Implementation of the National Intellectual Property Strategy and Intellectual Property Rights Protection for Small and Medium-Sized Enterprises (SMEs)

Shaping Business Strategy through Competitive Intelligence

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What is Competitive Intelligence?:

A systematic and ethical program for gathering, analyzing, and managing information that can affect your company’s plans, decisions, and operations.

It is the gathering and analysis of information from human and published sources about market trends and industry developments that allows for advanced identification of risks and opportunities in the competitive arena.
Competitive Intelligence is Information that has been analyzed to the point where you can make a decision.  Competitive Intelligence is not spying (illegal and unethical activities)
Competitive Intelligence is a tool to alert management to early warning of both threats and opportunities. Competitive Intelligence is not a crystal ball. It does not predict the future but gives good approximations of reality, near- and long-term.
Competitive Intelligence is a means to deliver reasonable assessments. It offers approximations and best views of the market and the competition.

Competitive Intelligence is not database search. Databases are remarkable tools but certainly they do not replace human beings who need to make decisions by examining the data and applying their common sense, experience, analytical tools, and intuition.
Why Competitive Intelligence it is important to us?

Any business or SME, in order to remain in business
- Needs to know
  i) the market;
  ii) the activities of its competitors;
  iii) the activities of related parties: suppliers, licensees, contract, manufacturers, etc.

- Needs to know the risks it is exposed to
Knowledge economy, global competition, shorter product life cycle, etc. increase OPPORTUNITIES and RISKS for enterprises.

Competitive Intelligence is important because it allows companies to anticipate market developments rather than merely react to them.
How this is important?

- Strategic Intelligence allows three functional categories:
  - Strategic Decisions and Actions, including the development of strategic plans.
  - Early-Warning System, including competitor initiatives, technological surprise, and governmental actions.
  - Descriptions of Key Players in the specific marketplace, including competitors, customers, suppliers and potential partners.
2– Competitive Intelligence Process

- CI is a process consisting of phases that are linked

- The output of each phase is the input to the next phase

- The overall output of the CI process is an input to the decision-making process

- Most CI definitions clearly reveal that it is a process that produces actionable intelligence
Needs assessment
- Key Intelligent questions

Data Collection
- Publicly available data
  - Intellectual Property data

Analysis of Data
- Industry
- Competitors

Delivering intelligence
- Report
- Action
3 – The Data Collection

The Sources of information are the published information and the public domain information:

- Websites
- Annual reports
- Media
- Statutory records/reports
- Intellectual Property databases
In the modern economy intangible assets are becoming more critical than tangible, or physical assets.

Intangible Assets includes IP Assets owned by a business.

Information on IP Assets includes:
- Trademarks
- Patents
- Industrial Designs
How do we get the information?

1 – On Trademarks:

- Trademarks apply often before the product is launched in the market

  ➞ Ability to know what is the new product and what competitors are involved in.

- Marks are advertised according to NICE Classification

- Able to know who are new players in your industry/field

- In which countries applied for by competitors

- Able to know marketing strategy of competitors
2– On Industrial Designs
- Law requires Industrial Design application be made before the design is disclosed to public
- Industrial Design Gazette gives information on applicants, goods on which design is applied
- Able to extract intelligence on scope of research by competitors (where does the ID apply)
- Who the designers are (in some countries)
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<td>Date of Filing</td>
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<tr>
<td>1) Toyota Jidosha Kabushiki Kaisha</td>
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<tr>
<td>2) Daihatsu Kogyo Kabushiki Kaisha</td>
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<tr>
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<tr>
<td>2) I-1, Daihatsu-Cho, Ikeda-Shi, Osaka-Fu, 563-8651, Japan.</td>
</tr>
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<td>Ramakrishna Damodharan c/o KASS International Sdn. Bhd. Suite 8-7-2, 7th Floor, Menara Mutiara Bangsar, Jalan Luku Off Jalan Riong, 59100 Kuala Lumpur, Malaysia.</td>
</tr>
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2.1 Front Perspective View

Statement of Novelty

The novelty in the design resides in the features of shape and configuration of the article, as shown in the representation.
3– On Patents:

- Most valuable of IP information
- All granted patents in any country are published
- Now patent applications filed 18 months from date of application
- Information contained in published patent is uniform throughout the world
Title: A floor tool.

