



Rigorous empirical
research on
intellectual property

Why each company should have an effective IP strategy?

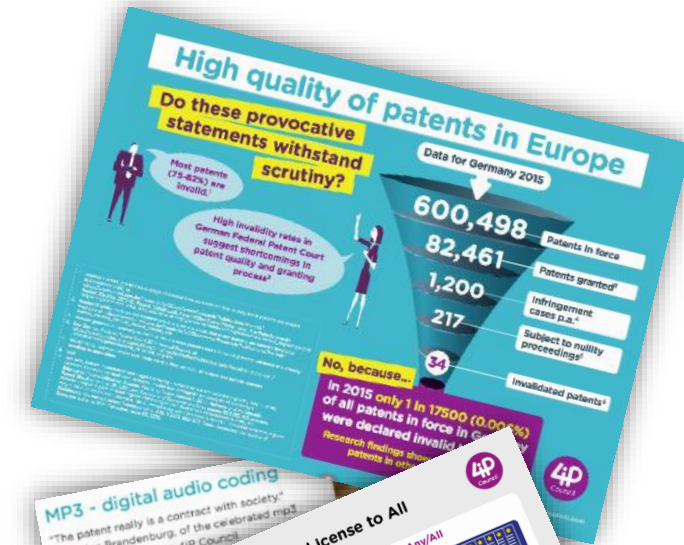
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www.4ipcouncil.com

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Overview

- **Empirical third party research** on IPR & innovation
- Represents **leading inventors & innovators in Europe**
- Research is **multi-industry** and **cross sector**
- Work **with academia, policy makers and regulators** to facilitate deeper understanding
- Commission **robust empirical independent research** on topics related to intellectual property



4iP Council [Network](#) & [Advisory Committee](#)

A dedicated area for SMEs/Start-ups

- **Helping European SMEs/Start-ups to optimise their IP assets** and find the wide range of materials and support mechanisms available to them
- **SMEs/Start-ups are important inventors and innovation drivers** and their growth underpins European competitiveness
- **4iP Council commissions and tracks research on why IP is relevant to SMEs/Start-ups** and seeks to help them identify the right routes for IP advice and support
- Access to **curated information saves time and resources** to all companies, especially **SMEs/Start-ups**



Agenda



What is intellectual property and which types do I need?



Why should I care about intellectual property?



How do I use intellectual property to grow my business?

Tips to follow and pitfalls to avoid

Q&A

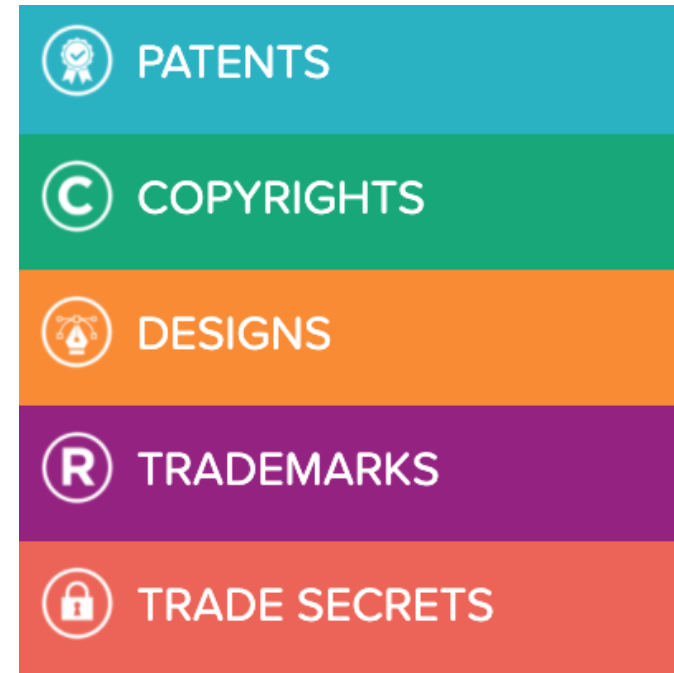
The IP types, differences & why/where to register



What is intellectual property (IP)?

