

Making

A handbook for

intellectual

chambers of commerce

property

and business associations

work

setting up intellectual

for business

property services



International Chamber of Commerce

The world business organization



WIPO

WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

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International Chamber of Commerce (ICC) and
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Useful links

- ICC International Chamber of Commerce (ICC)**
trade tools, policy, training, publications, dispute resolution
<http://www.iccwbo.org/>
- Commission on Intellectual Property**
<http://www.iccwbo.org/policy/ip/id3060/index.html>
- ICC Intellectual Property Tool-kit for Chambers of Commerce**
<http://www.iccwbo.org/policy/ip/toolkit/id17122/index.html>
- IP Roadmap**
<http://www.iccwbo.org/iproadmap/>
- BASCAP - Business Action to Stop Counterfeiting and Piracy**
<http://www.iccwbo.org/bascap/id1127/index.html>
- ICC World Chambers Federation**
<http://www.iccwbo.org/wcf/>
- ICC Dispute Resolution Services**
<http://www.iccwbo.org/court/>
- Business bookstore**
<http://www.iccbooks.com/Home/Home.aspx>
- Training and conferences**
<http://www.iccwbo.org/events/>

- WIPO WIPO Small and Medium-Sized Enterprises (SMEs)**
<http://www.wipo.int/sme/en/>
- Introduction to IP for Business**
http://www.wipo.int/sme/en/ip_business/
- IP Advantage – Case studies on Intellectual Property**
<http://www.wipo.int/ipadvantage/en/>
- IP PANORAMA™ - E-learning Content on Intellectual Property for your Business**
<http://www.wipo.int/sme/en/multimedia/>
- WIPO Arbitration and Mediation Centre**
<http://www.wipo.int/amc>
- WIPO E-Bookshop**
<http://www.wipo.int/ebookshop/>
- WIPO Building Respect for IP**
<http://www.wipo.int/enforcement/en/>
- WIPO Communications**
<http://www.wipo.int/ip-outreach/en/>
- WIPO GOLD**
One-stop gateway to WIPO's global collections of searchable IP data
<http://www.wipo.int/wipogold/en/>

Introduction

Why intellectual property is important for business

In today's world, the abundant supply of goods and services on the markets has made life very challenging for any business, big or small. In its on-going quest to remain ahead of competitors in this environment, every business strives to create new and improved products (goods and services) that will deliver greater value to users and customers than the products offered by competitors. To differentiate their products - a prerequisite for success in today's markets - businesses rely on innovations that reduce production costs and/or improve product quality. In a crowded marketplace, businesses have to make an on-going effort to communicate the specific value offered by their product through effective marketing that relies on well thought-out branding strategies.

In the current knowledge-driven, private sector oriented economic development paradigm, the different types of intangible assets of a business are often more important and valuable than its tangible assets. A key subset of intangible assets is protected by what are labelled collectively as intellectual property rights (IPRs). These include trade secrets protection, copyright, design and trademark rights, and patents, as well as other types of rights. IPRs create tradable assets out of products of human intellect, and provide a large array of IPR tools on which businesses can rely to help drive their success through innovative business models.

All businesses, especially those which are already successful, nowadays have to rely on the effective use of one or more types of intellectual property (IP) to gain and maintain a substantial competitive edge in the marketplace. Business leaders and managers, therefore, require a much better understanding of the tools of the IP system to protect and exploit the IP assets they own, or wish to use, for their business models and competitive strategies in domestic and international markets.

IPRs provide a basis for businesses to:

- prevent others from copying their products or using their innovations – this is particularly relevant in today's competitive markets;
- create a strong brand identity – by product differentiation through the strategic use of one or more types of IPRs;
- obtain valuable competitive intelligence – analysing commercial and technological information from patent, trademark and design databases can increase a company's understanding of technological fields and trends; identify future research and growth areas; and analyse competitors, thereby saving research/development/marketing time and resources;
- gain revenues through licensing, franchising or other IP transactions;
- obtain financing or venture capital – IP assets which have legal protection and can be valued can be leveraged to obtain capital;
- increase their commercial value;
- access new markets;
- engage in different types of business partnerships – IP rights provide a basis for collaborative partnerships, e.g. in research, marketing, open innovation, outsourcing etc.;
- ensure freedom to operate – owning or licensing in key IPR can reduce the risk of businesses infringing IPRs of others when using technologies, trademarks, designs, and copyright works; and
- segment geographical markets – in some countries, IP owners can prevent goods protected by their IPRs which are put on the market in one country or region, from being imported into another country in which they also have IPR protection.

Use of IP is one of the key strategies that businesses may rely upon to improve their competitiveness. Innovative enterprises may also rely on lead time, speed to market, contractual agreements, or technical means of preventing copying.

The role IP plays in a business can vary depending on different factors such as:

- the business model - some models will have IP as a key element while IP may play a less central role in other models. Different types of IPRs will also be relevant to different business models e.g. patents, know-how and trade secrets will be central to technology companies, while trademarks and designs will be more important to consumer brand sector;
- the market - different tools for protecting IP assets will be relevant according to market conditions such as the length of product cycles, the risks of IPR infringement by competitors and the effectiveness and cost of enforcement of IPRs against competitors;
- the type of IP used - different types of IPRs play different roles (e.g. trademark protection will be used to protect brands; patents to protect technology; copyright to protect software; design rights to protect new designs). Most businesses will utilize more than one type of IPR;
- the stage of the business' evolution: the role of IPRs in a business will usually become more sophisticated as the business evolves; and
- the awareness of its managers about the role of IP: the importance given to in a business will depend on how its managers approach the IP function.

Despite the growing importance of the value of intangible assets, many businesses do not make full use of the IP system, often through lack of awareness or understanding, lack of expertise, or concern about costs.

The level of understanding of how to manage and commercialize IP varies between companies, though small and medium-sized enterprises (SMEs) in particular lag behind in this area. It is essential for businesses and their advisors to understand that legal protection of IPRs in itself is not sufficient and that a successful IP management strategy has to integrate the role of IP in the wider business context.¹

¹ Austrian Institute for SME Research, "Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property", page 6, point 29 b

Why business membership organizations should provide intellectual property services

In view of the importance of IP to businesses today, chambers of commerce and business associations across the world are experiencing a growing need to provide members with IP support services. To the uninitiated, IP can appear complex and impenetrable, and many businesses have no idea where to begin educating themselves.

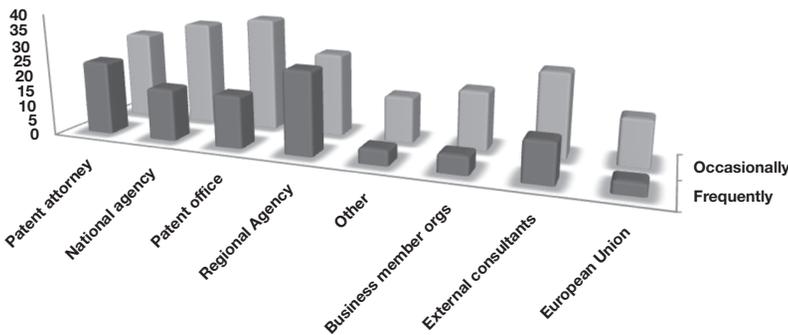
Business membership organizations, as representatives of the private sector, are ideally placed to play an active role in helping companies understand and use IP assets in their businesses. By providing IP services, chambers of commerce and business associations can:

- position themselves as leaders in a cutting edge issue in the modern economy;
- attract new members in highly innovative sectors;
- generate new sources of income through new services;
- create new services and add value to existing ones;
- help their members increase their competitiveness; and
- help stimulate creativity and innovation in their local economy.

Because business membership organizations already enjoy strong relationships within their respective business constituencies, they are uniquely situated to help companies successfully navigate the IP field. Chambers of commerce and business associations are particularly well-placed to act as a clearing house for first-line information on IP and to refer member companies to more specific and different types of IP service providers. Despite this potential, a recent European study² indicated that companies seeking IP services frequently utilized chambers of commerce only six per cent of the time, and used them occasionally nineteen per cent of the time.

In view of the importance and complexities of IP asset management from a strategic business perspective, business membership organizations should provide members with IP services from a practical business perspective that responds to the real needs of their constituents by focusing on commercial exploitation of IPRs and comprehensive solutions; legal protection is only one aspect of successfully managing intangible assets. By highlighting the key advantages of utilizing protected IP assets to differentiate businesses in the marketplace, chambers of commerce and business associations can give their members a competitive edge and thereby boost their local economies.

Usage of service providers



	Patent attorney	National agency	Patent office	Regional agency	Other	Business member orgs	External consultants	European Union
■ Frequently	24	17	17	27	5	6	13	4
■ Occasionally	29	34	37	27	15	19	27	24

Source: ICC table based on information from “Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property”, Austrian Institute for SME Research: 2007.

² Austrian Institute for SME Research, “Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property”, Case studies, 510 respondents polled.

Aims and structure of the handbook

Although many businesses are becoming increasingly aware of the central and growing importance of IP for their business, most have no easy way to learn about the proper and effective use of the tools of the IP system in their business models and strategies. Knowledge, skills and competencies in IP asset management are in short supply and, therefore, often very expensive or inaccessible for the vast majority of enterprises. Micro, small and medium-sized enterprises (SMEs) are especially in need of such expertise as they are generally not really aware of the pitfalls and/or the potential benefits of the effective use of the tools of the IPR system for their competitiveness and success.

In this context, business membership organizations, such as ICC (International Chamber of Commerce) and its National Committees, chambers of commerce and trade associations, are uniquely placed to help businesses access quality IP asset management expertise through services tailored to their needs. Business associations also play an important part in educating their local business communities and policy makers about the role of the IP system.

Supporting IP services for business

To encourage and help business membership organizations play this role, ICC has developed some tools to sensitize them to the role of IP in boosting business competitiveness, and to support them in providing IP services to companies.

These tools currently include a web portal on the ICC website dedicated to providing IP resources for business associations and chambers of commerce. This features the results of a worldwide survey of IP-related activities in chambers and ICC National Committees in different regions, which allow business membership organizations to benchmark their IP activities with those of other organizations. The web portal also provides links to ICC's own existing IP services in the areas of policy, anti-counterfeiting and piracy, training and publications.³

Since October 2000, the Small and Medium-Sized Enterprises (SMEs) Division of the World Intellectual Property Organization (WIPO) has also developed a large array of tools and information services in the area of IP asset management for SMEs and SME support institutions⁴. Specifically, the SMEs Division created publications such as the 'IP for Business' series on IP asset management for providing guidance/training to entrepreneurs and SMEs. Most of these publications are available in six languages, used in the United Nations (UN) system, namely, Arabic, Chinese, English, French, Russian and Spanish. In an on-going effort, WIPO is providing technical and/or financial support for translating its publications on IP for SMEs into national languages and/or customizing them based on national legal and regulatory frameworks on IP and by including case studies of effective use of IP assets in business strategies of entrepreneurs and enterprises of the countries concerned.

Other key tools of WIPO for awareness creation and capacity building on practical aspects of IP asset management by businesses include the IP PANORAMA™ multimedia, story-line based, self-learning toolkit, which is currently available in Arabic, English, French and Spanish (apart from completed and on-going translations into several other national languages). In addition, the Training of Trainers (TOTs) Programmes at the national level seek to create a critical mass of trainers who have the basic knowledge, skills and experience to provide preliminary assistance to SMEs on effective IP asset management. This on-site, face-to-face programme is supplemented with distance learning programmes available online based on the 12 modules of the IP PANORAMA™ multimedia toolkit. Finally, a wide array of additional resources is available on the WIPO SMEs website in the six UN languages and a free monthly SMEs e-newsletter on IP asset management.

³ ICC IP Toolkit for Chambers of Commerce <http://www.iccwbo.org/policy/ip/toolkit/id17122/index.html>

⁴ <http://www.wipo.int/sme/en/>

Building on their respective work, ICC and WIPO have developed this handbook to help business associations and chambers of commerce establish business support services relating to IP. This handbook is not intended to be a legal guide to explain the nuts and bolts of IPRs, as many excellent legal guides already exist. This handbook endeavours to be a concise and practical guide to help business membership organizations set up their own IP services, illustrated with useful examples and good practices from around the world. It has benefited from the contributions of ICC National Committees, business associations and chambers of commerce worldwide, and therefore reflects real-life practice and experience.

