

The IP Value Hiding in Plain Sight

For Australian founders ready to secure what competitors hope you overlook.

Intangible assets, which include intellectual property, make up ~90% of the value of companies in the S&P500, and more than 50% of the ASX 100. These assets are often more pivotal to a startup's success than those you can see, yet too many founders are unaware of the value hidden inside their business.

—Aaron Le Poidevin,
Managing Director,
Griffith Hack

The Untapped Value Sitting in Your Garage

A founder told me not long ago, **“We thought our biggest risk was not innovating fast enough. Turns out, it was the competitor who copied our product and undercut us in the market.”**

Hi, I’m Aaron.

And that story isn’t unusual. Across industries – from healthcare to advanced manufacturing, agri-tech to space – I’ve seen the same pattern: Australian startups innovate, but fail to lock in the value of their intangible assets. Competitors, often overseas, seize the opportunity. The cost isn’t just market share – its valuation, investor confidence, and long-term growth.

In over 15 years working in startups, technology, and corporate innovation & growth strategy, I’ve sat on both sides of the table – building startups and advising them.

The consistent lesson? Founders who treat intellectual property (IP) as an afterthought expose themselves. Meanwhile, founders who treat IP as a growth lever build resilience, investor trust, and competitive edge.

That’s why this guide exists: to reframe intangible assets for Australian founders and their teams. It’s not just about patents or legal risk.

It’s about **ensuring your efforts reflect where business value really lies – in the assets you can’t always see, but drive growth across industries.**

At Griffith Hack, our role is to help founders deliver impact through IP. We do this by assisting them identify, protect and monetise their intangible assets.

My invitation is to read this with urgency: not as a legal formality, but as a strategic agenda item for your next board meeting.

Best regards,



**Aaron Le Poidevin,
Managing Director,
Griffith Hack**



Your Invisible Advantage: The Assets You Can't See

According to the World Intellectual Property Organization, intangible assets are the hidden gems that power knowledge-driven global economies. These assets include intellectual property (IP) rights, and related assets like data and software. While often invisible in financial reports, intangible assets are crucial in fueling innovation, productivity and economic growth.

Why Founders Can't Ignore It

Research suggests ~90% of the S&P 500's value – and more than half the ASX100's – is intangible. These assets create competitive advantage, shape valuation, drive merger and acquisition (M&A) decisions, and underpin investor confidence.

The Risk of Inaction

While only ~4% of Australian Small to Medium Enterprises (SMEs) are estimated to own IP rights, more than half report they're actively innovating (Australian Industry Group, Research Note: Inside the engine-room of Australia's innovative businesses. August 2025). That means most founders and owners are investing in growth and differentiation, while leaving their competitive edge exposed.

Investment in intangible assets like software and AI is outpacing physical assets globally.

WIPO, World IP Report, 2025

Knowing The Basics – The difference between intellectual assets, intangible assets and intellectual property

There are different terms used in this space, including intellectual assets, intangible assets, and intellectual property.

The terms often get mixed in conversation (even lawyers sometimes say “IP” to mean all intangibles loosely). Understanding the difference is important when planning how to protect your startup’s value.

If something qualifies as IP, you might secure legal protection (patent it, trade mark it, etc.) to formally own that asset. If something is an intellectual asset without a clear IP regime, you’ll use other means – such as contracts, organisational practices, or just speed to market – to capitalise on it.

“Intellectual assets” is used in a broader, strategic sense to include all the knowledge-based capital of a business – even elements that aren’t formally owned by a startup.

This concept can include human capital (employees’ skills and knowledge). For instance, a company’s culture of innovation or its team’s collective expertise might be considered part of its intellectual capital, even though you wouldn’t list “culture” or “employee brainpower” formally on the balance sheet.

“Intangible assets” is often used in the accounting or legal sense to refer to identifiable non-physical assets that a company owns or controls, which provide future economic benefits.

This would include things like registered IP, software, data, contracts, goodwill from acquisitions, etc. They are assets that, in theory, could be documented and valued.

Intellectual property (IP) is a subset of intangible assets. IP refers specifically to creations of the mind that are legally protected (details and examples are provided on the following pages). They’re typically the most formally protected and clearly defined intangible assets, because statutes and regulations back them. IP is what lets you own an idea in the eyes of the law.