IP is a property right established in law to exclude others from using, without authorisation, your intellectual creations. IP rights (IPRs) allow you to commercialise and exploit your innovative and creative ideas. IPRs consist of:






- Patents protect innovative technical solutions in all lines of industry
- Copyrights protect original intellectual creations in the creative arts
- Designs protect the visual appearance of the product
- Trademarks protect distinctive marks indicating a product's business origin
- Businesses may also opt for protection of their own confidential information from misappropriation by keeping it a trade secret



| ? | PATENTS | COPYRIGHTS | DESIGNS* | TRADEMARKS | TRADE SECRETS |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| What do they protect? | An invention: a new and innovative way of doing something, or solving a technical problem See also: Here Here Here | A work: an original intellectual creation See also: Here Here Here | A new and original visual appearance of a product See also: Here Here Here | Distinctive signs that identify brands of products/services | Any type of useful information for business that is secret and kept confidential See also: Here Here |
| Examples of what is protected | Inventive products and processes in all lines of business For examples of successful inventions by SMEs see Here | Audio-visual works, pictures, graphics, architecture, databases, software, designs, literature, novels, poems, plays, music and video, dramatic works | Packages, containers, furnishings, graphic symbols, computer icons, typefaces, graphical user interfaces, logos and maps More on designs Here | Words, personal names, designs, letters, numerals, colours, shapes, packaging, sounds More on TMs Here See also Here Here | Any confidential information: business methods, customer lists, R&D data, financial information, cooking recipes, software, datasets, know-how, algorithms More on trade secrets Here |
| How are my rights protected? | Prevents unauthorised making, using or selling of the patented invention | Prevents the work being (without authorisation) copied, published, distributed or made available online Protects the integrity and attribution of the work Related rights: Public performance and display of the © work See also Here | Prevents unauthorised use of an identical or similar visual appearance for the same kind of product or services See also Here | Prevents unauthorised use of distinctive signs for the same or related products or/services See also Here Here | Prevents others from using the confidential information, as long as it remains secret Allows to claim monetary compensation in case of unlawful disclosure of the confidential information |

An interactive version of this chart is available: <https://www.4ipcouncil.com/4smes#what-is-ip>

* Depending on the national law and the type of design, they may also be protected as works of art under copyright. In some countries, designs are protected under patent law as "design patents".

| ? |  PATENTS |  COPYRIGHTS |  DESIGNS* |  TRADEMARKS |  TRADE SECRETS |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| How long is my innovation protected? | Up to 20 years | Lifetime of the author +50 to 70 years after death (depending on the country) | Up to 25 years for registered designs | Indefinitely, subject to use in commerce and renewals | Indefinitely, provided it is not revealed |
| Do I have to register it? | Yes, filing an application to a patent office is required More on patent applications in: <div> <div>EPO</div> <div>EPO</div> <div>DPMA (DE)</div> <div>INPI (FR)</div> <div>UK IPO (UK)</div> </div> | No, copyright protection arises automatically with its creation See also Here | No, but it is highly advisable: Unregistered designs are protected only from unauthorised copying and they have shorter term of protection (up to 3 years versus up to 25) More info in: <div> <div>EU IPR Helpdesk</div> <div>EU IPO</div> </div> | Yes. Three routes to registration: National protection: <div> <div>GERMANY</div> <div>FRANCE</div> <div>UK</div> </div> EU-wide protection: <div> <div>EU IPO</div> </div> International protection: <div> <div>WIPO Madrid System</div> </div> | No |
| How long does it take? | 3 to 5 years | n/a | 3 to 12 months, depending on the country | 3 to 24 months, depending on the country | n/a |
| How much does it cost? | Medium to high (from 6000€) | If registered: low (from 15€) | Low to medium (500€) | Medium (1000€) | Nothing |
| How do I start? | <div>IPR Guide in Europe</div> <div>Patent Basics</div> | <div>IPR Guide in Europe</div> <div>Understanding Copyright and Related Rights</div> | <div>Design Basics</div> <div>Designs</div> | <div>Trademark Protection in the EU</div> <div>Trademarks Basics</div> | <div>Trade Secrets in the EU</div> <div>How to manage confidential business information</div> |

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Why IP asset management matters, reasons to register your IP



Why should I care about intellectual property?