Structure

Many different types of services can be offered by business membership organizations; existing classifications can be seen below.

Pre-developed classification systems for IPR support services for SMEs

WIPO Classification	Classification according to the Commission Staff Working Paper
1. Awareness-raising and training on IP	1. Reception, facilities and basic information, referral
2. Technological information services	2. Professional information services
3. Financial assistance	3. Advice and direct support
4. Customized advisory services on IP	4. SME-specific
5. Assistance for IP exploitation and technology transfer	5. Finance
	6. Premises
	7. SME-specific strategic measures

Sources: WIPO 2003a, 2004; European Commission 2001

In this handbook, IP services have been roughly categorized according to their objectives and information received from business associations and chambers as follows:

- Raising awareness;
- Training businesses;
- Providing consultancy services;
- Stimulating and disseminating innovation; and
- Advocating policy.

Business membership organizations have to decide which types of services they are best placed to provide, and whether they want to integrate these into existing activities, or to set up a separate IP unit.

Part A, Introduction, explains why IP is important for companies and why business associations and chambers of commerce should provide IP services for business. It also contains a very basic explanation of different types of IP.

Part B, Setting up Intellectual Property Services, includes a chapter describing general principles that should be considered when setting up any kind of IP service, followed by practical advice on how to set up an IP unit and other types of IP services.

The names of ICC National Committees and chambers with experiences relevant to each section are listed at the bottom of each chapter. The details of each case study are in the Annex at the end of the handbook, together with a list of resources.

For the sake of convenience, the term “business membership organization” will be used in this publication to refer collectively to chambers of commerce, ICC National Committees and other types of business or trade associations.

Intellectual property basics⁵

What is intellectual property?

IP, as a creation of the human intellect, is found almost everywhere – in creative works like books, films, records, music, art and software, and in everyday objects like cars, computers, drugs and new varieties of plants. The distinctive signs and features, like trademarks and designs, which help us choose the products we buy, can be protected by the IP system. Even the place of origin of a product can have rights attached to it, as is the case with Champagne and Gorgonzola. Much of what we see and use on the Internet, be it a web page or a domain name, also includes or represents some form of IP.

Why is intellectual property protected and who benefits?

In today's world, the IPR system plays a vital role in the economic growth strategies of countries in all stages of development worldwide. The IPR system helps to spur innovation and create a relationship of trust, both of which are crucial for creating and delivering better goods and services to users and consumers. By fostering fair play in the marketplace, the IPR system benefits users, consumers and society at large by supporting the creation of innovative, new and improved products and knowledge that improves the quality of life of peoples worldwide.⁶

Through a system of IPRs, it is possible not only to ensure that an innovation or creation is attributed to its creator or producer, but also to allow him/her to secure “ownership” of it and, as a result, benefit commercially. By protecting IP, society acknowledges the benefits it contributes and provides an incentive for people to invest time and resources to foster innovation and expand knowledge.

The IP system is designed to benefit society as a whole, striking a delicate balance to ensure that the needs of both the creator and the user are satisfied. IPRs usually allow their owner to exercise rights over the use of his/her work for a limited period of time. In return for granting such rights, the IP system provides benefits to society in a number of ways by:

- Enriching the pool of public knowledge and culture;
- Maintaining fair competition and encouraging the production of a wide range of quality goods and services;
- Underpinning social, cultural and economic growth and employment;
- Sustaining innovation and creation; and
- Promoting technological advances and cultural expression.

IP is essentially the expression of innovative ideas or practices which can be used simultaneously by more than one person at the same time. To incentivise and/or reward those who invest time and resources in such innovation, legal rights of limited duration are granted to allow them to benefit from the innovation and to control its exploitation by third parties. Otherwise, no sensible person or business would make the effort or take the risk of creating new or improved products based on IPRs and putting these on the market.

Where suitable or sufficient IPRs are not available, or are difficult to enforce, innovators and innovative enterprises may need to rely to a greater extent on other means to protect themselves from unfair competition, such as through trade secrets, contractual agreements, or technical means of preventing copying. Such means can be less effective in promoting the goals set out above.

⁵ “Current and Emerging Intellectual Property Issues for Business: a roadmap for business and policy makers” 2010 edition, ICC <http://www.iccwo.org/policy/ip/id2950/index.html>

⁶ “Intellectual Property: Powerhouse for Innovation and Economic Growth”, 2 February 2011, ICC.

How is intellectual property protected?

IPRs are created by national or regional laws and, therefore, are limited to the territory to which the law applies. Some IPRs arise only when granted by a government authority established under the relevant IPR law of that territory, while others arise automatically. For others, registration is optional but affords better protection.

In general, the IPR provides its owner an exclusive right to prevent or control its exploitation by others. The relevant national/regional law limits the duration of design, patents, new varieties of plants, topographies of integrated circuits and copyright/related rights but allows unlimited duration for trade secrets, trademarks and geographical indications. The owner of an IPR, depending on the type of IPR and the territory concerned, may be able to sell, permit others to use, mortgage, abandon, pass on to legal heirs, give, or otherwise dispose of the IPR, just as the owner of property rights over moveable and immovable property may do.

Various regional and international agreements on IP harmonize laws and procedures, or facilitate obtaining IPRs, in a number of countries which are members of regional or international systems.

Different types of intellectual outputs – are protected in different ways:

- Creations in the fields of literature and the arts, such as books, paintings, music, films and records as well as software, are generally protected through copyright and/or so-called neighbouring/related rights;
 - Technological inventions are typically protected by patents and/or utility models;
 - Distinctive features — such as words, symbols, smells, sounds, colours and shapes — that distinguish one product from another, may be protected by trademark rights;
 - Specific external appearance given to objects, such as furniture, car body parts, tableware or jewellery, may enjoy design protection;
 - Geographical indications are protected by either trademark law or by stand-alone legislation that covers one or more types of products whose reputation is linked to a geographical region;
 - Trade secrets are protected by specific legislation, by laws to prevent unfair competition or other laws;
 - New varieties of plants enjoy protection in most countries through specific legislation and/or patent rights; and
 - Specific legal protection is provided in some countries for topographies of integrated circuits as well as for non-original databases.
 - Different aspects of a product are often simultaneously protected by more than one type of IPR.
-

Copyright



The protection afforded by copyright law encourages the production of original artistic and literary works. These are very diverse and include all kinds of content from advertisements, books, magazines, newspapers, paintings, photographs, as well as digital content of all kind including musical creations, movies, and computer programmes/software. The copyright system rewards literary and/or artistic expression by allowing the author/creator to benefit commercially from his/her work. In addition to granting economic rights, copyright also bestows “moral” rights, which allow the author/creator to claim authorship (the right to display/affix his/her name as the author/creator) and prevent mutilation or deformation of his/her work that might harm his/her reputation.

Most companies have aspects of their business which are protected by copyright. Examples include: computer programmes or software; content on websites; product catalogues; newsletters; instruction sheets or operating manuals for machines or consumer products; user, repair or maintenance manuals for various types of equipment; artwork and text on product literature, labels or packaging; and marketing and advertising materials on paper, billboards, websites, and so on. In most countries, copyright also protects sketches, drawings or designs of manufactured products.⁷

⁷ “Creative Expression”, WIPO guide to copyright at www.wipo.int/sme/en/documents/guides/creative_expression.html

To qualify for copyright protection, the work has to be an original creation and generally has to be expressed in a fixed form. Copyright is automatically vested in the author/creator once the work is created, though a small number of countries, including some important countries from a commercial/business viewpoint, maintain a voluntary national copyright registration system which provides additional benefits. A work protected by copyright may be exploited directly by the author/creator or may be licensed or assigned (often, in the case of a book, to a publisher or, for music, to a collective management society or a record producer). Copyright protection gives its author/creator a diverse bundle of exclusive rights for a fixed but lengthy duration, which starts from the time of creation/fixation of the work and lasts until at least fifty years after the author's/creator's death.

Copyright law gives the owner of the copyright in a work a bundle of legal rights to control certain uses of his work. These rights permit the author to authorize or prohibit the following uses, which typically include reproducing, distributing, renting, recording, communication to the public, broadcasting, and translating or adapting the work. In some countries, the owner does not have the right to prevent certain uses of works but still has a right to be remunerated for its use. In every country, exceptions exist that allow the public to make certain uses of works without either remunerating or obtaining the authorization of the owner. An example of this would be the use of limited quotations for illustration or teaching. These protections afforded to the owner of the copyright, as well as limitations and exceptions provided under copyright law, are an essential part of a national copyright law. Striking the right balance, together they facilitate the creation of literary and artistic works as well as new means to distribute and enjoy such literary and artistic works.

Most countries provide similar protection for performers, phonogram producers, and broadcasters. In some countries, performers, producers and broadcasters of copyrighted works are protected by copyright law just like authors/creators; in other countries, they are protected by neighbouring or related rights to copyright.

The effective management of copyright and related rights has become increasingly important with the development of digital technology and the Internet, where all types of content made available and/or distributed online face difficult enforcement issues.

There are several international agreements for copyright protection and related rights. These include:

- the Berne Convention for the Protection of Literary and Artistic Works (1886),
- the Rome Convention for the Protection of Performers, Producers of Phonograms, and Broadcasting Organizations (1961),
- the Geneva Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms (1971),
- the WIPO Copyright Treaty (1996), and the WIPO Performances and Phonograms Treaty (1996). The last two address the protection of authors' rights in the digital world.
- the World Trade Organization (WTO) Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) (1994) the first multilateral trade-related IPRs agreement.

For more information on copyright, see WIPO's guide to copyright entitled "Creative Expression" at http://www.wipo.int/sme/en/documents/guides/creative_expression.html and ICC's IP Roadmap "Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers" at <http://www.iccwbo.org/policy/ip/id2950/index.html>

Patents



If an invention meets the prescribed conditions, then a patent is granted by the relevant national/regional patent office. The patent so granted gives the owner of the patent the right, for a limited duration, to prevent others from making, using, selling, offering for sale, or importing his invention without his authorization. In return, the inventor must disclose the details of his invention in a patent document that is made publicly available – by an increasing number patent offices – 18 months after the filing of the patent application, and in any case after the patent is granted. In this way, patents represent a social contract between society as a whole and inventors. In most countries, patent protection lasts for a maximum of 20 years counted from the filing date and is issued by national or regional government patent offices, to which the inventor has to submit an application.

For grant of a patent, an invention must fulfil all three of the following conditions:

- It must be new – it should never have been published or publicly used before;
- It must have an “inventive step” or it should be “non-obvious” to a person who is skilled in the relevant field; and
- It should be capable of industrial application – it must be something that can be industrially manufactured or used.

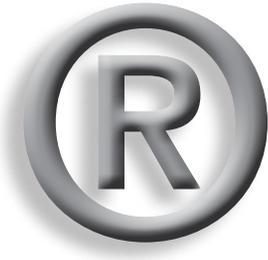
Most countries have created a national and/or regional patent system because granting of patents helps to:

- Encourage the disclosure of very detailed and practical technical information to the public, thereby increasing the public’s access to state-of-the-art technical knowledge. Without the protection afforded by patent rights, an inventor may choose to keep the details of an invention secret;
- Create an incentive and reward system for investment in R&D for more and better inventions and technological innovation;
- Foster faster commercial exploitation as the patent right is of a limited duration. Users and consumers receive a tangible benefit in the form of a new or improved product, resulting from the technological innovation protected by patent;
- Avoid waste of resources by preventing duplication of research and development. (Timely searching of relevant databases of patent documents (patent applications and granted patents) is possible because patent documents are made available to the public. Most patent offices have put a substantial amount of their patent document collections online for free access);
- Stimulate further research and technological innovation; and
- Fair competition by preventing or permitting legal action against free-riders, whether this free-riding is intentional or not.

