

Te pōkai i te ture: **Tiakina ō mōtika**

Navigate the law: **Protect your rights**

Ko te ture me te manatārua hei apa māu.

Understanding the law and copyright to serve your needs.

Intellectual property (IP) law can protect your rights as an artist or an arts practitioner. Every time you create something original, your work becomes your intellectual property and you have IP rights. If someone uses your work without permission, there may be a breach of your IP rights. You can seek legal advice from a lawyer specialising in intellectual property rights.

Watch the video with artist Jamie McCaskill to hear him share an experience about IP rights.

[📺 Me mōhio ki tāu e whakaaetia ana | Know what you are signing up for](#)

Mana whakairo hinengaro

Intellectual property

What is intellectual property?

- Various types of intellectual property can be protected under New Zealand law.
- Intellectual property typically includes things like a design, brand, logo, trade secret or invention.
- View this Ministry of Business, Innovation & Employment (MBIE) infographic to see the many forms of intellectual property.
 - 📄 [Ways to protect your name, brand and best ideas \(PDF 336 KB\)](#)
- Use this quick guide to identify what intellectual property is and how MBIE can support you.
 - 📄 [What is Intellectual Property | Ministry of Business, Innovation & Employment](#)
- View this Intellectual Property Office of New Zealand (IPONZ) infographic on when to consider protecting your intellectual property asset.
 - 📄 [When to consider IP \(PDF 167 KB\)](#)

Māori intellectual property

Māori culture and mātauranga (traditional knowledge) are unique New Zealand taonga (treasures) that are central to Māori cultural expressions. Read this overview of how intellectual property rights ensure that Māori culture and mātauranga are recognised and supported by the Intellectual Property Office of New Zealand (IPONZ).

[📄 Māori IP | IPONZ](#)

Protecting IP with a Māori cultural element

View this IPONZ guide to protecting Māori art forms and cultural elements.

[Protecting IP with a Māori cultural element \(PDF 1.06 MB\)](#)

Simple steps to protect your intellectual property

Identify your intellectual property assets and the steps you can take to protect them. Use this Ministry of Business, Innovation & Employment checklist as a guide.

[Intellectual Property Assets Checklist \(PDF 48 KB\)](#)



Ngā momo mana whakairo hinengaro Types of intellectual property

Copyright

Copyright protects the expression of ideas in all art forms like books, plays, drawings, music and sound recordings. It allows you to grant rights to others to use them. There is no copyright register or official process in Aotearoa, however, there are other ways to protect your creativity and art.

What is copyright?

Read this IPONZ summary of what copyright is for and what it gives you.

[IP card copyright \(PDF 259 KB\)](#)

You can choose how your art may be used by others. View this explanation of what copyright is and how it applies in New Zealand, from Copyright Licensing New Zealand (CLNZ).

[What is copyright? | Copyright Licensing New Zealand](#)

Watch this CLNZ video.

[What is New Zealand copyright | Copyright Licensing New Zealand \(YouTube\)](#)

Your digital assistant for managing copyright

View the Copyright Licensing New Zealand resource to help you manage your copyright.

[Your digital assistant for managing copyright | Copyright Licensing New Zealand](#)

Performers' rights

Performers' rights are a form of IP protected by copyright laws.

View this MBIE resource to understand how copyright covers performances across a range of art forms.

[Performers Rights | Ministry of Business, Innovation & Employment](#)

Supporting authors and publishers

Read this information about how Copyright Licensing New Zealand is working with authors to campaign for the rights of authors and their work.

[Supporting New Zealand and the creative industry | Copyright Licensing New Zealand](#)

Infringement of copyright

What does it mean if your art form is used without your permission? What rights do you have?

View this CLNZ outline of what to do when your rights are infringed.

[Your guide to New Zealand copyright \(PDF 216 KB\)](#)

Resources for music creators

APRA AMCOS is a music management organisation that pays royalties to music creators when their music is played or copied, both locally and overseas. View their resource on how music copyright works.

[How music copyright works | APRA AMCOS](#)

The Marrakesh Treaty

If you hold copyright for literary or dramatic works, under New Zealand copyright law copies of these works can be made in certain circumstances to support accessible format copies for those with print disabilities. These provisions come under the Marrakesh Treaty.

[The Marrakesh Treaty | Ministry of Business, Innovation & Employment](#)

[Audio file: Marrakesh Treaty Cabinet Paper audio-summary \(mp3\)](#)

Fair dealing in New Zealand

View this Copyright Licensing New Zealand resource that explains when copyright material can be used without permission.

[Fair dealing in New Zealand \(PDF 226 KB\)](#)

Trade marks

What is a trade mark?

Using a trade mark can distinguish your goods or services in the marketplace. Trade marks include words, logos, shapes, colours, sounds, smells or any combination of these. Read this overview from IPONZ.

[Trade marks | IPONZ](#)

Enforcing trade marks

As with all intellectual property, you are responsible for monitoring the way it is used and protecting it against infringement. View this IPONZ summary of the legal process for enforcing a trade mark.

[Enforcing | IPONZ](#)

Trade mark check

Use the IPONZ Trade Mark Check, to see if your catchy name or logo already exists on the New Zealand register.

[Trade Mark Check. | IPONZ](#)

Toi Iho

Toi Iho is the Māori trade mark that recognises, authenticates, and uplifts Māori artists and the art they produce. View their site to learn more about this trade mark.

[Toi Iho | Championing the finest of Māori creativity](#)



Rapu āwhina | Seek advice

Intellectual property law is complicated. Consider seeking the advice of a specialist intellectual property lawyer or trade mark attorney.

Use the Law Society database to find a lawyer who specialises in intellectual property law and can offer you expert advice. Use the Get legal help button and choose intellectual property from the drop down list.

[Registry lookup | lawsociety.org.nz](#)

Other places

These government departments and agencies offer more information about intellectual property:

- The Intellectual Property Office of New Zealand.
[iponz.govt.nz](#)
- Te Mana Taumarū Mātauranga offers an intellectual property guide.
[Intellectual Property Guide for Māori organisations and communities \(PDF 1.77 MB\)](#)
- The Ministry of Business, Innovation & Employment website includes copyright information.
[Copyright | Ministry of Business, Innovation & Employment](#)
- Copyright and the Creative Sector | The Ministry of Business, Innovation & Employment (PDF).
[Copyright and the creative sector \(PDF 2.18 MB\)](#)
- Read the Copyright Act.
[Copyright Act 1994 | New Zealand Legislation](#)
- The Citizens Advice Bureau (CAB) provides support and offers advice about copyright issues.
[Protecting intellectual property | Citizens Advice Bureau](#)
- Copyright Licensing New Zealand offers online learning and resources to support understanding of copyright, and enables New Zealand's creative people to record and manage their copyright.
[Copyright Licensing New Zealand](#)
- Copyright Licensing New Zealand also offers legal support; it is a paid service, however, the initial consultation is free.
[My creative rights | Copyright Licensing New Zealand](#)



He aha kei tua | What's next?

Develop your own next steps and collaborate with others to continue to grow your career. Consider what is on top for you, and who you can go to for support in the following areas:

- **Intellectual Property**
- **Copyright**
- **Trade marks**