4iP Council has partnered with several organisations to create freely accessible comprehensive interactive guides: the goal is to allow SMEs/Start-ups to make sound preliminary decisions without the need to invest a lot of time, resources and money



4 REASONS 4 COPYRIGHT

- 1 - COMPETITIVE EDGE
- 2 - REPUTATION
- 3 - COLLABORATION
- 4 - FUNDING

Explore the benefits of copyright with our **interactive guide**.



4 REASONS TO PATENT

- 1 - MARKET ACCESS
- 2 - NEGOTIATING
- 3 - FUNDING
- 4 - STRATEGIC VALUE

Explore how patents add value with our **interactive guide**.



Patents

Patents are one of a number of tools including trademarks, copyright and trade secrets widely used to protect 'creations of the mind'. They are a tremendous asset for any organisation because they provide market access, leverage in negotiations, funding and they increase economic and strategic value. This also means that the absence of patents can be detrimental on those dimensions.





1 - MARKET ACCESS

Leverage your research and development results



Hold your own in negotiations



Manage freedom to operate and reduce the risk of infringing the rights of others



Protect your inventions from imitators and free riders



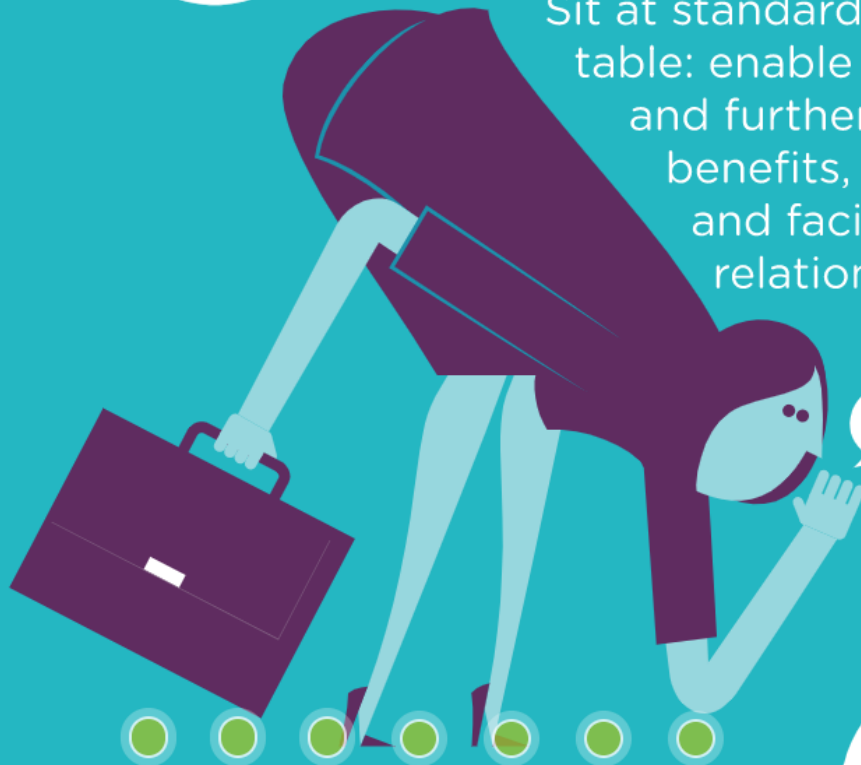
Enhance your reputation





2 – NEGOTIATING

Sit at standards development table: enable price negotiation and further protection benefits, impress investors and facilitate valuable relationship building



Patents are assets which can enable cooperation, joint-development or the creation of new companies and adjust any uneven balance of trade



Monetise your patents through commercialisation (licensing and cross-licensing, sales, joint ventures...): leverage your technology in new markets





3 - FUNDING

Attract investors, increase company value, improve likelihood of success in initial public offering and receive venture capital funds



Secure patent backed loans

Access grants and subsidies

Benefit from tax incentives





4 - STRATEGIC VALUE

Build an in-house innovation mindset with recognition and reward for inventors and make your company attractive for top talents



Improve your competitive edge



Capture the value of strategic R&D investments

Become a valuable partner to important actors in setting up collaborative R&D and technology development efforts

Copyrights

Copyright exists automatically in original creative works without the need of official registration. It grants authors moral and economic rights, including lengthy protection from unauthorised copying and use.

