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Case Studies on Successful Use of the IP System by Small and Medium-sized Enterprises (SMEs) (Best Practices)

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Mandy Haberman

Background
• An English housewife who became an award winning inventor and entrepreneur
• A graphic designer who graduated from London’s St. Martin’s School of Art
Background Contd…

• Member of UK Chartered Institute of Patent Agents (CIPA) Disciplinary Board
• Member of Intellectual Property (IP) Advisory Committee of UK Patent Office
• Member of Advisory Council for European Commission's Information Society Technologies Intangibles Research Project, PRISM
Her Major Achievements

• Invented, patented and commercialized “Haberman Feeder®”, a feeder for children with sucking difficulties

• Invented, patented and commercialized “Anywayup®”, a totally non-spill cup
Her Awards

• “Millennium Product” UK (2000)
• Female Inventor of 2000 (UK)
• Design in Business Association's "Design Effectiveness Awards (2000)”; Winner of Innovation Category
• Horner’s Award for Innovative Use of Plastics (highly commended) from the British Plastics Federation UK (2000)
• Mother and Baby Magazine Silver Award for Anywayup Smiley Cup in the Mealtime Category 2001-2
What is Haberman Feeder?

- Haberman Feeder is used for feeding babies with severe feeding problems
THE HABERMAN FEEDER

Teat (silicone)

Reservoir
Light finger pressure can be applied to deliver controlled quantity of feed

Collar (polypropylene)

Disc (polypropylene)

Air-groove on underside prevents vacuum, admits air into bottle, not into teat

Silt valve
Controls flow of feed, depending on orientation within baby's mouth

Raised markings indicate position of slit valve in baby's mouth

Disc valve permits only forward flow of feed. Feeder rewards even the weakest suck

Standard wide-neck feeding bottle
What is “Anywaycup”?

• Anywayup® is world's only totally non-spill cup, whether you shake, rattle or roll.

• Unlike other cups, Anywayup® Cup has no gap above the valve in which drips can get trapped.
What motivated her to invent Haberman Feeder?

• 1980: Her daughter, Emily, born with Stickler's Syndrome (www.stickler.org.uk) causing sucking difficulties

• 1982: Mandy begins work on designing a feeder for babies with sucking problems
Developments in her story...

1984

- First prototypes of Haberman Feeder® produced with help of a private company; UK Patent Numbers 2169210 and 2131301
- Testing begun on six healthy babies, followed by successful testing on babies with feeding problems
- Sets up her own Company; Haberman Feeder® goes into production, with worldwide sales to specialist units, hospitals and clinics
Motivation for designing the Anywayup Cup

1990

• During visit to a friend’s home saw children spill juice over the carpet
• This inspired her to work on the problem of leaky toddler's beakers
• Designed a leak-proof trainer cup that seals between sips
Anywayup Cup Story Contd…

1992

• First of many patents filed and granted (Patent No. GB-B-2266045) to protect her idea of using a slit valve to control the flow of liquid through the spout of a trainer cup

• Additional patents, both in the UK and overseas, are later filed and granted
And the story continues…

1993

• Prototypes offered for a license to 18 companies, mostly British, manufacturing products for infants. After initial enthusiastic response, for various reasons, no licensing deals struck

• Among prospective licensees was Jackel International Limited, which later infringed Mandy’s patent
Further progress…

1995

- Mandy joins forces with small Cardiff-based V&A Marketing Ltd who specialize in marketing innovative products
- V&A produce prototypes for exhibiting at two baby and toddler fairs
- £10,000 worth advance orders secured
Still more developments…

1996

• Anywayup® cup sold in unprecedented numbers (@ 60,000 a week)
• Soon, a US company signed an exclusive USA licensing agreement to manufacture and sell it under Tumble Mates® brand
• Over 10 million cups are now sold each year worldwide
Free-rider comes in…

• As is often the case, the Anywayup® cup became a victim of its own success
• Just 18 months after the product was launched, discovered that a UK company she had initially approached for licensing (Jackel International Limited) brought on the market a product very similar to the Anywayup® cup
Success in court action...

1999

- Mandy Haberman sue the infringing company and won the legal battle
- An injunction was issued, preventing further infringement of the patent
- Appeal by the infringing company not followed up, after an out of court settlement was reached
What do we learn from Mandy

• Necessity is the mother of invention
• Patent before commercialization
• Commercialization and effective marketing through cooperation with experts and specialists
• Licensing strategy for increased revenue
• Monitoring the activities and enforcing the IPR
Mandy’s Advice

• Having an idea and turning it into reality is a most satisfying and rewarding experience
• If you want to change the world, inventing is the way to go about it
• Improving someone’s quality of life is the greatest difference you can make
• Not only will you feel fulfilled but you will also be inspiring millions of others
• Every battle, every legal or financial struggle is worth it and makes the end product even more rewarding
Mandy’s Advice Contd...

- Prove yourself to your bank manager, your friends, your family and to the world
- Be remembered, not forgotten
- If you want to bring awareness of IPRs, the best way is for you to experience their effects yourself
- Lead by example
- Life is for inventing, not relenting
EATSET (Emergency Auto Transfusion SET)

• A case study of Dr. Oviemo Ovadje, an African medical doctor, who successfully raised financial resources for commercial exploitation of IPRs
Background

• Victims of Road Traffic Accident and patients with internal bleeding often dies from lack of blood

• Donated or purchased blood may be contaminated malaria parasites, Hepatitis B virus, Syphilis and AIDS Virus

• Transfusion services are not effective in Nigeria
What did Dr. Ovadje do?

• To save lives in need of blood
• Dr. Oviemo Ovadje, of Military Hospital Ikoyi Lagos, while working at the University of Lagos and Benin Teaching Hospitals in Nigeria invented a emergency auto transfusion set, EATSET
What is EATSET?

- Recovering blood out of the body cavity during operations
- And to reinfuse it back into the patient after filtration
Main Features of EATSET

- Rapid recovery of blood from internal bleeding
- Simple to use: can be totally manually operated
- Closed system: no risk of infection transmission
- Cost effective: Disposable except manual pumping unit
Key Benefits of EATSET

- About 60% of Victims of Road Traffic Accident and patients with internal bleeding would benefit from blood recycling

- Extremely attractive idea especially for developing countries where blood resources are extremely scarce
Achievements

• With help of UNDP, EATSET device has been protected by patents and trademarks in nine countries
• In 1995, Dr. Ovadje declared the best African Scientist
• Awarded 1995 WIPO/OAU gold medal for scientific work designed to save women who usually die from abnormal pregnancy

(OAU : Organization of African Unity)
Supporting Environment

• In 1989, Dr. Ovadje started EATSET project with a meager sum of 1800 Naira (Approx. 120 USD)
• Nigerian government provided the necessary environment for research
• UNDP provided financial resources for R&D and testing
• WHO participated as executing agency
Pathway to Commercialization

• April 2001: EATSET Industries established to facilitate the commercialization of EATSET medical device
• Though in its ‘infancy’, the company has already attracted several investors both public and private: 100,000 USD; expects to raise up to one million US Dollars
• Currently, EATSET industries focusing on designing appropriate medical tools for developing countries with limited resources for acquiring costly sophisticated technologies
Lessons from Dr. Ovadje

- Importance of effective use of publicly available funds or assistance to get IPR protection and to undertake further R&D
- Patents and trademarks play a key role in enhancing the confidence of investor and others
Thank you