There are several international agreements for promoting patent protection. For substantive issues, the most important ones are the Paris Convention for the Protection of Industrial Property (1883) and the WTO Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) (1994), while the main patent treaties for procedural issues are the Patent Cooperation Treaty (1970) and the Patent Law Treaty (2000). When a number of countries are members of a regional patent system, protection can be obtained with effect in the territories of all or some of these, by filing an application at the relevant regional office. The regional patent offices are: the African Intellectual Property Organization (OAPI); African Regional Intellectual Property Organization (ARIPO), Eurasian Patent Organization (EAPO), European Patent Office (EPO) and Patent Office of the Gulf Cooperation Council.

For more information on patents, see WIPO’s guide to patents entitled “Inventing the Future” at http://www.wipo.int/sme/en/documents/guides/inventing_future.html and ICC’s IP Roadmap “Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers” at <http://www.iccwbo.org/policy/ip/id2950/index.html>

Trademarks



A trademark allows users and consumers to differentiate the products (goods and services) offered on the market by the owner of the trademark from the products offered by its competitors. Trademarks are an essential part of the branding, advertising, and marketing strategies of a business as they symbolise the relationship of trust developed over a period of time by the manufacturer or provider of a product with the users and consumers of its products.

For manufacturers or providers who have invested time, effort and money to build up a good brand image, trademarks are a way to prevent others from unfairly taking advantage of their reputation, credibility and relationship of trust with users and consumers. This ensures fair competition between competitors in the marketplace and encourages producers and service providers to invest in maintaining and improving the quality and reputation of their products.

Most trademarks are visual (such as words, names, signs, slogans, symbols and images) and therefore have to be capable of graphic representation for the purpose of registration. However, in many countries, trademark law provides protection to trademarks based on single colours, shapes, sounds, smells and moving images.

In most countries, a trademark is registered in a national or regional government trademark office, usually for a period of ten years, which may be renewed indefinitely. Most trademarks are registered for use on or in relation to specific goods or services. The owner of a trademark can prevent others from using the trademark, or a similar trademark, for the same or similar goods or services, if doing so is likely to cause confusion in the minds of the public. In many countries, famous or well-known trademarks also enjoy protection without registration.

Almost all businesses, large and small, rely on trademarks. Trademark protection is used more than any other form of IPRs in most countries, as trademarks are integral to effective branding. Trademarks are an indication of source for consumers and users, and, therefore, serve to indicate the quality of the goods or services. This reduces search costs for users and consumers who trust the owner of the trademark to deliver on the promise made through the brand image.

There are several international agreements for trademark protection. For substantive issues, the most important are the Paris Convention for the Protection of Industrial Property (1883), the Trademark Law Treaty (1994), and the TRIPS agreement (1994). The Singapore Treaty on the Law of Trademarks was adopted on March 28, 2006. For procedural issues, the main treaties are the Madrid Agreement concerning the International Registration of Marks (1891) and its Protocol (1989), using French, English and Spanish as official languages, and the Nice Agreement concerning the International Classification of Goods and Services for the Purpose of Registration of Marks (1957). Regional trademark protection for different regions can be obtained by applying to regional trademark offices such as the African Regional Industrial Property Office, Benelux Trademark Office, Office for the Harmonization of the Internal Market of the European Union, and Organisation Africaine de la Propriété Intellectuelle.

For more information on trademarks, see WIPO's guide to trademarks entitled "Making a Mark" at http://www.wipo.int/sme/en/documents/guides/making_mark.html and ICC's IP Roadmap "Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers" at <http://www.iccwbo.org/policy/ip/id2950/index.html>

Designs



For more information on designs, see WIPO's guide to design rights entitled "Looking Good" at http://www.wipo.int/sme/en/documents/guides/looking_good.html and ICC's IP Roadmap "Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers" at <http://www.iccwbo.org/policy/ip/id2950/index.html>

Design rights protect new and/or original visual aspects of a product or its packaging. Requirements for protection typically borrow concepts from both patent law (novelty) and copyright law (originality). The design right protects the form but not the technical function. Designs may be two-dimensional (ornamentation, patterns, lines or colour) or three-dimensional (shape or configuration). Designs contribute significantly to the aesthetic appeal and differentiation of goods and are crucial assets in several industries, for instance, textiles, fashion, mobile consumer devices, computer software (interfaces), automobiles and furnishing and decoration.

The regime for design protection differs from one country to another, although harmonization has been achieved within the European Union (EU) providing a Community design right effective in all 27 EU Member States. In most countries, design protection is subject to registration, although there is a trend to extend protection for a short term to unregistered designs, e.g. for three years in the EU. Registered designs can generally benefit from protection for 10 to 25 years, depending on the national law.

The owner of a protected design may prohibit the making, selling, importing or exporting of products incorporating or applying the design. Depending on the countries, the owner may concurrently avail himself of the protection of copyright and design law. There may also be overlap with trademark protection and sometimes with patent law.

The Hague Agreement (1925) concerning the international deposit of industrial designs, as amended by the WIPO Geneva Act (1999) allows centralized design application filing for protection in the various countries party to the Agreement (which includes the EU). For procedural issues, the classification of goods is governed by the Locarno Agreement (1968).

Trade secrets

In general, any information is eligible for trade secret protection if it can be identified and segregated and meets the following three criteria:

- It should not be generally known to, or readily ascertainable by, the relevant public;
- It should provide a competitive edge; and
- Reasonable steps are taken at all times to keep it confidential.

The last criterion requires setting up and continuously implementing and reviewing a system to maintain confidentiality, according to the importance of the particular trade secret and the likelihood of it being lost/stolen and the likely impact of such loss/theft on the competitiveness of the business concerned. This includes sharing the information only on a "need to know" basis in strict confidence with only those who need to use it for business purposes.

Trade secrets may encompass various types of valuable information – e.g. technical, commercial, or financial – as long as it meets all of the above criteria. Thus, trade secrets may pertain to manufacturing processes, techniques and know-how, suppliers/customers' lists and profiles, distribution methods, financial information, ingredients, business strategies of all types, etc. Trade secret protection does not require registration at a government office. It is protected automatically and can last without limitation in time, provided it continues to meet all the conditions listed above.

Given the value of trade secrets, confidentiality/non-disclosure, non-compete and non-solicitation clauses are included in agreements concerning all types of business relationships, including employment relationships that involve sharing of confidential and/or trade secret information. These contractual clauses are crafted to meet the specific circumstances of each relationship and are needed to prevent, limit or deal with unwanted leaks and disclosure/use of valuable business information. However, in many countries, trade secret protection remains weak partly due to the lack of specific protective legislation and partly due to the lack of awareness of its importance.

For more information on trade secrets, see www.wipo.int/sme/en/ip_business/trade_secrets/trade_secrets.htm and ICC's IP Roadmap "Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers" at www.iccwbo.org/policy/ip/id2950/index.html

Setting up intellectual property services

General principles

While each type of IP service has its own specificities, some general principles should be kept in mind when setting up IP services for business.

Focusing on the practical use of IP as part of the overall business strategy

IP should be approached as being an element of the overall business strategy, and not as a separate legal issue. An IP service should be seen as a part of a broader integrated package of tools and services to help businesses become and remain competitive. It should not be provided as an isolated service; IP issues should be kept in mind even while providing support to businesses in other areas.

Support should be provided to companies not just for registration/grant of IPRs, but throughout the innovation process, from the development of ideas up till the commercialization of intangible assets. Business membership organizations should, therefore, take into account IP considerations in a wide range of activities that a company performs.

IP considerations may be relevant in records management, reporting to stakeholders, accounting, R&D, human resources management, branding and marketing strategies, supply chain management, creation of websites, dealing with website hosts, layout planning of premises/buildings, crafting of formal relationship agreements with all types of business partners (including those in outsourcing relationships or in open innovation arrangements), due diligence in mergers, acquisitions and divestitures, expansion plans, export plans, developing new business plans, internationalisation strategies, taxation, insurance, risk management, raising of finance, security plans, costing/pricing of products, sale of a business and disposal of assets in a bankruptcy, dispute settlements, etc.

As those running micro or small businesses have very limited time, any advice or information provided should be easily accessible and practical to implement. For instance, focusing on small steps that correlate to other existing functions of the business would make it easier for smaller businesses to implement a cost-effective IP strategy.

Using competent staff

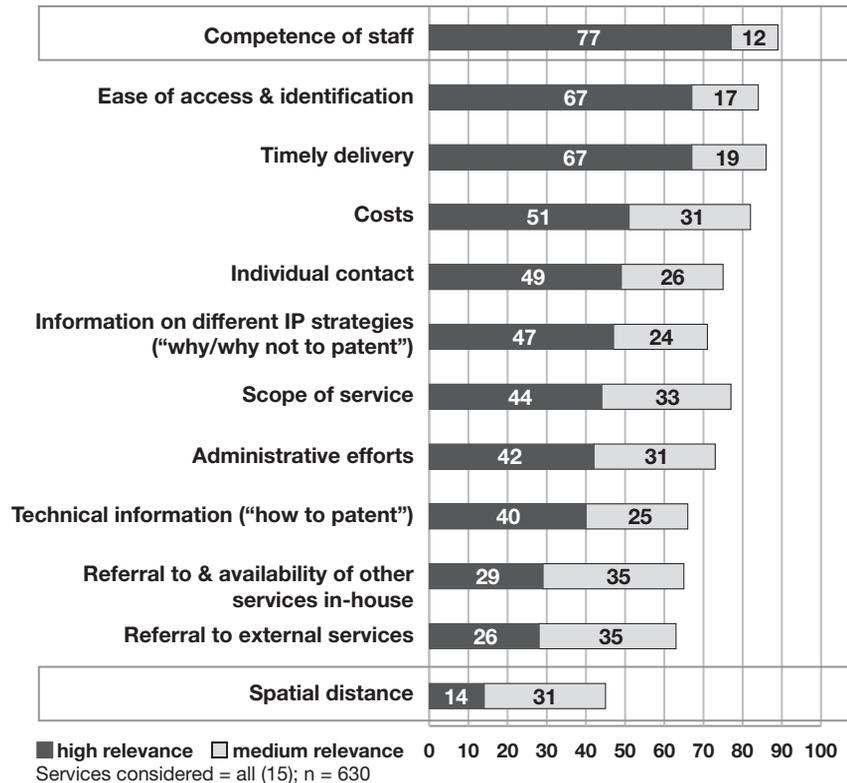
A European survey⁸ (below) showed that competent staff was perceived by users of IP services in Europe to be the most important factor for such services.

As people with expertise both in the technical and legal aspects of IP, as well as in IP asset management and commercialization, are difficult to find, investments may have to be made in training staff (see Training Businesses chapter for training of trainers programmes).

Staff members not working directly on IP issues should also be sensitized to IP considerations. This will allow staff providing services in other areas to determine when businesses may need IP support and also help them understand how IP issues are linked to other aspects of business.

⁸ "Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property", Austrian Institute for SME Research: 2007

Key quality factors for the provision of IPR services, user perceptions according to relevance, service users in % aggregated answers



Source: Radauer, A., Ohler, F & Streicher, J. (2007): Benchmarking national and regional support services in the field of industrial and intellectual property for SMEs, Luxembourg: European Commission, Pro Inno Paper No.4

Personnel Training

IP PANORAMA™ is a multi-media, story-line based, self-learning toolkit which can be used as a personnel training tool to increase IP-awareness and provide practical knowledge about using IP for business success. IP PANORAMA™ was developed jointly by WIPO, the Korean Intellectual Property Office (KIPO) and the Korea Invention Promotion Association (KIPA). It is available at <http://www.ippanorama.com>, through the KIPA e-learning website at <http://global.ipacademy.net>, and on the WIPO website at <http://www.wipo.int/sme/en/multimedia/>.

In addition, WIPO in partnership with KIPO and KIPA offers a distance learning course three times a year through the <http://www.ippanorama.com> website; this course is based on the 12 modules of the multimedia online toolkit that may be accessed even otherwise at <http://global.ipacademy.net> or <http://www.wipo.int/sme/en/multimedia/>.

Working in a network with partners

IP is one element in a broader strategy to support innovation and sustainable economic development. It is important, therefore, that a business membership organization does not work in a vacuum in this area but actively builds national and international networks of stakeholders, government agencies, consultants, and service providers, who all work towards this common goal. This will provide the opportunity for partnerships, mutual client referral, and collaborative projects. A network of contacts is also important to more widely promote the business membership organization's services, to give companies access to complementary advice and assistance, and for the organization to share experiences and learn from the experiences of others.