All organisations are likely to have some copyright-protected works. Awareness of copyright is also essential to legitimately use or exploit the creations of others with the authorisation of the right holder.





1 – COMPETITIVE EDGE

Enjoy long term protection of your works or creations



Decide whether to prohibit the use of your works by others (e.g. reproduction, recording, broadcasting, translation, adaptation etc.) or to authorise it on agreed terms, so as to capture the full value of your investment and efforts in intellectual creations



Exclude imitators and copycats



Give legal protection for software and original databases



Enforce your rights in case of infringement through an effective use of the available administrative and judicial tools





2 – REPUTATION

Enhance your reputation for creativity and originality based on the creative and aesthetic value of your company's copyrighted creations



The long-lasting timeframe of copyright protection allows for the possibility to treat works as a legacy

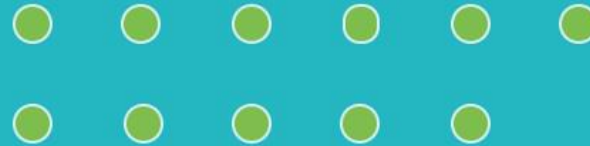




3 – COLLABORATION

Collaborate with business partners, who may hold complementary assets, to bring your creations to the market

Earn valuable revenue from copyright licensing to business partners





4 - FUNDING

Enhance company value to investors



Attract venture capital

Secure credit for
business development

Gain access to public funds
and support schemes for
innovative SMEs



Trademarks & Designs

Trademarks are one of several IPRs, that help protect and enhance your brands. They help consumers identify products and services with the entity from which they originate. Businesses rely on trademarks to distinguish themselves from their competitors, to create an association between their trademarks and product quality, and to build their reputation and consumer loyalty. **Created in cooperation with:**



Designs are one of several IPRs. They are exclusive rights that protect the appearance of a product, or a part of it, provided it is new and has individual character that sets it apart from any pre-existing designs that could be known about (however old). Businesses register designs to strengthen their competitive advantage, prevent work from being copied and build business assets for value creation. This means that the absence of design protection can be detrimental on those dimensions.

In the sake of time, these two IP tools won't be covered today...
... Both interactive guides will be published respectively end of April & May

