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Small Business could benefit from Harper Review

The Real Estate Institute of Australia has made a strong case in support of small business in lodging its submission to the Harper Competition Policy Review Draft Report. In its [submission](#), which is publicly available, REIA highlights how intellectual property can be dominated by large corporations in a bid to stifle competition and uses the specific example of trademarks for website domain names.

REIA CEO Amanda Lynch said, “The experience of REIA and others is that big business trademark grabs not only have a major adverse impact on competition, particularly for small business but they are deliberately used to reduce competition - which is something we strongly oppose.”

“This is why our submission supports the Harper Review recommendation that an overarching review of intellectual property be undertaken by an independent body, such as the Productivity Commission and we believe the review should focus on competition issues arising from new technology developments.”

“Earlier this year, REA group (which owns realestate.com) attempted to broaden its trademark application to include ‘real estate’, which we vigorously opposed and have asked the application be withdrawn as it could potentially jeopardise the use of generic terms by other businesses, competitor web portals and professional bodies.”

“In our submission we highlight a US case study that illustrates how other jurisdictions view the matter with an attempt to register the trademark “hotels.com” lost when the US Court of Appeals ruled the trademark was too generic. The Court further noted that adding the “dot.com” indicated internet commerce and did not convert the generic term,” Ms Lynch said.

“The ‘realestate.com.au’ case is not an isolated case and our concerns are also shared by others representing small business,” Ms Lynch concluded.

To download the full submission [click here](#).

The Real Estate Institute of Australia (REIA) is the national professional association for real estate agents. For further information, interviews or for media grabs, please contact:

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