Intellectual Assets

Human Capital

Experience
Know-how
Skills
Creativity
Relationships

Not owned by the startup

Through
codification
& valuation
turn into



Intangible Assets

| | |
|------------|--------------------------|
| Inventions | Contracts |
| Software | Drawings |
| Processes | Brands |
| Databases | Confidential Information |
| Reputation | Goodwill |
| Networks | Data |
| Documents | |

Intellectual Property

Trade marks
Patents
Designs
Trade Secrets
Copyright

Owned by the startup

In short, you can think of “intellectual assets” as a superset encompassing all intangible value drivers, whether or not they meet the strict definition of an accounting asset.

Know Your IP – The Assets Defined

IP Australia is an incredible resource for startups to understand the core types of IP. Once you grasp the basics, Griffith Hack can help you shape your IP strategy and ongoing IP management plan to create a clear, practical roadmap to protect and unlock value.

TRADE MARKS

A trade mark legally protects your brand and helps customers distinguish your goods and services from your competitors. You can trade mark a logo, word, phrase, letter, number, sound, scent, picture, movement, aspect of packaging, or any combination of these.

PATENTS

A patent legally protects your invention or how something works. You can use a patent for new technology, devices, substances or processes. In Australia, a Standard Patent gives you a 20-year right to stop others from using your invention. Protection usually begins with a provisional application, which sets your priority date (the initial date of filing) and lasts 12 months. During that time, you can disclose the invention described in the provisional patent application safely while attracting investment or partners, before filing a complete application and considering protection overseas.

DESIGNS

A design right legally protects the overall appearance of your new and distinctive product. The appearance may be a combination of shape, colour, configuration, pattern and ornamentation. You can use a right to protect the look of a whole, physical product if you're producing it on a commercial scale.

TRADE SECRETS

A trade secret is confidential information that gives your business a competitive advantage. It may be secret formulas, methods or processes. For example, Coca-Cola's formula is a trade secret. Trade secrets aren't registered with an IP office, however you can protect your trade secrets with secrecy and confidentiality agreements. Common law covers infringement of trade secrets and breaches of confidentiality agreements.

COPYRIGHT

Copyright protection is free and automatic. It protects your original expression of an idea as soon as you document it. Copyright protects software, art, non-commercial designs, music, literature and film.

KEEPING IT CONFIDENTIAL

Build your competitive edge with Intellectual Asset Management, supported by IP experts.

Intellectual Asset Management (IAM)

The best way to keep track of your intangible assets is through IAM. It's a structured approach that captures everything of value to your startup and how it sits in the competitive landscape. It helps you articulate your startups differentiators and competitive advantages.

Why it matters:

If you ever look to sell or attract further investment, your startup will be valued more highly when your intellectual assets are documented and protected.

The Blind Spots Costing Startups Millions

Startups pride themselves on innovation and a disruptive vision which transforms industries and solves real-world problems. Yet when it comes to IP, misconceptions and blind spots leave startups vulnerable – not just to competitors, but to missed growth opportunities.

BLIND SPOT 1:

“IP is only for people in white lab coats.”

REALITY:

This myth is widespread. But the truth is almost every company creates intangible assets – whether it’s your brand, product, data, or the confidential processes and software that set you apart. You don’t need a lab full of scientists to generate valuable intangible assets. If your competitors would benefit from copying it or stealing it, then it’s an asset you need to protect.

BLIND SPOT 2:

“If it’s not patented, it’s not IP.”

REALITY:

Patents are only part of the picture. Trade secrets, trade marks, designs, and copyright often hold equal or greater long-term value – but only if they’re identified, secured and monetised.

BLIND SPOT 3:

“IP protection is an expensive legal exercise with no ROI.”

REALITY:

Startups with robust IP portfolios consistently attract higher valuations, greater investor confidence, and stronger resilience. They are more likely to commercialise their products. It is the risks associated with inaction, not protection, that are the real costs.

Not protecting your intangible assets is like giving your competitor the keys to your startup.