How you can leverage your IP strategically



The tree of possibilities

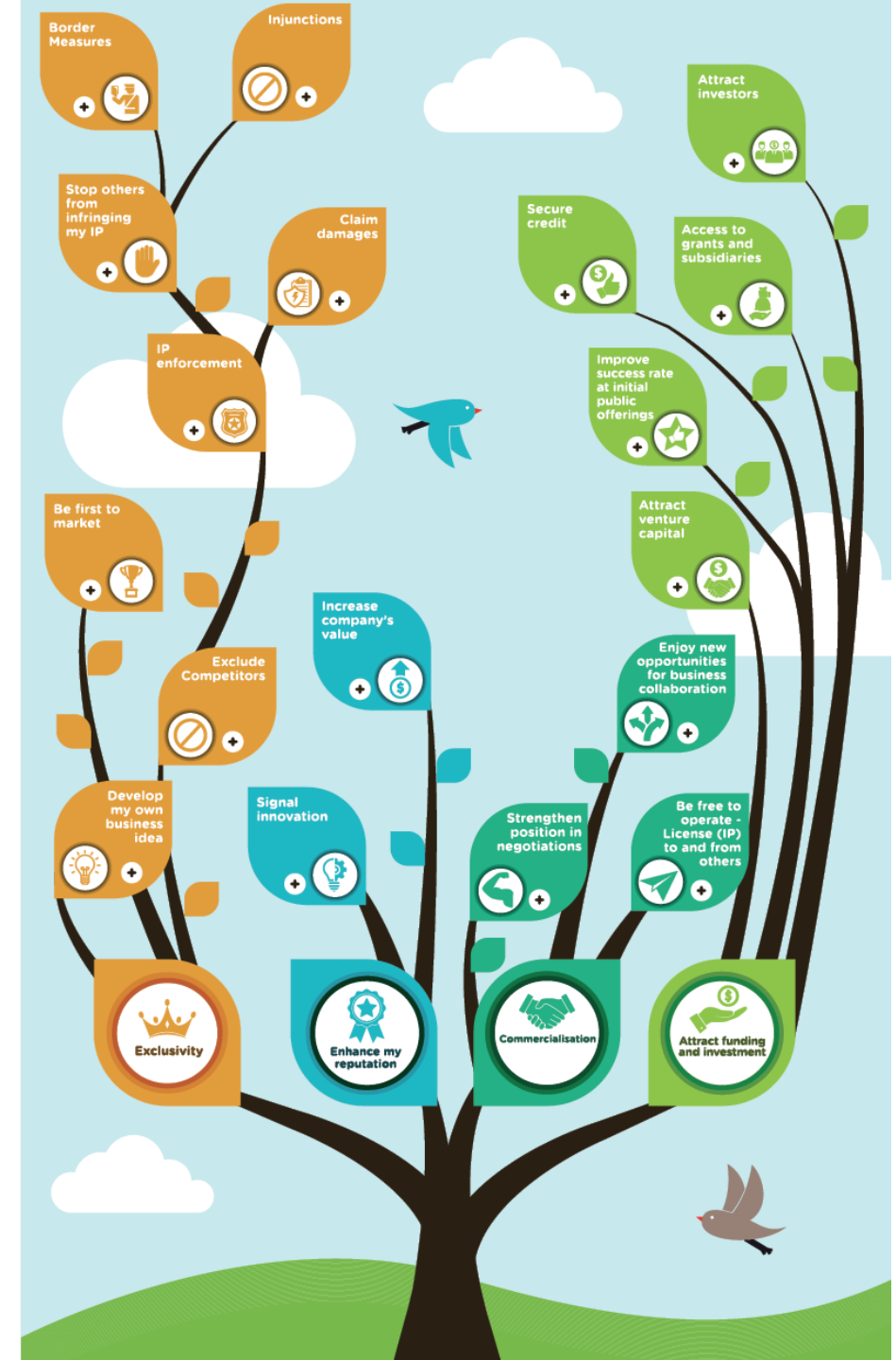
A broad diversity of strategies

4iP has sorted these strategies into 4 categories:



