



Australian Government

IP Australia



Welcome to IP Australia, where we are committed to delivering world leading IP services that are modern, effective and efficient to ensure all Australians benefit from great ideas. Through innovative solutions we pursue productivity and quality improvements that underpin our customer-focused agency.

Our Future Way of Working program, which will see increased collaboration and productivity among our staff in activity based working environments. We will continue to implement best practice workforce planning to ensure we attract the best and brightest minds, provide challenging opportunities to develop leadership and management skills.

Our people remain our greatest asset.

We will continue to invest in talent and capability development to build the workforce of the future. By encouraging diversity of thought and a culture of curiosity we inspire leadership and accountability at all levels.

IP Australia strongly believes in having the right people, place and technology platforms to support a world leading IP system and enable flexible working.

We continue to implement best practice workforce planning to ensure we attract the best and brightest minds, provide challenging opportunities to develop leadership and management skills, and reinforce our position as leaders of IP rights administration in the region.

Michael Schwager
Director-General
IP Australia



Position Profile

Position Title:	Trade Marks & Designs Hearing Officer
Classification:	Executive Level 1
Position Number:	6126
Tenure:	Ongoing and non-ongoing for a period of up to 12 months
Duration:	Permanent
Section:	Oppositions & Hearings
Group:	Trade Marks and Designs
Division:	Customer Services
Location:	Flexible
Immediate Supervisor:	Executive Level 2
Security Classification:	ENTRY ONLY

Group Responsibilities

The Trade Marks and Designs Group (TMDG) is responsible for administering the Australian trade marks and designs systems. It examines and registers trade marks, designs and related intellectual property rights. Part of that work includes conducting formal hearings and issuing written, reasoned decisions on matters relating to trade marks and designs.

Section Responsibilities

The Oppositions and Hearings Section sits within TMDG. It is responsible for conducting hearings and issuing written decisions on oppositions and other proceedings before the Registrars of Trade Marks and Designs. The section is also responsible for liaising with legal services providers and courts.

Position Description / Context of the Role

Hearing Officers are required to conduct hearings (either orally or on written submissions) in accordance with the *Trade Marks Act 1995* (Cth) or the *Designs Act 2003* (Cth) and issue timely written decisions. Oral hearings are usually held online. Decisions of Hearing Officers are generally appealable to the Federal Court or Federal Circuit Court.

The TMDG Hearing Officers are a collegiate team of experienced intellectual property professionals. They bring their knowledge and experience to the conduct of hearings and drafting formal decisions and reviewing the work of their peers prior to issue.

If you have an interest in the role and would like a further understanding of the nature of the decisions a Hearing Officer produces, copies of trade mark decisions are available from the Australian Legal Information Institute at the following link:

<http://www.austlii.edu.au/au/cases/cth/ATMO/>

Position Specific Duties

As a Hearing Officer your primary duties are to:

- Manage and conduct hearings and issue decisions on trade marks, designs and related intellectual property rights
- Provide timely feedback on the work of colleagues
- Offer input to process improvement and feedback to the broader group and organisation
- Summarise decisions of Hearing Officers and of the courts for consumption by TMDG staff and customers
- Exercise appropriate delegations under legislation
- Demonstrate attitudes and behaviours responsive to workplace change
- Improve organisational performance through effective risk management
- Establish clear expectations and create an environment to achieve stated goals and objectives
- Take ownership and honour commitments

- Maintain an understanding of responsibilities under the *Work Health & Safety Act 2011* (Cth) and a commitment to promoting a healthy and safe workplace

Position Specific Capabilities

You will need:

- Excellent interpersonal, written and oral communication skills
- Effective time management
- Demonstrated knowledge of the Australian intellectual property framework, including relevant legislation and case law
- Be able to work both independently and as part of a team to make findings of fact and interpret the law

Please note: Applicants are encouraged to refer to the attached Capability Framework documentation which outlines agency wide behavioural descriptions for the five core capabilities at this classification.

Eligibility Qualifications / Knowledge Required

Any of the following are highly desirable

- Registration as a Trade Marks and/or Trade Marks and Patent Attorney
- Legal practice experience in intellectual property matters
- Experience working on tribunals, appeal boards and other formal decision-making bodies
- Experience as a Trade Mark Examiner

Application Requirements

To apply for this position, you are asked to provide:

- A one-page pitch detailing why you are suitable for the position. The pitch should also address the position requirements. Please limit your response to no more than 700 words
- A current CV, detailing recent employment history, which is relevant to the advertised position
- The name and contact details of two referees.