In the IP field, useful partnerships can be made with, for example, government offices responsible for patents, trademarks, designs and copyright (see WIPO directory of national offices at <http://www.wipo.int/directory/en/>), patent and trademark attorneys, universities and institutes of learning, technology and innovation development agencies, and business and professional associations. With respect to the financial potential of IP, business membership organizations can also work with experts in IP valuation, professional investors and lenders, and licensing specialists.

Tailoring IP services according to the market and client

Business membership organizations should tailor services to fill gaps by looking at what IP services already exist and to what extent the existing services, whether fee-based or free, effectively meet the needs of the targeted clients/businesses. Market gaps can be identified by conducting market surveys or asking the staff who are in close contact with the targeted clients/businesses. Taking into account existing services will allow business membership organizations to more accurately position themselves and avoid conflicts with existing IP services providers, some of whom may be members, or partners. Orienting IP services towards the customer will help business membership organizations to tailor them appropriately; delivering an IP service to an SME or an innovator will be different from delivering that service to a multinational company. Customer-orientation can be achieved through conducting user satisfaction surveys or again, by obtaining feedback from the staff who are usually in direct contact with the targeted clients/businesses.

The format and type of IP services to be designed will also depend on the organization's objectives, budget and available human resources.

Determining and financing a budget

Ideally, a regular budget should be obtained for providing new IP services as this will allow the accumulation of experience and knowledge, which is so important in this area. A regular budget for permanent staff will also reduce the necessity for constant retraining of staff. Pooling resources with partners on specific projects will also help reduce costs. A detailed budget will help prioritize IP services and help determine where partnering with other organizations may be necessary.

With respect to obtaining outside funding for IP services which are not self-financing; business membership organizations can investigate local, regional, and national government funding opportunities.

Governments are increasingly funding intermediaries to implement programmes that provide training and information to business owners. Development banks (e.g. Inter-American Development Bank) are also a possible source of funds, as is the European Commission, which has several programmes supporting innovation-promotion projects. Worldwide, an increasing number of national, provincial and municipal governments and some non-governmental organizations are also providing funds, amongst others, to chambers for creating or improving IP services.

Marketing IP services

In the results of the European survey⁹ mentioned above (see table above), ease of access and identification was one of the top criteria mentioned by users of IPR services. This highlights the importance of devoting sufficient efforts to promoting existing and new IP services to the target audience.

Evaluating and benchmarking services

Constantly evaluating the services against its original goals and client satisfaction, will ensure that the IP services provided by the business membership organizations will continue to strengthen in value over time. Benchmarking with other organizations providing similar services will also provide fresh ideas and help improve services.

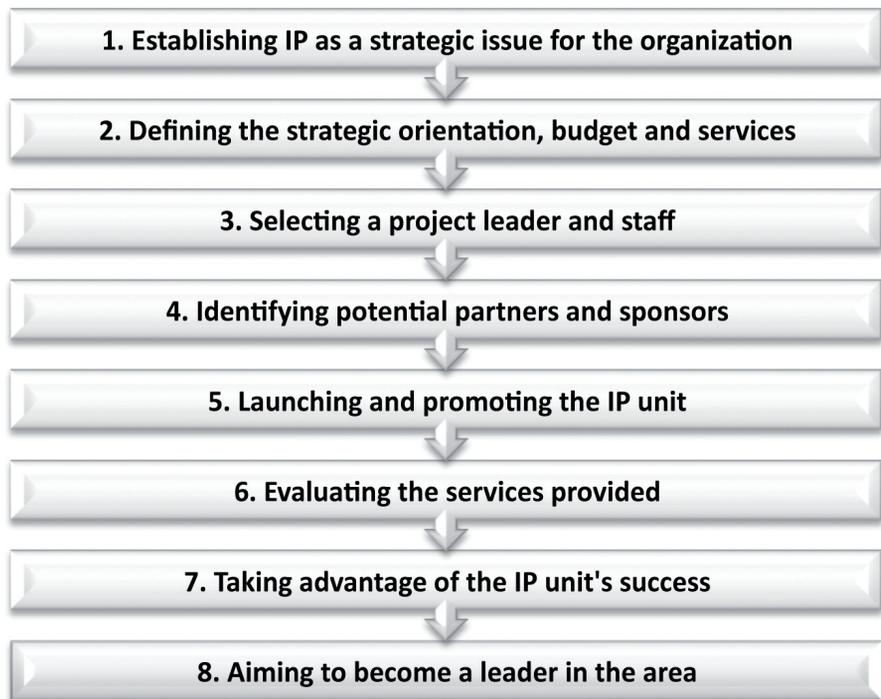
⁹ "Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property", Austrian Institute for SME Research: 2007

Setting up an intellectual property unit

Business membership organizations have to decide whether they want to create a separate IP unit, set up more limited IP services, or integrate IP into existing services. This chapter provides guidance for business membership organizations who wish to set up an independent IP unit.

At first glance, designing and implementing an entirely new IP unit may appear to be an enormous challenge. Below is a roadmap to help define the scope and limits of the project and structure its development. While this is not the only methodology that can be used, these steps have been developed by numerous chambers worldwide which have successfully created IP units. This template can be modified depending on each organization's specific market orientation and organizational structure. While focusing on the establishment of an IP unit, the principles in this chapter can also be applied to the setting up of more limited IP activities if a business membership organization prefers to take this route.

The main stages for setting up an IP unit in practice are as follows:



Establishing IP as a strategic issue for the organization

The most important – and sometimes the most challenging – step is establishing IP as a priority within the organization. IP may not be a familiar subject to a business membership organization’s management and the first step may be to explain why IP is important to businesses and to the organization. An overview of general IP concepts and arguments can be found in the introduction to this guide to help in this process. Identifying IP as a strategic issue for the organization will ensure that the necessary human, financial and institutional resources are available for the project. In this initial phase, support from senior management and the board of directors is paramount to secure and maintain project funding and resources. Designating a board member to supervise the project’s progress could be one way of securing the engagement of the organization’s leadership. Having established managerial support and secured the necessary resources, the next step is to design the IP unit.

Defining the strategic orientation, budget and services

Linking the IP unit to an area in the organization that is directly related to companies will focus the unit on the business aspects of IP and ensure that IP issues are integrated into the business membership organization’s general business advice and services. The IP unit should not be an isolated unit in the organization, but rather be integrated within a larger department. IP is much more than a legal issue and the unit does not necessarily have to be created within the legal department, though this may be a viable option. Whichever department it falls under the IP unit should draw from and feed into the work of other departments. One way to foster interdepartmental cooperation is to initiate internal communication on the existence and objectives of this new business area.

Strategic orientation

Before making decisions or planning activities, the business membership organization should analyse what it has already attempted or achieved in terms of IP, and then decide how to build on this and position itself. Identifying the competitive advantages of the business membership organization as a service provider and social stakeholder is crucial to formulating the unit’s strategic orientation. Understanding the division of responsibilities and the attribution of roles between stakeholders like national patent offices, patent and trademark attorneys, universities and technological/development agencies, will provide insights into market areas the organization may be able to exploit.

Roles of different IP professionals

The core competence of patent and trademark offices is generally registration and IP database searches, while for innovation agencies it is promoting innovation and providing funds. Patent and trademark agents/attorneys advise companies and conduct patent and trademarks filings, deal with IPR disputes and enforcement. IP licensing professionals and IP valuation experts have their own distinct domain of expertise. Franchising experts should be well versed in some aspects of IP management, notably trade secrets and trademarks. Another distinct category of professionals includes different types of IP information specialists who specialize in the searching and analysis of patent and trademark databases. There are many more categories of IP experts who are required to also have expertise in a domain other than IP such as accounting, insurance, risk management, taxation, etc.

By knowing what services are being offered and by whom, the business membership organization can evaluate the relevant IP stakeholders to identify a market niche and to create a suitably strong network of partners. As most IP services provided by public sector institutions focus on patents and hardly address the management of IPRs, private service providers, like business membership organizations, have an interesting “gap” to exploit by creating specialized services in IP asset management and informal

protection methods.¹⁰ Business membership organizations are the most appropriate entry points for companies and innovators because they are familiar to entrepreneurs as a trusted provider of services. As IP asset management is part of the overall innovation process, systematic coordination and cooperation between the main institutions, particularly with the patent and trademark offices and innovation promotion agencies, is necessary. One of the main functions of a business membership organization should be to act as a facilitator between the offer and supply of services pertaining to different aspects of IP management.

Budget

Based on the IP unit's strategic orientation, the business membership organization will need to allocate resources to ensure success. A detailed budget will help identify which services the IP unit will support independently and which activities will need to be developed through institutional partnerships or sponsorship. This detailed budget should contain specific line-item indications of how much staff time and funding will be devoted to each service. However, the prioritization of services will aid in determining to which activities more funding should be devoted. Assessing user needs through ex-ante evaluation determines which services will perform better. Identifying target groups, their characteristics and their preferred package of services will help prioritize the list of services within the budget. The budget should then be examined to see if enough resources are available to launch the service package, and services ranked lowest can be put aside if funds are insufficient.

Services

The IP unit should not be promoted until the business membership organization has determined how the new services will be delivered and function. Immediate promotion of the unit without a firm grasp of the operational details may lead to premature failure of the unit, as an impression of lack of professionalism may lead to a loss of interest by members and industry stakeholders.

Defining the scope of services to be offered should take into account both the business membership organization's existing services and members' interests. The comparative strengths of the organization, as a service provider to companies, should first be examined as a whole. For example, if the organization is known as an excellent training centre, consider introducing a comprehensive range of courses related to IP asset management. Only after having successfully exploited existing market advantages of the organization should the unit begin to expand its activities to other service areas.

In certain countries, such as Italy and Hungary, national chambers of commerce fulfill an important role in coordinating the provision of IP services throughout the country. The regional chambers of commerce act as regional nodes that provide basic IP information to members and refer companies to a central institution for more complicated services.

During the business membership organization's review of its existing services, it should take its members' specific IP needs into account, as they will be the ultimate

¹⁰ Most services by public institutions (90%) focus on patents, with some provisions for trademarks. The majority of institutional services focus on early stages of IPR development, such as acquiring and/or exploiting existing IPRs, which implies that the public services system is very patent-centric. By contrast, informal protection mechanisms are rarely included and the public services touch the subject of IP and IPR management only in the periphery. Furthermore, it points out that while for most service types there seem to be complementary effects between private and public offerings, the area of patent search services is a potential field of conflict. Austrian Institute for SME Research, "Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property", page 5, point 24.

clients. Members should be surveyed to determine the types of IP support and advice they are seeking, and sharing the survey results with members could also help maintain interest in the area. In addition, an examination should be made of the roles played by the various business membership organizations within the country.

An integrated package of services can be more attractive for companies than isolated offerings. An IP unit can offer integrated packages of IP services through its own offering of services, by integrating other services provided by the organization, or by working with other institutions to provide joint services.

Another way of providing an integrated package of services for companies is to combine IP services with non-IP services provided by other departments of the organization. This can include, for example, tools and services in areas relating to international trade, such as different types of contracts, Incoterms® rules, letters of credit, dispute resolution, negotiation techniques, bank guarantees, transport, insurance, anti-corruption, fraud and import-export contracts. While a specialist on IP issues, on non-IP issues the IP unit could be compared with a general medical practitioner – servicing all of the companies' needs at a basic and intermediate level, while for very complex and specific questions, referring the company to a specialist within the business membership organization's network.¹¹ To develop such global solutions for its clients, the IP unit must be very well-coordinated with other areas of the organization.

International studies indicate that it is more profitable to sell new services to current clients than to find new clients for new services. Business membership organizations should, therefore, concentrate on providing IP services to current members rather than look for new clients. Coordinating with other departments of the organization, who know the members' needs and main characteristics, will also in this case facilitate promotion of the unit.

Selecting a project leader and staff

A successful IP programme depends upon the selection of the project leader and expert staff to meet benchmarking targets in an effective and timely manner. The leader may not necessarily be an IP expert at the beginning, but should be an active and dynamic person that is highly motivated to learn about IP and to develop a new area. A project leader must also have enough autonomy to independently manage the unit.

