WIPO Training of Trainers Program on Effective IP Asset Management by SMEs

Amman June 23, 2014

Mrs. Lien Verbauwhede Koglin
Senior Program Officer, Innovation Division, SMEs Section, WIPO
Introduction to WIPO
Overview of IP and the Role of Effective IP Asset Management in Enhancing the Competitiveness of SMEs

Mrs. Lien Verbauwhede Koglin
Senior Program Officer, Innovation Division, SMEs Section, WIPO
Presentation Outline

- The increasing importance of IP in its context
  - Knowledge Economy and rise in importance of intangible assets
  - Importance of differentiation and adding value to be competitive
  - The IP system
  - Use and exploitation of IP assets

- The World Intellectual Property Organization
Part 1

Overview of IP

and the Role of Effective IP Asset Management in Enhancing the Competitiveness of SMEs
New Economy

- Global market place
- Demanding and fickle consumers
- Shorter product cycles
- Working through relationships, networks and outsourcing
- Increased competition
- Pressure to do more with less
Being Competitive in the New Economy

Specialized, Stumpjumper
Being Competitive in the New Economy

- **Low cost** and the ability to produce **efficiently** is not enough. The competition is also able to produce as efficiently and at lower cost.

- Customers are looking for added value, a **DIFFERENTIATION** from the competition other than on price:
  - Unique product (design, technical features)
  - Quality + Guarantees and warranties
  - Brand name recognition
  - Customer experience
  - Value added products/services

- Firms use **intangible assets** to create a competitive strategic advantage to **differentiate** themselves from other firms.
Intellectual Property

- Intellectual property (IP) refers to creations of the mind.

- IP is protected in laws, which enable people to earn recognition or financial benefit from what they invent or create.

- By striking the right balance between the interests of innovators and the wider public interest, the IP system aims to foster an environment in which creativity and innovation can flourish.
**Intellectual Property Assets**

- Innovative products/processes
- Cultural, artistic and literary works
- Goods that have a certain quality or reputation due to where it comes from
- Creative designs
- Distinctive signs
- Confidential business information
- Patents or utility models
- Copyright and related rights
- Geographical Indications
- Design rights
- Trademarks
- Trade secrets
It’s all About Finding a Balance …

Creator
- Exclusive rights
- Incentive for creativity
- Return on investment

Society
- Access
- Promote progress
- Economic growth
- Fair trade
- Protect consumers
Patents

- Exclusive right granted for an invention
  - A product or process providing a new way of doing something
  - A new technical solution to a problem
Trademarks

- **Sign** that **distinguishes** the goods and services of one enterprise from that of another
  - Words, letters, numerals, pictures, logos, colors
  - 3D Shapes
  - Sounds, smells
  - Advertising slogans

KTRAK
Number TMA713999
2008-05-09
Design Rights

The **ornamental** or **aesthetic** aspects of a product

- that which *distinguishes* that product from the competition and
- makes the product *appealing* to a consumer
- 2D or 3D

Volkswagen

HMK 561
Copyright

From a business point of view:
- computer programs or software
- content on websites
- catalogs
- newsletters
- manuals
- artwork and text on product literature
- labels or packaging
- posters etc

www.specialized.com/za
Trade Secrets

Confidential business information

- Manufacture info
- Quality control methods
- Product information
- Drawings
- Pending patents
- Know how
- Consumer lists
- Supplier lists
- Sales data
Part 2

The World Intellectual Property Organization
The World Intellectual Property Organization (WIPO), a United Nations (UN) specialized agency, is dedicated to the promotion of innovation and creativity for the economic, social and cultural development of all countries through a balanced and effective international intellectual property (IP) system.
Basic Facts about WIPO

WIPO’s Mission:

promote innovation and creativity for the economic, social and cultural development of all countries, through a balanced and effective international IP system

Status: An int’l intergovernmental organization

Member States: 186

Observers: 250 +

Staff: 1’300 from >100 countries

Treaties Administered: 25

Funds: 90% international registration; 10% Member States. Annual income > 300 million Swiss francs
Core Activities

- **Services** - We run systems which make it easier to obtain protection internationally for patents, trademarks, designs and appellations of origin; and to resolve IP disputes.

- **Law** - We help develop the international legal IP framework in line with society’s evolving needs.

- **Infrastructure** - We build collaborative networks and technical platforms to share knowledge and simplify IP transactions, including free databases and tools for exchanging information.