Applications must be submitted through the IP Australia Web Recruitment system (IP Acquire)

Please note: you **MUST** be an Australian Citizen to be engaged in the APS and to meet IP Australia's security clearance requirements.

Contact Officer

For further information pertaining to this job please contact Cristy Condon on (02) 6283 2595.

Working at IP Australia

IP Australia recognises the importance of employees balancing their work and personal lives by offering staff access to an ongoing series of health and wellbeing programs, flexible work-life policies and a range of professional development programs. IP Australia is a breastfeeding friendly workplace and has an onsite childcare facility with priority enrolment for IP Australia employees.



Live Work Achieve

IP AUSTRALIA - TOGETHER WE CAN.

- **FLEXIBILITY**
Maintain a balanced lifestyle.
- **PRIDE IN THE WORK WE DO**
Contribute to high quality outcomes every day.
- **A SENSE OF BELONGING**
Enjoy a sense of belonging and purpose, rich with diversity.
- **PROFESSIONALISM**
Use your expertise in a rewarding and fulfilling environment.
- **INTERNATIONAL REPUTATION**
Work with world leaders in intellectual property.
- **THE AUSTRALIAN PUBLIC SERVICE**
Experience all the advantages of the APS,
with the size and agility of enterprise.

Working in the APS

Australian Public Service (APS) Values guide us through our working lives, setting expectations for shared behaviour that keep our workplace harmonious and productive. The values are also a promise to the people of Australia that we can be trusted to act with integrity, in their service and in accordance with the Public Service Code of Conduct.



Capability Framework – relevant to Executive Level 1



Agility and innovation – lead and empower a culture of agility and innovation

- Independently or collaboratively develop new insights, solutions and recommendations for complex situations.
- Regularly scan the horizon and undertake research and analysis where appropriate to anticipate and address issues, identify opportunities, innovative methods, trends, capabilities and products.
- Select the most effective solution for the benefit of the organisation and effectively communicate the benefits and risks to the decision-maker.
- Lead the team to adapt and participate in change activities to contribute to business group outcomes.
- Be accountable for behaviours consistent with embracing change and new ideas.



Customer centric – lead and empower a culture of quality customer service

- Actively engage internally and externally where relevant to improve outcomes for customers.
- Actively engage with customers to ensure equitable access to services.
- Monitor customer service and service delivery functions, including anticipating and identifying customer service needs, collecting evidence to inform decisions, and implementing solutions that deliver quality customer centric outcomes.
- Promote, lead and embed customer centric behaviours within a team environment.



Data literacy – lead and empower appropriate use and creation of data

- Effectively and appropriately obtain and use data to lead the team to meet business group outcomes.
- Demonstrate a clear understanding of IP Australia's frameworks that guide data use and the broader context in which data is managed in the APS.
- Demonstrate the ability to plan, identify opportunities and understand how data can be improved to align with the strategic direction.
- Identify key stakeholders and understand how the data will be used to inform decision-making.
- Ensure that systems are in place to protect the privileged use and integrity of the data.



Engages with risk – lead and empower positive risk behaviour

- Lead an environment where staff are empowered to have open communication about risk that leads to IP Australia's target risk culture.
- Have a sound understanding of IP Australia's risk management framework to ensure that risks are defined, documented, communicated and managed.
- Understand and manage risks within span of influence, including those managed by staff.
- Provide and encourage an environment where risk-taking is supported within clear boundaries.



People, network and self-leadership – lead and empower authentic leadership behaviour

- Lead and develop the team through mentoring and guidance; recognise and reward achievements and behaviour.
- Lead the team by building trust, encouraging conversations about change and challenging environments, and model behaviours including resilience, flexibility and persistence.
- Develop and strengthen new and existing relationships across the APS and IP Australia; represent IP Australia in various fora where appropriate.
- Cultivate and promote strong relationships to support business objectives and decision-making.
- Actively seek out feedback on own performance; respond proactively and make appropriate changes.

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Job Specific Technical Capabilities

- Maintains a high level of knowledge of relevant sources, standards, frameworks, policies, guidelines, legislation and best practice models.
- Provides technical guidance on complex problems to colleagues, particularly where there is no clear or definitive course of action.
- Applies expertise and leadership to the development and promotion of new standards, tools or products.
- Develops others by sharing specific technical expertise with the broader agency.
- Recognises complex technical risks and escalates appropriately.