The staff of the unit should have technical, legal and business experience. However, a lack of people trained in the use of IP in business means that most staff will need to be specifically trained. Some of the staff may be recruited from other departments within the organization, and the project leader should clarify new staff responsibilities and tasks to avoid any potential conflicts or misunderstandings. At times, the IP unit may also need to hire external consultants or IP experts on a contractual or part-time basis to deliver specialized services or conduct specific training sessions. Frequently updating the unit's database with experts in different IP areas by contacting regional and national agencies as well as the ICC and WIPO will facilitate this process.

Leadership Skills

- knowledge in entrepreneurial areas
 - experience in developing business services
 - ability to coordinate teams
 - well-developed public relations skills
 - network-building capacities
-

Identifying potential partners and sponsors

Networking and partnering with existing IP institutions, at the national and international level, will increase the likelihood of success. Business membership organizations that have established IP units, or have only occasional activities in IP, underline the importance of public-private partnerships.

The first step should be to identify the most relevant national and international stakeholders and individual experts in IP. Most of this research will have been previously conducted when strategically orienting the unit within the local market; the

¹¹ M. Burger-Scheidlin, Executive Director, ICC Austria.

Partnering Opportunities

- Consider partnering with a professional association
 - Ensure that the quality of services provided match those of the organization's previously established brand
 - Avoid criticism of favoritism by partnering with multiple companies in different activities
-

existing list should now be narrowed down to key targets. At the national level, the most important players are the patent and trademark office (including the European Patent Office in Europe), agency/department responsible for copyright, associations of IP agents/lawyers, universities, professional or business associations involved in IP, and independent IP experts. At the international level, the relevant institutions are WIPO and ICC. More information about other possible partners can be found in the chapter on General Principles. For some specific activities, experience in different countries demonstrates that other institutions may be interested in supporting IP initiatives, for example the local U.S. Embassy for enforcement or awareness activities about piracy and counterfeiting or WTO for education about TRIPS.

The second step should be to carefully select the appropriate partners. While at first glance, any and all partnership offers may appear advantageous to a nascent IP unit in terms of marketing and visibility, not all offers will be appropriate for maintaining the business membership organization's brand. The organization will likely have already established a very strong brand within the community which will need to be maintained through any alliances created through the IP unit. Analyse potential partners within the larger organizational context to determine whether the partner is a leading IP service provider of comparable standing within the community. After selecting potential partners according to these criteria, approach them with a project proposal and inform them of the unit's interests and initiatives targeted towards the private sector. Many business membership organizations throughout the world currently offer IP programmes in partnership with the public sector.

Some institutions may view the business membership organization's move into the IP area as being in competition with their own interests and oppose the organization's initiative. To avoid possible misunderstandings, the organization should clearly explain its objectives and targets, which should be consistent with its mandate to support the private sector.

Sponsors can help offset certain operating costs of the IP unit. In general, the sponsor organization pays a sum in cash or offers a product or service in exchange for being profiled in a project, such as a conference or publication, or for having access to the mailing lists of the organization. If the IP unit accepts contributions from a sponsor, the business membership organization's credibility must be not affected. The organization should operate transparently by offering any sponsorship opportunities to all, or at least several, members to avoid any allegations of preferential treatment of a particular company.

A wide variety of grants from international organizations, such as the Inter-American Development Bank, the EU, regional development agencies or private foundations, exist for technical cooperation.

Grants from international organizations

To obtain a subsidy, research potential donors with goals similar to the unit's and examine any terms or conditions. Before applying for a grant, consider how complex the donor's grant process is and how much information it requires. In addition, it must be kept in mind that the structure of the project will be determined by the donor organization's requirements and preferences. While the prospect of money is tempting, grant proposals are time and labour intensive and could lead the unit to lose sight of the project's stated priorities¹² and benchmarking targets. Accordingly, time should only be invested in researching and applying for grants from donors with a stated interest in IP as a strategic subject matter. Certain IP projects, such as those in Mongolia and Colombia, enjoy high levels of financial support through specific grants.

¹² International Labour Organization, "The Effective Employers' Organizations", Spanish version, Guide IV, page 46.

In some countries the government provides support to partners, like business membership organizations, through preferential tax treatment or direct grants, and an organization may decide to take advantage of such funding opportunities. However, one of the most important roles of any business membership organization is to negotiate with the government on behalf of its member companies. Both the government and members should, therefore, bear in mind that accepting these kinds of funds should not influence the views or actions of the organization¹³.

Launching and promoting the IP Unit

Having determined the range of services to be provided, the IP unit should initiate a promotional marketing campaign, in coordination with the business membership organization's marketing or communication department.

The IP unit can be launched with a special event that will serve as the first awareness-raising activity. Institutional support from domestic and foreign stakeholders will help establish the new unit as a credible service provider. Visibility and outreach can be increased by inviting experts, professors and leaders on the subject, in addition to stakeholders and members to take part in the event, which can be promoted using the ordinary dissemination channels of the organization such as its website, newsletter and mailings. Identifying journalists who may be interested in IP is particularly important to build a specialized channel to disseminate your news.

Evaluating the services provided

The IP unit should periodically evaluate the effectiveness of its activities to ensure that its outlined goals are reached within the stated time frame. Such evaluation provides the information needed to keep the strategy flexible enough to allow important adaptations to take place, for example, by changing elements that are not working and playing up elements that do work. To assess effectiveness, the IP unit should consider the following:

- Do the objectives or timetable need to be reviewed?
- Does the IP unit have the right strategy or is it necessary to change it to reach the goal established?
- Are members using the new services?
- How should these services be adapted according to members' feedback or comments?
- Are the financial and human resources adequate?
- Does the IP unit have the most suitable partners?

Based on the answers, the IP unit should adapt its overall strategy, but should not implement any modification before considering how the change may affect other components within the strategy.

Taking advantage of the IP unit's success

Once progress has been evaluated, the IP unit should emphasize its leadership in the subject by celebrating any successes. This serves not only to promote the IP unit but also to sustain staff enthusiasm and encourage increased member involvement and support. Moreover, capitalizing on initial successes will bolster the organization's image and credibility by demonstrating to its membership its determination to successfully launch new initiatives strategic to the increasingly competitive knowledge economy.

Motivating the staff responsible for the success of the unit is essential for its continued success. By celebrating successes, recognizing the staff's contribution to the process, and encouraging activities highlighting IP as a strategic subject, the organization will demonstrate its continued commitment to the project.

¹³ International Labour Organization, "The Effective Employers' Organizations", Spanish version, Guide IV, page 46.

Aiming to become a leader in the area

By setting up an IP unit, a business membership organization benefits from having the opportunity to become a leader in a subject that is particularly important in the knowledge economy. Though by no means easy, establishing subject-matter leadership is not impossible. Leading by action and persistence will demonstrate the strategic importance of IP to the market and the organization. Experience has shown that persistently conducting activities will engender the respect of other institutions that will then look to the unit as a leader on the subject.

Keys to success

- Selecting a dynamic leader and a proactive team;
 - Having an adequate environment in the organization to promote a new business area;
 - Engaging the most important stakeholders;
 - Becoming involved in all the activities related to the subject; and
 - Committing sufficient time, energy and resources.
-

Analysing the experiences of other business membership organizations will help in designing and implementing an IP unit.



Case studies (see Annex)

Mongolia

Mongolian National Chamber of Commerce and Industry

Uruguay

National Chamber of Commerce and Services of Uruguay

For more examples of IP initiatives worldwide, see ICC's IP tool kit – IP Action in Chambers at <http://www.iccwbo.org/policy/ip/toolkit/id16920/index.html> and WIPO SMEs Division - Best Practices at http://www.wipo.int/sme/en/best_practices

Raising awareness

Objectives To sensitize different groups on the importance of IP in today's economy
 To provide basic information on IPRs and the role of IP in a business

Target groups Different levels of business membership organization management
 Business community/private sector
 Universities, business schools and institutions of higher learning - faculty and students
 Enforcement institutions e.g. customs, police and judiciary

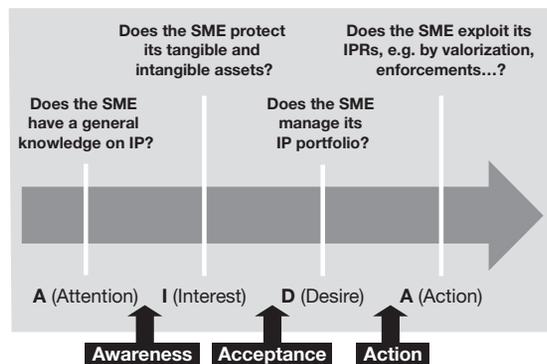
The value of IP is often not adequately appreciated and its potential for providing opportunities for future profit is widely underestimated by companies. However, when IP assets are properly managed and protected and there is demand for the IP-based products and/or services in the marketplace, IP can become a valuable business asset. Before companies begin to use their IP assets strategically to improve their competitiveness, they must first recognize the commercial value of IP.

When conducting an awareness-raising service, business membership organizations should realize that their members may be at different levels of understanding of IP. The traditional method of measuring this understanding included three steps:

- Awareness:** The starting point for a business owner at which they become aware of the concept of IP
- Acceptance:** The level at which a business owner fully realizes that they need to incorporate IP into their business strategy
- Action:** The level at which the business owner takes action to manage his/her IP assets.

This method has been reworked by the IPEuropAware Project, as illustrated below, to include four levels through which a business owner transitions. This new method of identifying a particular business owner's "IP-status"¹⁴ identifies the following four stages:

- Attention:** The business owner is aware of IP
- Interest:** The business owner protects IP on a more or less regular and systematic basis
- Desire:** The business owner possesses an IP portfolio of a certain size and is managing the IPRs
- Action:** The business owner exploits the IPRs



¹⁴ IP Awareness and Enforcement: Modular Based Actions for SMEs project (IPEuropAware), co-financed by the CIP Programme, DG Enterprise and Industry of the European Commission and managed by the Executive Agency for Competitiveness and Innovation (EACI). <http://www.ipeuropaware.eu/>

While this chapter focuses on how to build the foundation for attention/awareness of IP, the methods offered can be used to take any business owner to the next level of management for the continued success of the business.

Make members aware of how IP affects their business' success

To create concrete IP initiatives, business membership organizations must first get their members to understand how they can use IP in their business strategy to improve their top and bottom-lines. Spending the necessary time and dedicating sufficient resources to this essential first step in raising member awareness will ensure there is membership support and demand necessary for developing further IP services.

In conceptualizing what an effective awareness-raising programme looks like in its final form, business membership organizations should demonstrate the competitive advantage gained by a company implementing an IP programme into its overall business strategy. Spotlighting how IP can be utilized to successfully differentiate a company in the marketplace will resonate with members who are constantly seeking new ways to create value. Business membership organizations should focus on a business-centric idea of IP, that intertwines IP with business management, rather than looking at IP as a separate issue.

Creation of programmes

Raising awareness comes in many different forms as illustrated by the diagram below. Business membership organizations need to be engaged in as many of these initiatives as possible to reach members in whichever way meets their needs. Such initiatives do not necessarily require a large amount of resources but can draw on existing resources available to the organization.



Making information available

Resources should be made easily accessible for as many members as possible in the form of online resources, publications/guides/brochures, and contact information of the relevant staff members, local organizations and specialist resources. Examples of the latter include: patent and trademark registration offices; IP consultants/attorneys/agents, branding specialists and risk management specialists for trade secret management.

Integrating IP in all areas of business membership organizations

Awareness-raising is also necessary for staff. The entire staff of a business membership organization needs to be aware of how IP integrates into a successful business so they can provide members seeking services for other areas of their business with IP information and resources. Helping members see how IP affects different areas of their business is the best way to illustrate how IP is integrated and essential for their business' success.

Assessment tool

Business membership organizations could have a short self-assessment tool either online or in paper format that will enable members to identify aspects of their businesses that could benefit from IP management. Handing this resource out at meetings can be an effective way of raising awareness.

Outreach activities

As discussed above, there are many different communication channels for introducing IP to members. While passive resources like information online is crucial to raising awareness, using a proactive approach will ensure that as many members as possible are reached. One way of proactively reaching out to members is to develop a short awareness programme that can be integrated into other meetings. Another is to utilize members with a more advanced understanding of IP or outside experts to spark interest.