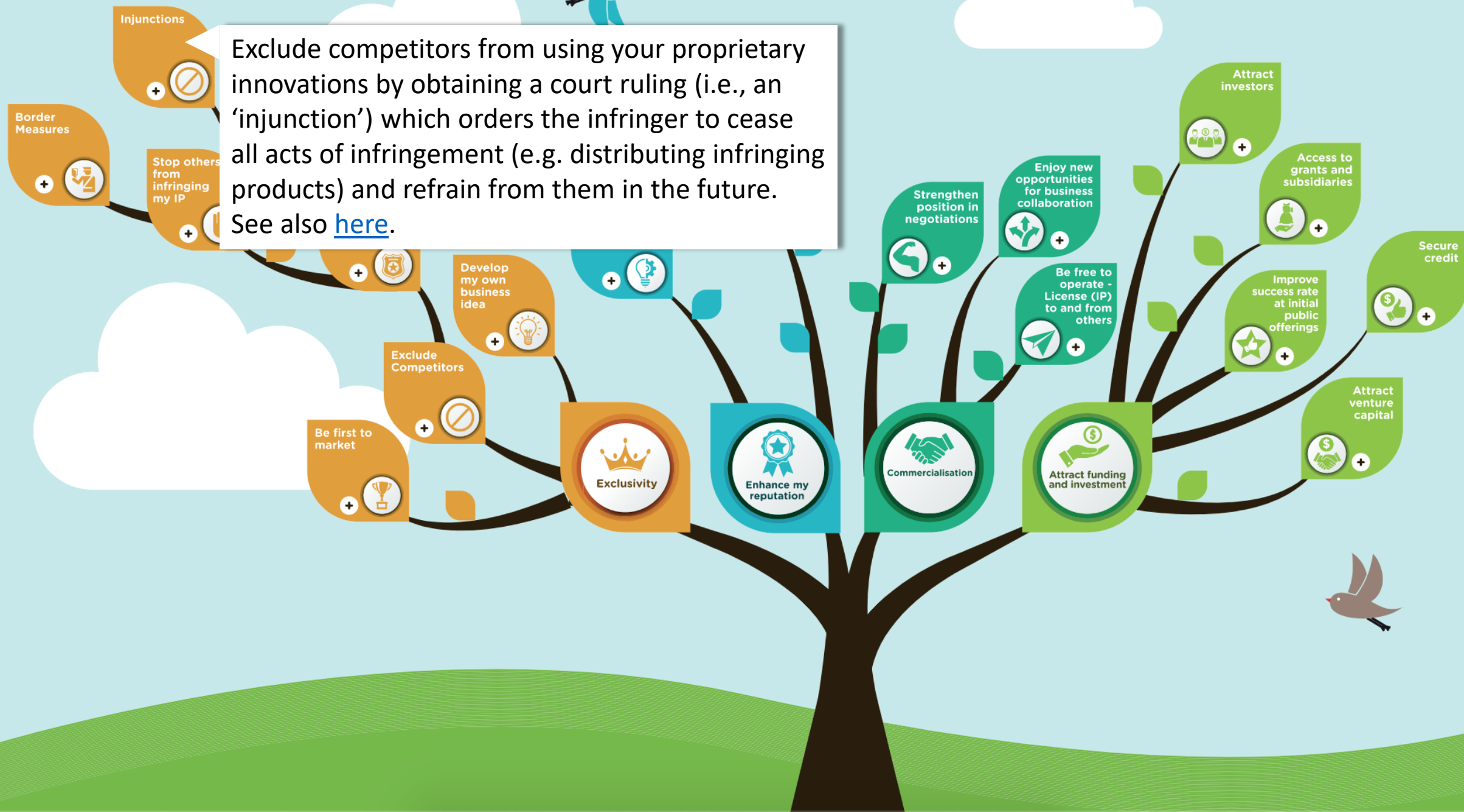
The online interactive guide gives case scenarios and further details for each leaf.