- **Development** - We build capacity in the use of IP to support economic development.
Useful Resources for SMEs

- **SMEs website:** [www.wipo.int/sme](http://www.wipo.int/sme)
- **SME Newsletter**
- **Case studies (IP Advantage):** [www.wipo.int/ipadvantage](http://www.wipo.int/ipadvantage)
  - Patentscope
  - Global Brand Database
  - Romarin
  - Hague Express
  - Lisbon Express
- **Laws and Treaties (WIPO Lex):** [www.wipo.int/wipolex](http://www.wipo.int/wipolex)
- **Publications:** [www.wipo.int/freepublications](http://www.wipo.int/freepublications)
IP and SMEs: ground reality

Most studies on IP and SMEs conclude that SMEs, especially those in developing economies:

- Are generally unaware about IP and its role in enhancing competitiveness
- Find the cost of obtaining and maintaining IP rights daunting
- Find the cost of defending their IP rights beyond their means
- Find the IP system complex
- Lack of confidence in enforcement mechanisms
- Face challenges when operating internationally (cost, regulatory and technical differences)
- Lack the competencies required to effectively manage IP assets
- Find IP rights a barrier to acquisition of technology
Overcoming challenges faced by SMEs

- Raise **awareness** about strategic opportunities offered by IPRs
- **Diffuse knowledge** about the variety of IP instruments and the strategic objectives they serve
- Foster **IP education and training**, bringing services and expertise closer to SMEs
- Address SME’s **financial constraints** in the access to IPRs
- Make IPR system overall more “SME-friendly”
- Improve cross-border IP information, coordination and enforcement for SMEs operating internationally
- Improve **metrics for measuring** SMEs intellectual assets

Small and medium-sized enterprises (SMEs) represent over 90% of enterprises in most countries, worldwide. They are the driving force behind a large number of innovations and contribute to the growth of the national economy through employment creation, investments and exports. Despite the importance of SMEs for the vitality of the economy and the potential offered by the IP system for enhancing SMEs competitiveness, SMEs often underutilize the IP system. In October 2000, WIPO Member States endorsed a proposal to establish a substantial new program of activities, focusing on the intellectual property-related needs of SMEs worldwide.
WIPO’s SMEs Initiative: main objectives

- Promote a more active and effective use of the intellectual property system by SMEs;
- Strengthen the capacity of national governments to develop strategies, policies and programs to meet the intellectual property needs of SMEs;
- Improve the capacity of relevant public, private and civil society institutions, such as business and industry associations, to provide IP-related to SMEs;
- Provide comprehensive web-based information and basic advice on IP issues to SME support institutions worldwide.
WIPO’s SMEs Initiative: key activities

- Development of comprehensive and user-friendly promotional information materials, guides and training packages;
- Organization of training seminars for specific target audiences (in partnership with relevant international or national institutions);
- Research studies on issues relating to the business use of IP in various countries;
- Assistance to SME support institutions, such as innovation centers, incubators, chambers of commerce, R&D institutions and others to establish IP-related support services to their members and clients;
- SME website with articles, case studies and best practices targeted to entrepreneurs and SME support institutions; and
- Circulation of a monthly electronic newsletter on intellectual property for SMEs.

Activities are conducted largely in partnership with organizations working to promote SME development at local, national and international levels in order to integrate intellectual property within a broader framework that addresses the multi-faceted business challenges faced by SMEs.
WIPO’s SMEs Initiative: practical concerns

- WIPO's activities for SMEs are guided by the need to look at practical concerns and challenges faced by companies in this sector.
- The role of IP rights in the overall business strategy of an enterprise is presented from a managerial perspective.
- The relevance of patents and utility models is highlighted within the context of the R&D and product development strategy of an enterprise.
- Similarly, trademarks, industrial designs and geographical indications are portrayed as tools to enhance an enterprise's marketing strategy, including the need for market access, market segmentation and product differentiation.
- Copyright and related rights are seen as key tools in the development of a knowledge-based service-oriented economy.
Small and Medium-Sized Enterprises (SMEs)

<table>
<thead>
<tr>
<th>IP RIGHTS</th>
<th>IP FOR BUSINESS</th>
<th>RESOURCES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patents</td>
<td>Introduction to IP for Business</td>
<td>Multimedia</td>
</tr>
<tr>
<td>Distinctive Signs</td>
<td>Marketing</td>
<td>Films</td>
</tr>
<tr>
<td>Copyright and Related Rights</td>
<td>Commercializing IP</td>
<td>Publications</td>
</tr>
<tr>
<td>Industrial Designs</td>
<td>Valuation of IP Assets</td>
<td>SME Newsletter</td>
</tr>
<tr>
<td>Trade Secrets</td>
<td>IP and Financing</td>
<td>Events</td>
</tr>
<tr>
<td>New Varieties of Plants</td>
<td>E-commerce</td>
<td>Research</td>
</tr>
<tr>
<td></td>
<td>Research and Development</td>
<td>Case Studies</td>
</tr>
<tr>
<td></td>
<td>IP Disputes Resolution</td>
<td>Best Practices</td>
</tr>
</tbody>
</table>

New on the SME Website

- **Mak Marine: Building a Strong and Defensible Worldwide Brand (UK)** (Nov 5, 2008)
- **FAVEO Limited: An Innovative Bra Design and Development Company set up by a Female Cancer Research Scientist in the UK** (Oct 15, 2008)
Introduction to WIPO
Overview of IP and the Role of Effective IP Asset Management in Enhancing the Competitiveness of SMEs

Thank you

www.wipo.int/sme