Short awareness programme: A short programme (5 to 15 minutes in length) can be developed by business membership organizations for presentation during events organized by the organization itself or by other organizations. This short programme format can take advantage of a captive audience to introduce them to the idea of leveraging IP assets for a successful business.

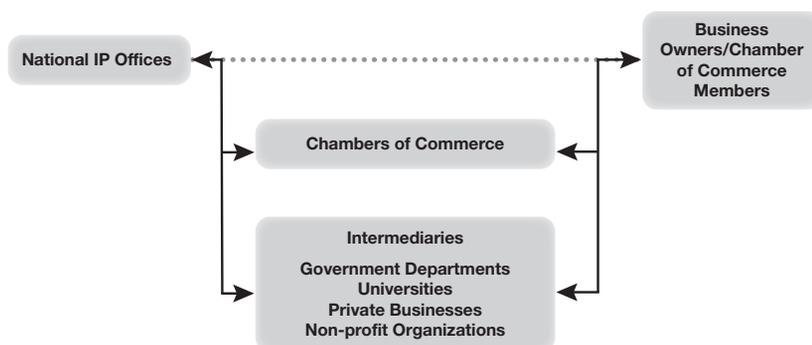
Such programmes can take the form of designated staff members making a brief presentation with the help of available tools and services (see below). Highlighting local case studies (e.g. how a business was aided by effective IP management or had problems because of poor IP asset management) can be particularly helpful.

A short programme can also take the form of making resources available at a booth at events. The key to outreach in this format is making resources easily accessible, for example, having a member of the staff available to answer questions, along with brochures, publications, posters, and merchandising items. In addition, a computer can be set up to highlight online resources.

Presentations by experienced/expert members: Identifying members who have successfully used IP assets in their businesses and having them speak to other members about their experience is an effective method to raise awareness. In addition, business membership organizations can invite local IP attorneys to make presentations and develop written/visual materials that can be added to online resources for members.

Creating partnerships

Raising awareness requires more than just focusing on members. Partnering with other IP stakeholders or organizations that have an interest in supporting IP can boost awareness-raising initiatives. National IP offices do not always have the resources to raise awareness for business owners on the importance of IP management. Business membership organizations can partner with organizations like universities and non-profit organizations to become part of a strong framework of awareness-raising initiatives in cooperation with their national IP office. Benefits to business membership organizations can include shared costs of programmes along with joint promotion which can expand available resources to reach more business owners.



Communication campaigns: Creating a campaign to raise awareness of IP is more than just including information in the regular newsletter to members. A planned outreach strategy will ensure the greatest number of members will be informed about the issue. While each business membership organization should create a campaign with their local customs of communication, here are the basic steps to creating an outreach campaign.

Develop a strategy: The first step is for each business membership to assess its current outreach efforts. Taking into account past strategies will help set goals for a new campaign with clearly defined objectives. For example, one such objective could be to raise awareness about patents and change the perception that they are only of interest to large corporations. To save on costs, organizations should identify partners for both raising awareness and for training programmes.

Assess IP knowledge level to formulate an effective message: Once objectives have been defined, business membership organizations should research the IP knowledge level of their members in order to formulate an effective message. This research serves to both identify the various local target groups (as suggested at the beginning of the chapter) and acts as a benchmark for monitoring the effectiveness of the campaign.

Develop a communications programme: Once the outreach strategy has been formulated, the campaign goals decided, the target audience identified and the appropriate research undertaken, a communications programme can be established. Objectives for the programme should be set keeping in mind the research conducted on the audience and the goals of the campaign. Messages should be created for the various communications channels while ensuring their consistency.

Action and monitoring: The final step in creating a campaign is to put the plan into action. Utilize different communication methods, depending on available resources, including websites, electronic newsletters, publications and print material, public service announcements and videos, media relations, including local newspapers, designated spokespersons, and benefit from planned events. Business membership organizations should continue to monitor the effectiveness of the campaign and modify the plan accordingly to ensure that its goals are being achieved.

More detailed information on creating a campaign can be found in:

"The WIPO Guide to Intellectual Property Outreach" at www.wipo.int/export/sites/www/freepublications/en/general/1002/wipo_pub_1002.pdf.

Specific tools and services

Publications and online materials

- *IP Guidelines for Business* – These guidelines, available in several languages, provide information to businesses on practical steps they can take to protect their own creativity and innovation in IP-based products and services, as well as to protect against the risk of using counterfeit materials or infringing other companies' IPRs. <http://www.iccwbo.org/bascap/index.html?id=24276>
- *Intellectual Property: Powerhouse for Innovation and Economic Growth* – This report brings together data from several studies and explores the benefits of IP protection in strengthening national economies, driving innovation and technology, fostering new ideas, and enhancing society and culture. <http://www.iccwbo.org/bascap/id40927/index.html>
- *Current and Emerging Intellectual Property Issues for Business: A Roadmap for Business and Policy Makers* – The ICC “IP Roadmap”, available in several languages, provides a comprehensive and concise overview of key IP policy issues today for businesses and policymakers. <http://www.iccwbo.org/policy/ip/id2950/index.html>
- *Intellectual Property for Business: Available in various language and customized versions, these guides may be printed and distributed.* <http://www.wipo.int/sme/en/documents/guides/>
- *Introduction to IP for Businesses:* This resource answers such questions as “why is intellectual property relevant to your business?” and “why is intellectual property crucial for marketing the products and services of your business?” The information may be included in newsletters and meetings. http://www.wipo.int/sme/en/ip_business

Other publications Other IP guides and materials have been produced by other organizations. Some of these are listed on the WIPO SMEs Division's webpage at <http://www.wipo.int/sme/en/documents/guides/> and on ICC's IP Tool Kit for Chambers webpage at <http://www.iccwbo.org/policy/ip/toolkit/id17146/index.html>

Newsletters Business membership organizations can subscribe to the free electronic newsletter provided by the WIPO SMEs Division at: <http://www.wipo.int/sme/en/>. The newsletter provides useful information on upcoming events and resources available. This information can then be provided in newsletters or given to members.

Multi-media presentations IP PANORAMA™ is a multi-media, story-line based, self-learning toolkit. While the full use of IP PANORAMA™ is much more suited to training as discussed in the next chapter, playing the first five minutes of the first module is an ideal way to increase awareness and can be done quickly during other meetings. <http://www.wipo.int/sme/en/multimedia/>

Assessment Tools

- Intellectual Property Explorer is an online tool to assist businesses in understanding their current IP initiatives <http://intellectualpropertyexplorer.com/>
- UK Intellectual Property Office IP Healthcheck is an online tool to assess a business' current IP assets <http://www.ipo.gov.uk/whyuse/business/iphealthcheck.htm>

Case studies of businesses that have used the IP system

WIPO has collected numerous case studies of businesses that have utilized IP in various ways including licensing, marketing, patents, and trade to name a few. They are available in English in IP Advantage, a searchable database, at <http://www.wipo.int/ipadvantage/en/> or they are available in a different format in other languages at http://www.wipo.int/sme/en/index.jsp?sub_col=sme-cs.



Case studies (see Annex)

Austria

ICC Austria

Croatia

Croatian Chamber of Economy

Finland

South Ostrobothnia Chamber of Commerce

Germany

Association of German Chambers of Industry and Commerce

ICC Deutschland

India

Federation of Indian Chambers of Commerce and Services

Confederation of Indian Industry

Italy

Italian Union Chambers of Commerce DINTEC

Kuwait

Kuwait Chamber of Commerce & Industry

Spain

Chamber of Commerce, Industry and Navigation of Cantabria

Mongolia

Mongolian National Chamber of Commerce and Industry

For more examples of IP awareness-raising initiatives worldwide, see ICC's IP tool kit – IP Action in Chambers at <http://www.iccwbo.org/policy/ip/toolkit/id16920/index.html> and WIPO Communications – IP Outreach tools at <http://www.wipo.int/ip-outreach/en/tools/guides/examples/awareness/smes/index.html>

Training businesses

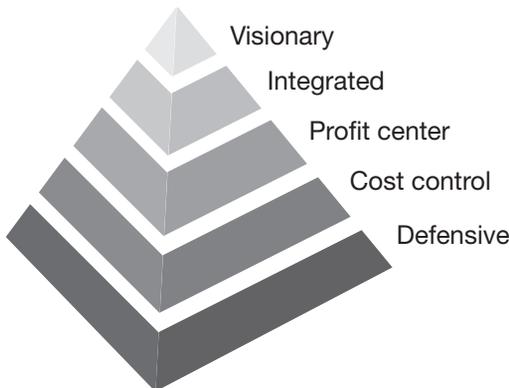
Objectives To train the business community in how to integrate IP strategies within their companies to boost competitiveness

Target groups Businesses
Innovators
Business associations

Once members are aware of the potential use of IP and recognize a need for more information, the demand for training seminars will increase. Business membership organizations are well-placed to set up such training programmes which will help members obtain valuable information, and at the same time help organizations raise their profile and generate income.

Below are some tools and services which can help business membership organizations create a comprehensive training initiative. A training programme does not have to be built completely from scratch, given the quantity of available resources freely available. Depending on their resources, business membership organizations can provide low-cost self-learning/distance learning options and/or low or high-cost face-to-face programmes.

In developing a training programme, business membership organizations need to understand how different business owners will approach the management of their IP. The hierarchy of IP management¹⁵ illustrated below is a useful way to think about the training needs of each member.



A hierarchy of IP management, from Edison in the Boardroom: How Leading Companies Realize Value from Their Intellectual Assets, Julie Davis and Suzanne Harrison

Defensive level: Businesses at this level use their IP only for defensive purposes which include protecting their own innovations and ensuring they do not infringe the IPRs of others. Concerns of members at this level will be the costs in filing fees, enforcement and other legal expenses which can be high.

Cost control level: Businesses at this level are still focused on protecting their own IP but now incorporate a strategy for minimizing the costs of development and maintenance.

Profit centre level: Businesses reach this level once they begin to license out their IP and utilize it as an asset to generate profits.

Integrated level: At this level, the business has integrated the IP assets into all areas of the business strategy.

Visionary: At this advanced level of IP management, businesses use IP as a long term strategy for being a leader in its industry.

Using this concept of IP sophistication can aid business membership organizations in understanding what level their members are at, and what training programmes should be developed to best serve their needs. It is also a reminder of the constant need to train members on taking their IP management to the next level for greater business success.

¹⁵ Patrick Sullivan and Suzanne Harrison, IP and Business: Managing IP as a Set of Business Assets, WIPO Magazine, Feb. 2008, http://www.wipo.int/wipo_magazine/en/2008/01/article_0008.html (citing to Edison in the Boardroom: How Leading Companies Realize Value from Their Intellectual Assets, Julie Davis and Suzanne Harrison).

Creation of programmes

The steps below provide a basic framework for business membership organizations to create their own training programme based on existing and freely available resources.

Step 1: Assessment

Prior to developing a specific training programme, an assessment should be done by business membership organizations of the IP level at which their members are operating based on the levels of IP management discussed at the beginning of the chapter. This can help ensure that available resources are appropriately allocated to reach as many members as possible. For example, such an assessment may indicate that there is a need for more beginner seminars and only a few advanced levels of training. Spending resources on a beginner level seminar for 20 members is a much better use of resources than holding an advanced seminar for only two members. Advanced members can be assisted in other ways, such as through self-help materials or assistance with an expert in the community.

Business membership organizations should also assess what other training programmes are already available to their members through private or other training providers, and focus on filling whatever gaps there may be in the market rather than directly competing with existing services.

Step 2: Training method

Business membership organizations can offer training in a stand-alone or integrated approach with other training services. In a stand-alone programme, organizations would offer seminars and workshops focused solely on IP. An integrated approach would be to offer seminars and workshops that address a range of topics including IP. For example, IP could be addressed in a seminar which also addresses general business management, export management, innovation, new product development, marketing and branding, human resources management, supply chain management, and quality management.

Step 3: Speakers/trainers

The availability of a pool of expert IP trainers is essential to pursue a training programme in this area. Business membership organizations can use available resources and invest in training their trainers through special IP Training-of-Trainers Programmes (see below) or develop their own resources.