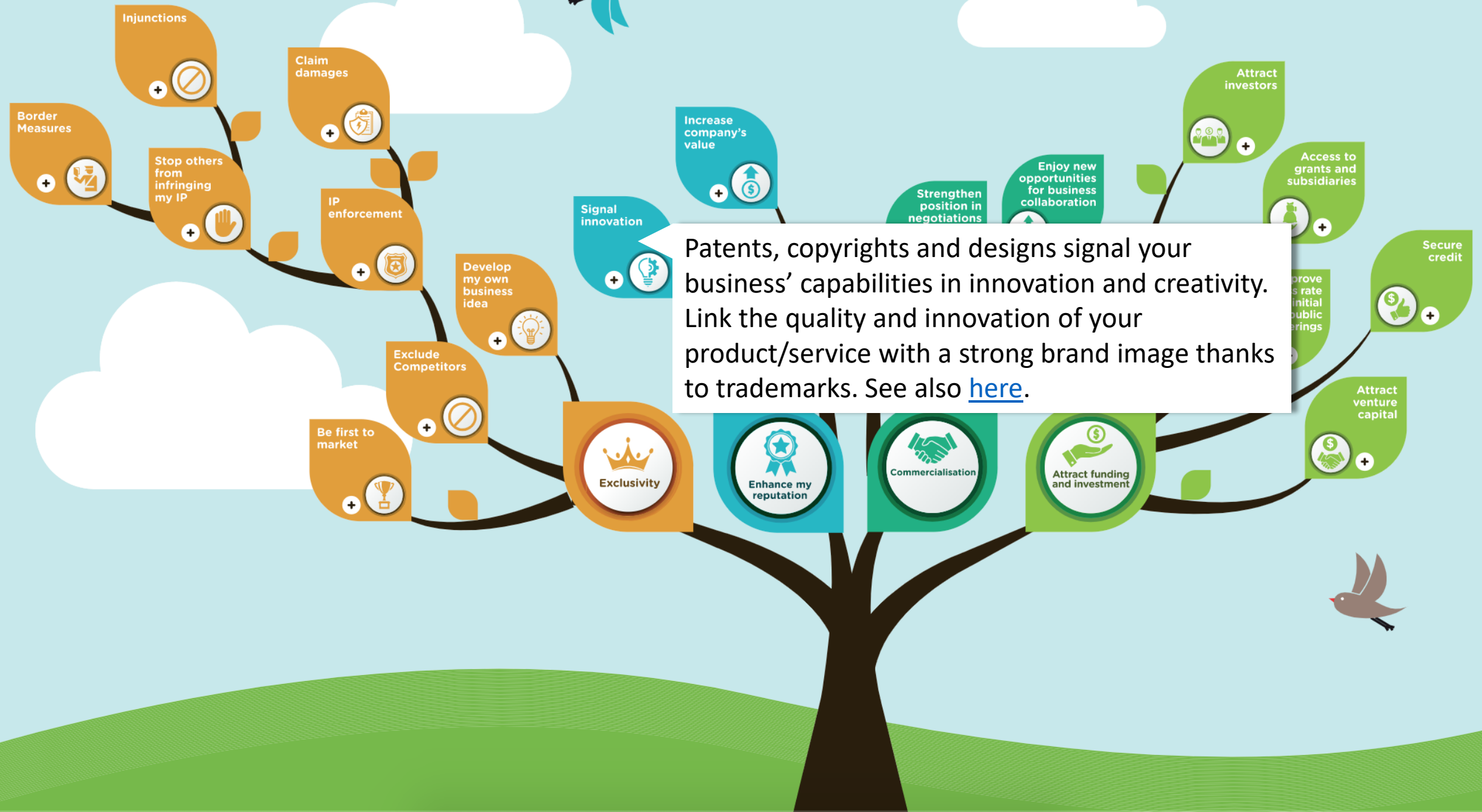
Let's focus on one possibility for each category!





Exclude competitors from using your proprietary innovations by obtaining a court ruling (i.e., an 'injunction') which orders the infringer to cease all acts of infringement (e.g. distributing infringing products) and refrain from them in the future. See also [here](#).





Patents, copyrights and designs signal your business' capabilities in innovation and creativity. Link the quality and innovation of your product/service with a strong brand image thanks to trademarks. See also [here](#).

Leverage your IP assets to boost your bargaining power in negotiations with potential business partners and customers.





Reduce risks in the commercialisation of your innovations, increase your return-on-investment and enhance the value of your business. Attract investors and venture capital by establishing a strong potential for business growth. See also [here](#) and [here](#).

Tips to follow and pitfalls to avoid

- You must be able to identify the types of IP you have created or plan to create, any protections that are already in place, and the process of obtaining further protection or IPRs
- Avoid unlawful use, or infringement, of others' IPRs
- Avoid issues with trademarks: An incorporation of a name, or registration of it as a domain, does not confer trademark protection
- Avoid patent issues – factor in the cost of licensing patents from others
- When seeking a patent, innovators should also plan a strategy for monetising their invention

Tips to follow and pitfalls to avoid

- Use a non-disclosure agreement with those you disclose your invention to in order to prevent public dissemination and misappropriation by the recipient
- Educate all your colleagues involved about the importance of protecting and maintaining IP, and the value it can bring to your business
- Preparation and filing applications for patents, trademark registrations and copyright registrations on your own is an available option
- Retaining a registered patent agent, a registered trademark agent, or IP lawyer should produce better results but will be more costly

Q&A?

Thank you!

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