Abstract:

A floor tool (200) for use in vacuum cleaning floor surfaces comprises a sole plate (250) for engaging with a floor surface, a supporting body (210) for the sole plate (250) having means for allowing the body to ride along the floor surface (221) and an outlet conduit (240) for coupling to a wand of a vacuum cleaner. The outlet conduit (240) is mounted to the support platform by a connecting arm (230), a first end of the connecting arm being pivotally connected (231) to the outlet conduit about a first axis and the second end of the connecting arm being pivotally connected (232) to the supporting body about a second axis. The first and second axes are substantially parallel to one another. Fluid flow from the sole plate (250) can be carried by a flexible hose (235) or by the connecting arm (230) itself.
Utility Patent (Not Design Patent)

Country of Grant

Title of Invention

Details of Inventor

First filed in Malaysia

Classification of field of Technology

Close Prior Art, Same field of Technology

Start of Patent Rights

Brief of Description

Representative Drawing of Invention

**United States Patent**

Kek

(15) SECURING MEANS

(36) Inventor: Chia Hung Kek, 11A Jalan SS 21/37, Dataran 1 Utama, 47000 Petaling Jaya, Selangor (MY)

( * ) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(a) by 0 days.

(21) Appl. No.: 10/671,733
(22) Filing Date: Sep. 29, 2003

Prior Publication Data


Foreign Application Priority Data

Aug. 8, 2003 (MY) 41303038

Int. Cl.

F16B 19/00 (2006.01)

U.S. Cl.

400/239, 400/289, 411/509

Field of Classification Search

400/239, 403/231, 289, 290, 411/508, 509, 510, 913

See application file for complete search history.

References Cited

U.S. PATENT DOCUMENTS

3,272,952 A * 9/1966 McKee


5,775,850 A * 7/1998 Anscher

6,292,633 B1 * 10/2001 Grant


6,760,849 B1 * 8/2004 Venkata


* cited by examiner

Primary Examiner—Gary S. Hortmann

(74) Attorney, Agent, or Firm—Birk, Stewart, Kolus & Birch, LLP

ABSTRACT

A means used for securing a first structure (32A) and a second structure (34) of a furniture (30) according to the present invention wherein the means comprises a tubular receptacle (38) consisting of an internal cylindrical member spaced apart from an external cylindrical member and wherein both are integrally connected to a terminal end, and wherein the external cylinder member includes at least one hinged member (54) and at least one groove (60) on its side perimeter wall (46) and wherein the receptacle (38) is introducible and receivable into a bore (49) on the first structure (32A) of the furniture (30) in a tight manner by action of the hinged member (54) and groove (60).

15 Claims, 5 Drawing Sheets
Patent Description is detailed enough to enable person skilled in the art to reproduce the invention WITHOUT further research.

Best method / mode of working the invention.

Patent Claims – Scope of monopoly claimed.

Duration of Patent – Max 20 years from date of filing.
Patent Class Index

- Ability to search for other patents in same / related field of technology

- Universal Classification (WIPO)

- Easier to search in other patent databases
The Role of Patent Information

R&D

Future R&D

Cycle of Intellectual creation

Application

Working of right (Recovery of costs)

Right obtained

Characteristics

1. Index of leading-edge technology
2. Organized and valuable resource of technology information
3. Rights of information

Uses

- Obtain grasp of latest technology trends
- Gather technology information
- Avoid disputes

- Avoid unnecessary R&D expenditure
- Better R&D
- Obtain rights
- Plan future direction

Development of industry

Competitive Intelligence
Patent Database

- Publishes all granted patents in the country since the first granted patent in the country
- Automatic machine translation available in some countries, e.g. JP
- Bibliographic page published in English
Where can information about patents be found?


PATENTSCOPE database includes some 32.5 million patent records – including international and major national collections – that users can search for information about new technologies.

WIPO’s Global Brand Database streamlines trademark searches, allowing users to search simultaneously data collections via a single, intuitive interface.
http://www.ipdl.inpit.go.jp/homepg_e.ipdl

The Industrial Property Digital Library (IPDL) offers the public access to 71 million IP Gazettes of the Japanese Patent Office free of charge through the Internet.
http://patft.uspto.gov/

The USPTO data base
Example of Use of Patent Database

“Baking Bread”

– Search on US Patent Database discloses 437 patents

– Search on Baking Bread and Wheat Flour discloses 135 patents

– Search on Baking Bread and Rice Flour discloses 41 patents
- All trademark and patent applications are published before grant of right

- Possible to oppose grant based on valid grounds
  E.g. applicant is not true owner, examiner had not considered relevant prior art, prior user (inTrademark matters), etc.

- Easier, cheaper to oppose application at IP offices, rather than through Court proceedings
Domain names have become an important part of a company’s brand:

- Use of multiple domain names to represent various products and to serve assorted markets
- Domain give access to product and branding strategies
- Preserve brand integrity and access to information about competitor bad faith, cyber squatting or other offenses
- Track competitors and determine their market strategy by conducting inventory of domain name assets and compare it to trademark databases
Thank you

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