AU **Australia**

Blockchain Timestamping and Creative Work Protection

Legal framework, electronic evidence admissibility and blockchain recognition

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What is blockchain timestamping?

This guide presents the legal framework applicable in Australia to blockchain timestamping as proof of prior existence. Australia has no specific blockchain legislation, but its existing framework for electronic evidence is flexible, pragmatic, and particularly well-suited to blockchain-based proofs.

Blockchain timestamping creates permanent, tamper-proof evidence that a document existed at a specific point in time. It does not grant intellectual property rights — but it proves prior existence with mathematical certainty.

How it works (simplified)

1. Digital fingerprint: Your file is converted into a unique 64-character code (SHA-256 hash) — mathematically unique to that exact file.

2. Permanent record: That fingerprint is inscribed on Ethereum, a public ledger maintained by thousands of computers worldwide. Once recorded, it cannot be altered or deleted.

3. Timestamp: The blockchain automatically records the exact date and time — publicly verifiable by anyone, at any time, for free.

4. Your certificate: You receive a ZIP containing the PDF certificate, metadata, and a link to the Ethereum transaction.

Legal framework in Australia

Australia does not have specific blockchain legislation — but this is actually good news. The existing framework for electronic evidence is flexible, pragmatic, and particularly well-suited to blockchain-based proofs.

Evidence Act 1995 (Cth)

The federal evidence law is the primary legal basis for the admissibility of electronic evidence before Australian courts.

Key provisions — Evidence Act 1995

Section 146: creates a presumption of reliability for evidence produced by devices or processes that normally produce reliable results. Blockchain — which produces verifiable, immutable records — fits squarely within this framework.

Section 147: documents produced by computer in the ordinary course of business are admissible as evidence. The 'best evidence rule' has been abolished — electronic copies are accepted on equal footing with originals.

Electronic Transactions Act 1999 (Cth)

This federal law validates electronic transactions and signatures. Its approach is technologically neutral — no specific technology is mandated, meaning blockchain-based proofs are not disadvantaged. Each state and territory has its own mirror legislation (NSW 2000, Victoria 2000, Queensland 2001...).

Recent case law — Poulton v Conrad (Tasmania, 2025)

In this Full Court decision, the judges recognised that Bitcoin — and by extension blockchain records — can be 'possessed' as property. Justice Estcourt stated that older approaches are 'insufficient for the digital age'. This strong judicial signal indicates growing receptiveness in Australian courts to blockchain-based evidence.

Positive signal — Australian context

Australia benefits from a flexible and pragmatic Common Law framework. The absence of specific blockchain legislation is not an obstacle — Australian courts have a long tradition of adapting to new technologies. The 2025 case law is particularly encouraging for the recognition of blockchain proofs in civil disputes.

Copyright — Copyright Act 1968 (Cth)

Australian copyright protects original works from the moment of creation, with no registration formality required (consistent with the Berne Convention). Protection lasts 70 years after the author's death. Blockchain timestamping does not replace copyright — it provides dated proof of the work's existence, which is particularly useful in priority disputes.

Use cases

Blockchain timestamping is relevant whenever you need to prove that your work existed before a specific date — whether for plagiarism disputes, priority claims, or collaboration disagreements.

Scenario	What the timestamp proves	Stake
Thesis / dissertation	Final version before submission — priority established if disputed later	Academic plagiarism
Research papers	Priority of ideas before peer review (which can take months)	Protection against scooping
Grant proposals	Original methodology existed before sharing with review panels	Intellectual property
Creative works	Novels, poetry, compositions, illustrations — proof of existence at date X	Copyright
Course materials	Original curricula, lesson plans, educational content	Authorship
Source code / algorithm	Exact codebase state at a given date	Prior art vs competitor
Collaborations	Successive versions — who contributed what, and when	Co-author disputes

Practical workflow — preparing your file(s)

The file(s) you timestamp must be preserved exactly as anchored. Even changing one character invalidates the proof.

Step	Action	Notes
1	Finalise your document	Make sure it is the version you want to protect — not a draft.
2	Prepare your file(s)	PDFs are stable. Word files modify their metadata when opened. For multiple files, drop them all at once — Etch will bundle them automatically. You may also ZIP them yourself if you prefer.
3	Name it clearly	E.g.: Smith_Work_FINAL_ANCHORED_2026-03-20.pdf
4	Make it read-only	Windows: right-click > Properties > Read-only. Mac: File > Get Info > Locked.
5	Timestamp it	Upload your file(s) to etchproof.eu — they never leave your browser, only their fingerprints are sent.
6	Store the ZIP	Keep your original file(s) and the proof ZIP together, in at least two locations.

File format stability

The hash changes if the file changes — even by a single bit. Always anchor the final version, in a format that does not modify itself when opened.

Format	Stability	Recommendation
PDF	**Ideal**	Stable when opened, universal, does not modify its metadata.
Plain text (.txt, .md)	**Ideal**	No hidden metadata, fully stable.
Source code	**Ideal**	Plain text, fully stable.
Video / Audio	Good	Stable if not re-encoded.
PNG / JPEG / WebP	Medium	EXIF metadata may change when re-saved. Make a dedicated copy.
SVG / AI / EPS	Medium	Stable if not re-saved in an editor.
PSD / Clip Studio	Medium	Stable if not re-saved. Also export a flattened PDF.
Word (.docx / .pages)	**Avoid**	Modifies metadata on every open — always export to PDF before anchoring.
Excel / Numbers	**Avoid**	Same issue as Word.

Important limitations — what timestamping does NOT do

It does NOT grant intellectual property rights. A timestamp proves existence, not ownership or authorship.

It does NOT prove you are the author. It proves you had the file at that date — additional evidence may still be needed.

It does NOT store your file(s). Only the fingerprint (hash) of each file is recorded. Without your original file(s), the proof is useless.

It does NOT constitute absolute proof. It is admissible evidence within a broader body of evidence.

The certificate alone is not sufficient. Verification requires both the certificate AND the original file(s).

Cost comparison

Blockchain timestamping offers permanent proof at a fraction of the cost of traditional legal methods.

Method	Approximate cost	Duration
Blockchain timestamping (Etch)	~$3 AUD (~2 EUR) per anchoring	Permanent
Notarised statutory declaration	$50-150 AUD	Permanent
Basic patent application (IP Australia)	$500+ AUD	20 years (renewable)
Registered design application	$250-500 AUD	10 years (renewable)
Trade mark application (IP Australia)	$250+ AUD per class	10 years (renewable)

How verification works

Anyone can verify your proof, at any time, for free — including Australian courts, lawyers, and opposing parties:

• Calculate the SHA-256 hash of your original file using the verification tool at etchproof.eu.

• Look up the transaction on Etherscan.io — the public Ethereum blockchain explorer.

• Confirm that the hash in the blockchain matches your file's hash exactly.

For a multi-file bundle, each file can be verified individually using its own hash. The session hash (anchored on the blockchain) corresponds to the hash of the manifest listing all files.

Even if the Etch service were to cease operations, your proof remains permanently verifiable on the Ethereum blockchain — maintained by thousands of independent nodes worldwide, with no dependence on any company, government, or hardware.

Questions? contact@etchproof.eu | Verification: etchproof.eu/verify