected of infringing trademarks, copyright and related rights, GIs and industrial designs.

New Zealand will amend its laws to enable border enforcement of GIs.

The [New Zealand Intellectual Property Office](#) is responsible for the granting and registration of intellectual property rights in New Zealand. Most procedures can be done online. There is a cost involved for most rights (such as a trademark, patent, designs, plant variety, and Geographical Indication). The time for processing is generally a minimum of 6 months. Company name and domain name registration in New Zealand is instantly available.

Intellectual property is a private right. Owners of intellectual property in New Zealand are generally responsible for monitoring its use and protecting against infringement. If you identify an infringement then you may take action through the New Zealand courts.



Refer to the EU SME Guide for more information on the benefits of the EU-New Zealand FTA and guidance on doing business in New Zealand.