Any speaker – whether a member of the staff, a member of the local business community, or an international expert – should not only be knowledgeable in IP but also be able to relate the issue to business. It is very important for the speaker to understand that the audience consists of business leaders and be able to relate to them on a practical level. When considering speakers for the programme, business membership organizations should keep in mind the need to reserve speakers early. While an international expert can lend credibility to a seminar and increase attendance, this should be balanced against the effect on the budget of the speakers' travel costs. Video conferencing is a cost-effective alternative to allow non-local experts to speak at an event without having to bear the cost of travel and accommodation. Local IP lawyers are also an excellent resource as they have a professional interest in promoting their expertise in seminars. By using a combination of local speakers, limiting the number of international experts, and having other international experts through video conferencing, the costs of developing a seminar or workshop can be greatly reduced.

Videos of, or materials from, presentations can help build up IP training resources which can be made available online for members with the speakers' permission.

Step 4: Seminar/workshop format

In-person programmes: Several logistical issues should be taken into consideration when developing a successful programme. Possible formats include an intense workshop (e.g. programme of five full-days) or spreading the programme out during a longer period (e.g. training sessions after regular business hours over a four week period). The format for each organization will depend on available resources, the local culture, location, and which format works best for the speakers they are seeking to use. When looking at the financial implications of each format, practical considerations (such as the need to provide food) should be taken into account. As the material will be new to most members, plenty of time should be allowed for questions as well as for social interaction.

E-learning programmes: An alternative to creating training workshops is to provide an e-learning programme customized to each organization's local laws and information. This method can provide localized training to reach the maximum number of interested members but at a low-cost.

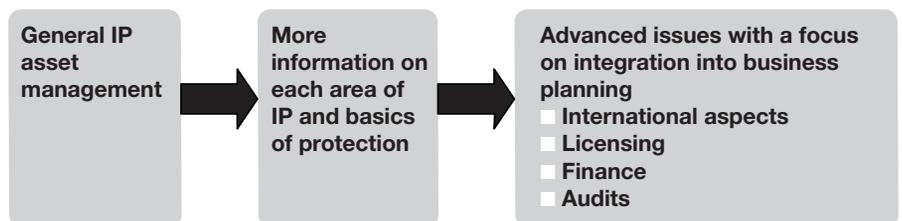
Existing e-learning tools (see WIPO IP PANORAMA™ and other tools below) can be used to develop a structured self-learning programme to guide members on how to use their IP assets to develop their business.

Business membership organizations can complement e-learning modules by having a tutor/teacher facilitate a virtual classroom. Having a knowledgeable teacher available to answer questions, manage students, and facilitate online discussions will add to the value of the programme and attract additional participants. Including optional testing can also increase the value of electronic training programmes (see below).

As an alternative to creating their own e-learning programme, organizations can partner with established distance learning institutions to increase their available training resources while relying on the partner's experience, expertise and operational capacity.

Step 5: Suggested programme topics

Programmes should be developed keeping in mind the stages of IP learning (as illustrated at the beginning of the chapter) by starting with basic awareness issues, moving to information on specific areas, and finally advanced issues with a focus on incorporating IP management into the entire business plan.



Possible programme topics

local and country aspects should be incorporated

General IP asset management

- Overview of IP and the role of effective IP asset management in business
- Business planning around IP
- Managing IP assets at local, regional and national level through administration organizations

The role of specific types of IP in business

- Trademarks, industrial designs, protection and management, role in branding and marketing
- Patents and utility models: patent applications, infringement, and management systems
- Strategic use of patent information: patent searching and strategic use of patents
- Trade Secrets: protection and management
- Copyright: managing copyright ownership; using the copyright works of others
- Collective marketing: adding value with geographical indications, certification marks, and collective marks

General considerations

- Enforcement Issues: preserving legal IPRs, preventing infringement, counterfeiting, piracy, dispute resolution, and seeking compensation for actual damages
- IP and Finance: accounting and valuation of IP assets, and IP-based financing
- IP audit and IP due diligence

IP Considerations in specific contexts

- Exporting into international markets: operations, international outsourcing, rights protection in export markets, "exhaustion" of rights and parallel imports
- IP in the digital economy: e-commerce, creating a website, choosing a domain name, and protecting online content
- Exploiting IP assets through licensing and merchandising: preparing to license, and negotiating and managing license agreements
- Franchising out-sourcing, internationalization, multiple stores, and the supply chain.
- IP issues arising in advertising, such as trademarks, copyright and trade secrets
- Government-University/Research Institutes-Industry Relations: IP ownership when developing IP assets through funded institutes

Step 6: Evaluate

Always be sure to survey the member participants who attended the workshops to determine if the format is working, the topics were of interest, the information provided was understandable, and if the speakers were effective. In addition, conducting a survey similar to the assessment offered before implementing a training programme can be an essential tool to learn whether the programmes have the desired effect of moving members to the next level of IP management.

Specific tools and services

IP PANORAMA™: *IP PANORAMA™* is a multi-media, story-line based, self-learning toolkit which can be used to increase IP-awareness of the members and provide practical knowledge about using IP for business success. *IP PANORAMA™* is business-oriented and relies on a brand new instructional design strategy based on 'storytelling' along with educational technology. The learning content of each module was designed with a practical story regarding IP. *IP PANORAMA™* was developed jointly by WIPO, the Korean Intellectual Property Office (KIPO), and the Korea Invention Promotion Association (KIPA). This free multi-media tool can be found at <http://www.wipo.int/sme/en/multimedia/>. Business membership organizations can supplement the multimedia lectures with information pertaining to local laws.

WIPO Academy: The WIPO Academy offers a number of general and specialized courses both by traditional, face-to-face means as well as distance learning. These courses are either free of charge or offered at a very nominal cost. http://www.wipo.int/academy/en/courses/distance_learning/catalog/c_index.html

Training of Trainers (TOT) Programmes: WIPO offers a one-week training programme world-wide. The programme is focused on creating trainers who will have the basic knowledge, skills and experience to provide preliminary IP assistance to businesses on effective IP asset management. Business membership organizations can utilize this programme to ensure they have properly trained staff that can then assist their members. The programme provides a multiple choice test at the end of the programme to assist participants retain the knowledge they have learned through the sessions.

For more information on ways to test participants' progress in an e-learning programme, contact WIPO. http://www.wipo.int/sme/en/activities/tot_program/index.html

ip4inno: IP for Innovation is a project funded by the European Commission and provides online teaching materials for intermediaries, like business membership organizations. While focused on the European region and offering trainings mostly in Europe, the information provided can generally assist members through comprehensive articles and best practices. ip4inno also organizes training workshops. www.ip4inno.eu

IPeuropAware: This project provides two resource-rich websites that can be used by business membership organizations in the development of training programmes for their members. <http://www.ipeuropaware.eu/>

InnovAccess: This interactive website is designed to lead a user through the process of turning an idea into an IPR. While focused on the European region, business membership organizations can utilize its interactive tools, guides, and Case studies on IPR enforcement. <http://www.innovaccess.eu/home.html>

MAC-SSIIM project: This project is a pan European network of resources focused on Informal-IP Management. It includes a training and support solution made of 5 Key Themes on informal IP and Intellectual Capital (IC) management for SMEs: <http://www.mac-ssiim.com/>

See also WIPO business case studies, guides, and other information at the end of the "Raising Awareness" chapter.

ICC has plans to develop business-focused IP training for companies.



Case studies (see Annex)

India

Federation of Indian Chambers of Commerce and Services
Confederation of Indian Industry

Ireland

Chambers Ireland

Mongolia

Mongolian National Chamber of Commerce and Industry

Switzerland

ICC Switzerland

Ukraine

Ukrainian Chamber of Commerce and Industry

Uruguay

National Chamber of Commerce and Services of Uruguay

For more examples of IP training initiatives worldwide, see ICC's IP tool kit – IP Action in Chambers at <http://www.iccwbo.org/policy/ip/toolkit/id16920/index.html> and WIPO SMEs Division - Best Practices at http://www.wipo.int/sme/en/best_practices

Providing consultancy services

Objectives	To provide support and information to companies relating to the use of IP in their business
Target groups	Individual businesses; SMEs Innovators Business associations

Results from an ICC survey indicate that most chambers of commerce worldwide provide member companies with general IP advice that concentrates mainly on the patent and trademark registration processes. In this capacity, business membership organizations act as a first contact place for entrepreneurs. Often, this type of service is provided through the organization’s legal department. For more complex questions, business membership organizations usually refer member companies to specific consultants or an IP office. In some cases, chambers also provide information on the various institutions or programmes that can be of assistance depending on the member’s issue or question. Providing these basic information and referral services is a good starting point for business membership organizations interested in starting IP programmes as they require less staff expertise and training.

Some business membership organizations have created IP departments that provide services over and above such basic information and referral services, either by adding an IP-dimension to services already delivered by other departments – such as advice on drafting agreements, arbitration, training courses or business matchmaking – or by creating specific new IP services.

Creation of programmes

As one of many service providers in IP consulting, business membership organizations should target a gap within the local market to develop specialized services not already provided. Organizations should evaluate how entry into the consulting market will affect member relations and how it will compete within the market against other stakeholders such as lawyers, private consultants, IP offices and service providers. If business membership organizations try to complement existing services, rather than compete with them, they will be more readily accepted as a recognized stakeholder in this field.

To be successful in this environment, the organization should make a differentiated offering of services based on its reputation and comparative advantages. Focusing services on the comprehensive management and exploitation of IP from a business perspective, rather than only on the registration of IP assets, may be an effective starting point for a business membership organization to begin offering IP consulting. After proving itself as an excellent service provider in a specific area, it can continue to expand its offering of services and exploit market gaps.

Types of services

A business membership organization can limit itself to providing basic front-line information on IP or provide more in-depth and specialized IP consulting services.

Basic support and information

Many business membership organizations do not provide basic IP support through a specific IP department or unit, but rather address enquiries for information through the legal department. Most organizations offering such services provide member businesses with information emphasizing registration procedures.¹⁶ Generally provided free through email, telephone or in person, this information includes: mechanisms and

¹⁶ Of the 63 chambers surveyed for ICC’s IP toolkit and this handbook, 31 reported providing basic information about IP.

documents needed for filing a patent, design or trademark application in the country or abroad; conditions of protection; and official and agents' fees. In some cases, services also include providing information on the legal status of a patent or trademark, and advice on funding from state agencies or private sources. Information provided through initial enquiries may lead to in-depth consultancy or more substantial work, which can then be provided by the organization itself or through member specialists working in collaboration with the organization.

Adding an IP dimension to existing services

Business membership organizations can also leverage existing activities to provide additional IP services that go beyond basic information on IP. An IP dimension can be added to existing activities in areas such as advice on contracts, mediation and arbitration, and business matchmaking services.

Advice on contracts

Business membership organizations may expand their advisory services relating to the development and negotiation of contracts to also advise on contracts with a strong IP element, such as licences, assignments, franchises etc. In developing or updating this service, organizations should consider using existing model contracts and guides (see ICC and WIPO tools below).

Mediation and arbitration

Mediation and arbitration services can also be used to resolve IP related disputes. Issues arising out of the use of mediation and arbitration to resolve IP disputes are explained in ICC's publication "Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers"¹⁷.

In-depth IP consultancy

In-depth consultancy can include: IP management advice; acting as a receiving office for IPR applications; diagnostic services; IP audits and patent portfolio analysis; patent and trademark database research; patent monitoring; intangible asset valuation; support for IP commercialization; and trade assessment.

IP management advice

Business membership organizations should focus on improving their members' knowledge of the relative advantages and disadvantages of the various IP instruments and methods available to protect their intangible assets, and how to correctly utilize them to support their commercial objectives. A holistic approach to IP protection tools, without focusing solely on IPR protection, will help their members to make a global strategic assessment of their IP assets and of the options available to capitalize on these. Particular attention should be paid to the management of the IP portfolio, as enterprises which manage their IP are significantly more successful than those which only administrate it.

Business membership organizations should focus on the company's profit maximization through a strategic use of its intangibles and not on the legal protection of them, per se. Strategic exploitation of IP assets to improve market competitiveness may be best achieved through a customized solution that blends legal instruments and differing types of protection methods, both "formal" and "informal".