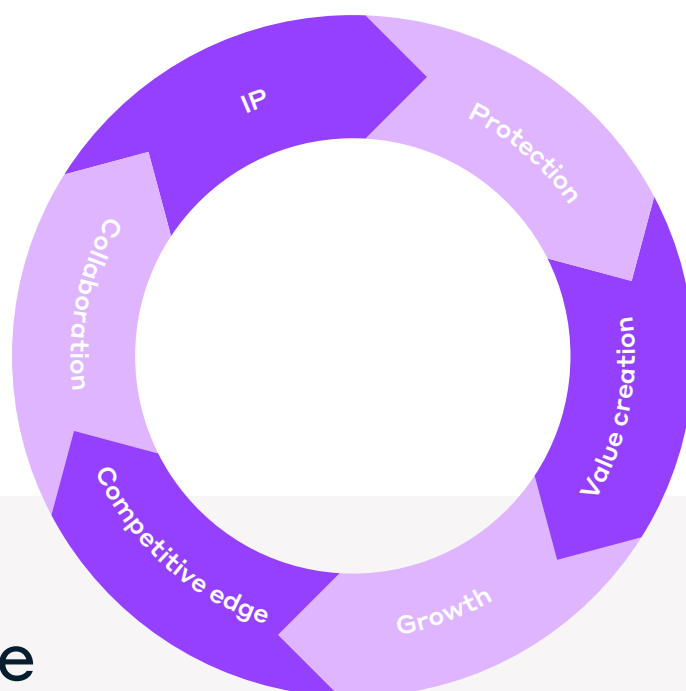
“ In Australian startups, their first patent grant results in significant wage premia and spurs workforce upgrading to allow for commercialisation.”

(Dobson-Keeffe & Falk, 2025)



**“Companies with
strong IP portfolios
consistently
outperform peers
in valuation and
resilience.”**

(AICD, Intangible Assets
Agenda, 2024)



IP: The Growth Engine Hiding Inside Your Startup

Protect What Makes You Different

IP limits a competitor's ability to replicate your differentiators.

Drive Market Valuation

Strong IP portfolios are linked to higher investor confidence and premium pricing in M&A.

Future-Proof Growth

IP provides resilience in slow or volatile markets by locking in your innovation, brand, and R&D.

Seize Market Edge

Australian innovators are already using IP to expand globally and outpace rivals.

Collaborate for Success

Businesses with patents are more likely to collaborate on R&D and commercialisation.

The Data Every Founder Needs to See

Intangibles Dominate Modern Economies

Intangible assets now account for ~90% of the S&P 500's total value (WIPO, Intangible Assets and Intellectual Property) and more than 50% of the ASX 100 (Deloitte, Intangible value contribution to the ASX 100 Report). A review found that there is support for the statement that 80% of technical information is found only in patents (Geert Asche, World Patent Information, Volume 48, 2017.)

Research highlighting the importance of IP rights shows that when businesses launch new products, each additional trade mark links to an 8% revenue increase per employee, above the revenue generated by the launch (Nathan & Russo, 2022).

Governance

Founders aware of IP and the value of intangible assets can demonstrate good governance to their boards and investors. The Australian Institute of Company Directors highlights that IP oversight is not a technicality – it's a board-level responsibility (AICD, Intangible Assets Agenda, 2024). It intersects with:

STRATEGY

Ensuring innovation translates into market leadership.

RISK

Reducing exposure to disputes, copycats and brand dilution.

VALUATION

Investors and acquirers price companies higher when intangibles are secured.

The Global Context

According to the WIPO World IP Report 2025, global investment in intangibles such as software, data, and AI is growing faster than physical assets. At the same time, trade tensions and tightening margins mean founders who fail to secure IP are more exposed to global competition. Putting the right IP strategy in place will create more commercialisation, collaboration, revenue, and productivity opportunities.

The Australian Gap

Despite strong innovation, Australian companies underutilise intangible assets compared to international peers (IP Australia, Protect Your Brand, Idea or Creation, 2023).

The consequences include:

- Lost first-mover advantage.
- Missed commercialisation opportunities.
- Lower valuations in M&A or capital raising.

Australians are entrepreneurial and are early adaptors of technology.

Australian universities undertake excellent research.

If Australian founders sharpen their understanding of the importance of intangible assets, we will be well placed to close this gap.

The Founder's Takeaway

The question isn't "Do we have intangible assets?" – almost every startup does.

The real questions are:

- Have you identified them?
- Have you secured them?
- And most importantly, are you using them to drive growth and competitive advantage?

“

Boards that overlook IP aren't just ignoring a legal detail – they're **ignoring the primary driver of company value.**”

(AICD, Protecting Your IP, 2024)

We don't just protect IP – we help uncover and commercialise it.

From Defence to Offence: Griffith Hack's Advantage

Many firms stop at filing applications. Griffith Hack takes a broader view – combining IP protection with strategy, competitive intelligence, and commercialisation. We help founders and their teams move from reactive defence to proactive growth.

IP AUDITS

Entry-level reviews to identify what intangible assets you own, what's at risk, and where opportunities lie.

IDEATION WORKSHOPS

Working with those developing and building your products/services to surface potential IP early – before competitors do.

STRATEGY & MONETISATION

Aligning IP with your business strategy – from protecting core brand assets to building defensible revenue streams and identifying collaboration opportunities. This includes identifying potential partners and/or exit or growth pathways, such as trade buyers or acquisition targets.

CLIENT-CENTRIC FLEXIBILITY

Some founders want a baseline audit; others need targeted support for in-house IP teams; others want a fully outsourced strategic partner. We meet clients where they are. We also have capability to support IP system set up.

MARKET & COMPETITOR SCANS

Using patent intelligence and AI-powered analytics to map the competitive landscape, highlight risks, and uncover white space for growth.

INTELLIGENCE & TECHNOLOGY

Beyond prosecution, our team leverages world class technology tools to give founders actionable insights – from competitor surveillance to specific industry research and analysis.

The Smart Founder's Quick IP Wins

First Steps:

- Clarify your IP strategy
- Map out your intangible assets
- Check and then safeguard ownership of IP
- Review what your competitors are doing, including freedom to operate
- Undertake training (for you and your team)

Quick Tips:

- Avoid publishing, selling or otherwise publicly disclosing your invention before you file a patent application, as this can be detrimental to obtaining patent protection.
- Ensure you have non-disclosure agreements before discussing your invention with others, and before filing a patent application.
- Carry out searches to check that no one else has previously protected the brand, design or invention you have in mind.
- Many IP rights are jurisdictional, so consider obtaining protection in all countries you want to do business in.

Checklist:

Do you know what intangible assets exist in your startup?

Yes No Unsure

Do you have an IP strategy?

Yes No Unsure

Are your core brand assets registered?

Yes No Unsure

Do contracts safeguard employee/contractor-created IP?

Yes No Unsure

Are trade secrets covered by confidentiality measures?

Yes No Unsure

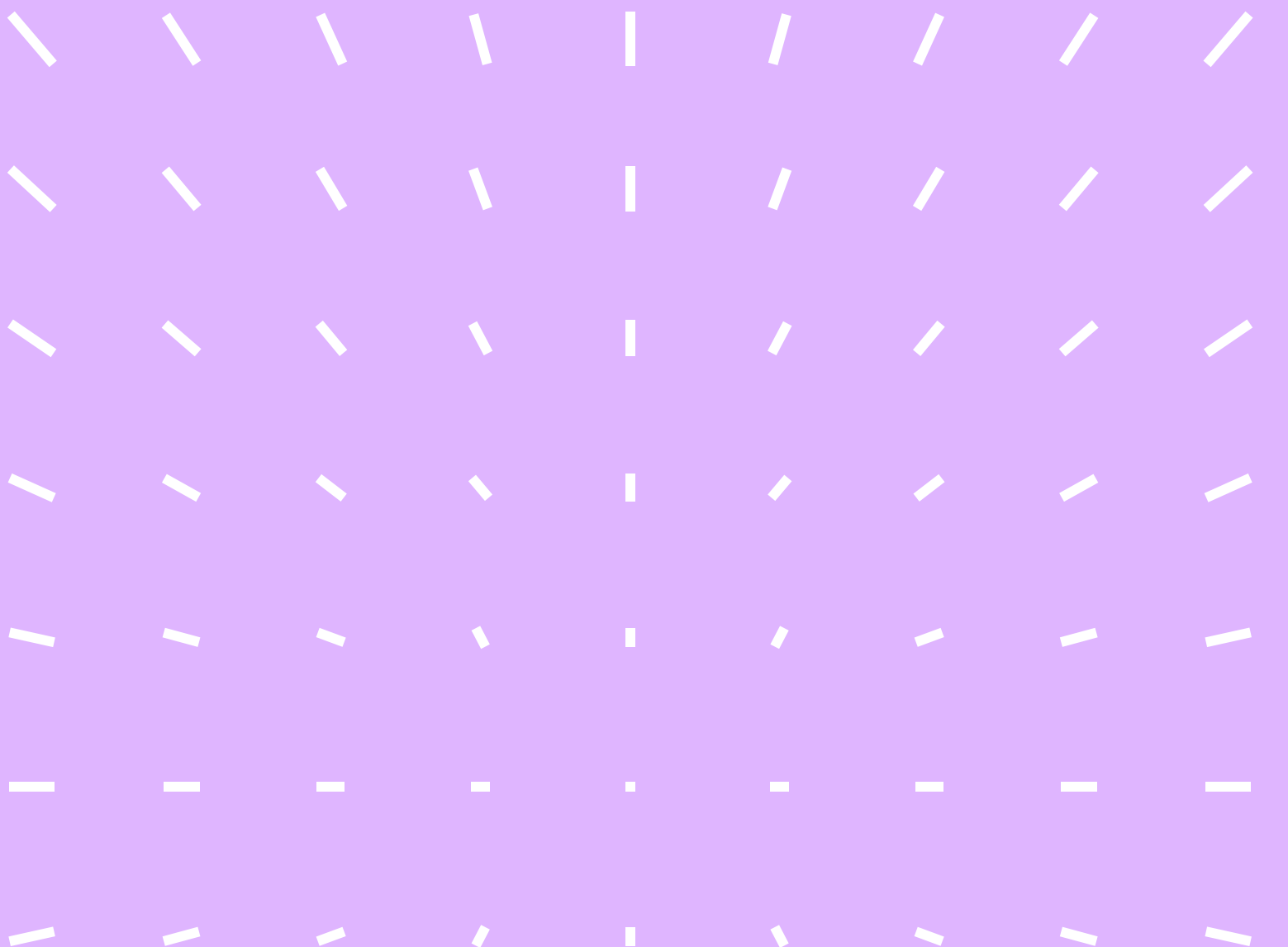
Do you know what your competitors are doing?

Yes No Unsure



If you do nothing else before the end of the financial year – **identify, protect and have a plan** to monetise your core intangible assets.”

Aaron Le Poidevin, Managing Director, Griffith Hack



Two Pathways. One Conversation.



Pathways For Founders:

- **Initial IP Review:**
A quick scan of what you own and where gaps exist.
- **Comprehensive IP Strategy:**
A tailored plan to align intangible assets with business strategy.

We speak your language – commercial, strategic, and actionable.

Next Step:

Book a 15-minute call with the Griffith Hack team. We'll ask the right questions, assess needs and budgets, and connect you with the right expert.

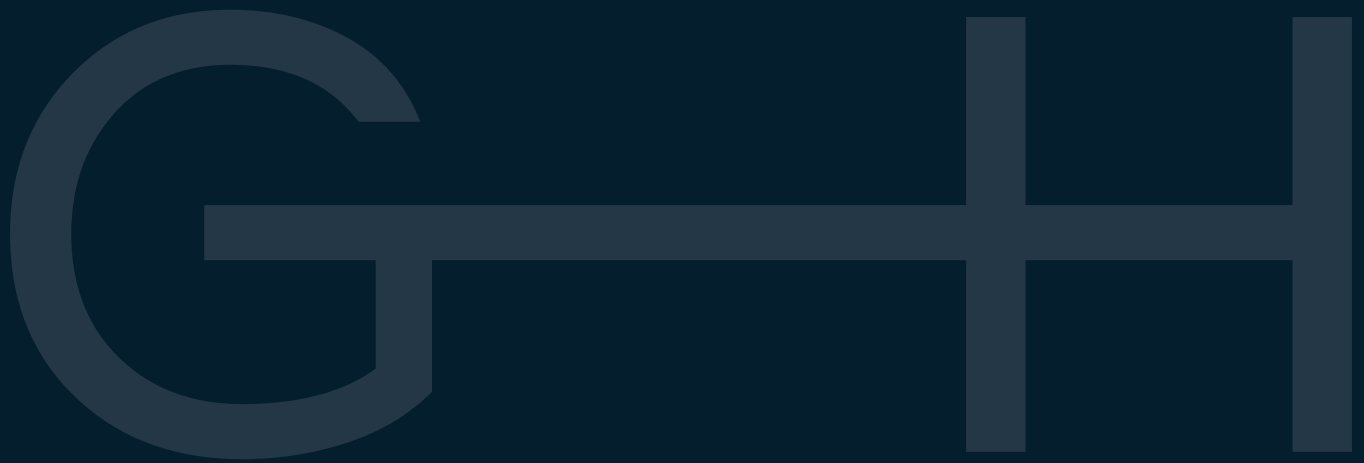
Scan the QR Code to book a 15-minute call →



Secure What Others Overlook – Your IP Value

For more than 120 years, Griffith Hack has advised Australia's most ambitious companies on identifying, protecting and commercialising their ideas.

Our role today is clear: help founders unlock the hidden value already inside their startup, protect it from competitors, and convert it into sustainable growth.



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