Any such advice should always be given keeping in mind the company's overall business strategy and objectives and could include the following:

17 Available at <http://www.iccwbo.org/policy/ip/id2950/index.html>

Advice on legal protection of intellectual assets through IPRs

The legal protection of innovations and creations through IPRs can help strengthen a company's market position against competitors. Business membership organizations can advise member companies on the IPRs available to protect different types of intellectual assets (see Intellectual Property Basics chapter). This would include advising on the criteria, procedures and costs necessary to obtain those rights at the national, regional or international level, their scope of protection and relative advantages and disadvantages, and implications for enforcement. Companies should be made aware of the potential difficulties and costs of enforcement of different types of IPRs. Some chambers go further and offer legal services as authorized patent and trademark attorneys.

IP registration and enforcement can be a costly venture although there are many benefits to IP protection. Any service must keep in mind the budget available to each business to fund registration and defence of the registered right, and how it can most effectively allocate its resources.

Advice on other IP management/protection methods¹⁸

A business' IP assets can also be protected and managed through contractual means and through "informal" or "soft" methods. These are complementary to protection by IPRs. For example, contractual arrangements can be entered into with employees, partners, suppliers or competitors on issues to prevent recruitment of key personnel by competitors, ensure ownership of key inventions or creations by the company, preserve confidentiality of sensitive information, and limit the risk of competition by employees after they leave.

Informal IP protection methods, particularly favoured by service sectors, can be – though are not always – simple, easy to control, economical to use and to some extent, embedded in normal working practices within the business. In general, these methods try to prevent the loss of knowledge or restrict undesirable access to sensitive information either within the company or in external relationships. With respect to human resources, the main task of informal protection practices is to capture or share the information and knowledge inside the firm or to decrease dependence on individual employees. Technical methods can also be used to protect a company's tangible products, services or systems.

There is a wide range of informal protection methods that differ from each other both by nature and purpose of use (see table below). Typically, informal protection methods are partly overlapping and the simultaneous use of several methods offers better protection for intellectual capital. Besides providing IP protection, informal protection methods are employed because they can enhance business when integrated with operational procedures and working routines.

Informal protection methods are not static and they do not offer permanent solutions for knowledge protection. In many cases, they require constant updating and active maintenance, and also entail costs. For instance, relationship management and motivation of personnel are processes that require constant effort. Also, the fast pace of innovation and technical protection requires constant development and renewal as the businesses operating environment changes. On the other hand, the circulation of duties and documentation can easily be integrated into the company's daily operational routines and business culture.

¹⁸ Päällysaho, Seliina and Jari Kuusisto "Intellectual property protection in service sector" (2008) available at, http://www.iccwbo.org/uploadedFiles/ICC/policy/intellectual_property/pages/IP%20protection%20in%20service%20sector.pdf

Informal protection practice	Rationale for IP protection
Secrecy	Prevents the spill over of confidential information to outsiders
Restricted access to information	Decreases the risk for knowledge leaks protection
Database and network protection	Prevents a risk of information diffusion to outsiders Prevents from attacks, viruses and other abuses
Confidentiality	Decreases the risk for knowledge leaks
Technical protection	Makes copying and imitation difficult and time consuming
Documentation	Increases efficiency Decreases the risk of losing tacit knowledge Assists in patenting process
Division of duties	No single person will know the overall picture about a new service or product
Circulating of staff between tasks	Decreases the dependency on individual members of staff
Loyalty building among personnel	Decreases the risk of losing knowledge bound to employees Increases efficiency
Customer relationship management	Prevents knowledge leaks through customer interaction
Trade organization membership	Seeks to supervise IPRs of the members. Role in IP protection limited
Efficient sharing of information	Decreases the risk of losing knowledge bound to employees Increases efficiency and innovativeness
Fast innovation cycle	Creates 'lead-time' edge over competitors Copying and imitation less harmful
Publishing	Prevents the risk of being copied or imitated Prevents patenting by other parties
Complex product design	Makes copying and imitation difficult and time consuming
Productized service packages	Decreases company dependence on employees Increases efficiency

Source: Päällysaho, Seliina and Jari Kuusisto "Intellectual property protection in service sector" 2008

Receiving office for applications

In some cases, chambers act as a receiving office for applications of patents, utility-models, industrial designs or trademarks, which are then sent to the national IP Office once the chamber has formally analysed the application. In general, functioning as a receiving office leads to in-depth consultations or questions relating to other IPRs and facilitates the later development of IP-related services.

Diagnostic services, patent portfolio analysis and IP audits

Diagnostic and IP audit services help identify and evaluate IP assets in a particular enterprise and can be classified into two types:

Auto diagnosis online

Online tools have been developed to help enterprises facilitate the identification and evaluation of their IP assets. These online services consist of various sets of questions

and checklists designed to allow companies to make an initial appraisal of their IP assets. In most cases, the format is a self-scoring questionnaire, which may provide the option of using a consultant to assist with the process. Online diagnostic services assist companies in identifying which types of IP assets are most important for them at present and for the future. The online method also indicates where gaps in IP assets management may exist and where the company should dedicate most management effort.

One-to-one diagnosis

In one-to-one diagnostic services, an experienced IP professional provides personalized consulting to a particular company. The IP professional introduces the company to the concept of IP and the different tools of IP protection and discusses the company's situation in order to identify its IP needs, wants and expectations. In this situation, the IP expert may make an initial assessment of the value of the company's IP assets and advise on how to design an IP strategy for the specific company. The final report outlines the different options for the company to protect and use its IP. A standardized guidebook is usually designed and tested for this purpose.

Patent portfolio analysis

The management of patents is closely related with a company's profits. Therefore, the company's patent portfolio is increasingly regarded as a major interest for strategic business development decisions. SMEs in particular are mostly unable to analyse their patent portfolio within a reasonable time and budget. Some business membership organizations have developed tools to help companies conduct this analysis.

Patent and trademark database research

Patent or trademark research services provide various benefits, ranging from avoiding duplication and obtaining valuable technological information, to stimulating R&D and preventing the commission of IPR infringement. Finally, patent and trademark research avoids the inefficient use of time and company resources.

Patent research provides a comprehensive overview of a technological area and information on patented technologies within that area. Innovative companies unaware of the IP system may invest in reinventing the wheel trying to develop "new" products and services that have already been invented and protected by others. Thus, an active use of the technological information contained in patent documents could save companies time and resources, and enable them to be at the cutting edge of innovation in their technical field and to start research at a higher level.

Patent information can also facilitate the following:¹⁹

- Gaining technical information;
 - Determining whether an invention is patentable;
 - Positioning competitively within the market;
 - Monitoring for patent infringement;
 - Finding new areas to get into/ and opportunities for licensing-in;
 - "Inventing around" other patents;
 - Obtaining costing/pricing intelligence, where information on production and/or operating costs can be derived from the patent filings;
 - Solving problems;
 - Obtaining information about manufacturing processes;
 - Improving the success rate; and
 - Finding R&D and business partners.
-

¹⁹ Matthew Hall, Charles Oppenheim and Margaret Sheen, 2003.

In a study by the Austrian Institute for SME Research²⁰, users of patent search services identified the following factors as being important for developing successful patent search services:

- Ease of access and identification, which indicates the necessity of correctly marketing and promoting patent database search services;
- Competence of staff is a key issue as expertise is necessary for carrying out patent searches, as well as for helping interpret the results; and
- Timely delivery is important because of the concept of patent priority and the need to adhere to deadlines in litigation cases and R&D projects.

Trademark research also avoids inefficient use of company resources and employee time. Companies, and in particular SMEs, may develop marketing strategies and even print materials using trademarks or designs which are already protected by others within the market. Even when a company has registered trademarks in its own country, any export using that trademark to another country should be preceded by a trademark search in the countries of interest.

Business membership organizations should keep in mind that patent and trademark search services could be a potential “conflict zone between private and public service providers”²¹ as most IP Offices consider such searches as a key service. Based on the characteristics of local service providers, organizations should analyse whether to develop such a service or provide it through an agreement with a third party.

WIPO GOLD is a free public resource which provides a one-stop gateway to WIPO’s global collections of searchable IP data (see below).

Patent monitoring services

Monitoring services analyse patent applications published by national, regional or international offices on a regular basis. Some business membership organizations have developed different tools to identify and make a pre-selection of all new patents that are published in the territory of interest because it is difficult for individual companies to monitor the volume of new patents. With this information, companies can follow changes in technological fields in a defined period of time and the innovation strategy within its market. They can also find out what the most dynamic fields of technology are in the country or even in the world. Monitoring services can be customized to focus on, for example, an emerging area of technology, a competitor’s activity, the legal status of particular patents, or statistics.

Valuation of intangible assets

Most companies do not know the value of their intangible assets²². However, in some cases with highly innovative companies, the value of the company’s intangible assets may exceed the value of all the tangible assets. An accurate assessment of the value of a company’s intangible assets can help businesses to better exploit their IP through licensing and other means of trading (e.g. in the form of securities), to increase their asset value, to obtain financing and to take informed investment and marketing decisions. Company reporting requirements and assessment for taxation may also require such valuation. As per current standards, self-generated IP cannot be reflected on the balance sheets.

Different methods have been used for valuing IPR including industry standards, ratings or rankings, discounted cash flow, use of the rule-of-thumb, real options and Monte-Carlo analysis, and auctions. There are now an increasing number of professionals specializing in IPR valuation, especially of brands and patents, who use different

²⁰ “Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property”, Austrian Institute for SME Research: 2007 Benchmarking report page 85 to 87

²¹ “Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property”, Austrian Institute for SME Research: 2007 page 83

²² ICC publication “Current and Emerging Intellectual Property Issues for Business: a roadmap for Business and Policy Makers” 2010 edition

valuation methodologies. Due to the unique nature of IPR, the method for IPR valuation is typically selected on a case-by-case basis, and a combination of methods is sometimes used in an effort to show a fair range of values for a particular IPR. Therefore, it is doubtful whether a single universal method for valuation can be developed to apply in all cases to best determine the fair range of values for a particular IPR. Regardless of the selected method or methods, the aim of the valuation is to identify and quantify the economic benefits that IPR are likely to generate, and ultimately the likely cash flow from those economic benefits (see below for patent evaluation tools).

In conducting due diligence studies of IPR, businesses and the financial community need to recognize that because patents are unique, their value cannot be determined without proper legal analysis. This analysis considers issues such as validity, enforceability, scope of IP rights, potential revenue from infringement by others, and potential liability from infringing the IPR of others. Such studies provide more reliable information about the financial value of the IPR, as well as information useful in setting business direction and strategy, than do automatic techniques such as “citation analysis”, which at best provide only a rough guide to patent value, and may be quite misleading.

Support for commercialization of IP

Some business membership organizations help member companies identify potential clients for their IP assets, while others have specific services to help companies draft agreements with their partners. However, very few business membership organizations provide a comprehensive service to support companies throughout the process of identification, selection and negotiation with potential partners or clients.

Business membership organizations can assist companies in searching for suitable partners through participation in various networks and databases, international technology transfer events, commercial missions or through collaboration with other organizations that promote IP and innovation results.

Some business membership organizations have databases specifically designed to encourage the commercial exploitation of technologies by providing a transparent platform for technology and knowledge transfer between innovators, academics and the business world. Technology transfer databases help companies interested in acquiring external know-how under licence, patent-owners looking to license their inventions, and also academics or companies looking for research partners. Such databases also allow member companies to research the applications-oriented themes and technologies on which researchers in both the academic and business worlds are working.

Business membership organizations can also propose an analysis of whether the company's idea or innovation is technically and commercially feasible, and whether a profitable market for the innovation or idea exists. The service may assist the company in redefining an unprofitable innovation into a marketable one. It should be kept in mind that such services should help inventors and developers to be objective and develop a clear profile of market features and benefits – as they may not be able to see their invention's faults and may be oblivious to the commercial realities. Assessing the geographical market of the intended product and focusing IP protection efforts on the relevant markets will also avoid unnecessary waste of resources²³.

Before embarking on an export operation, businesses go through a series of crucial steps which range from identifying an appropriate export market and estimating demand, to finding channels of distribution, estimating costs and obtaining funds. Businesses should also be advised to take IP issues into account during this phase, and look into ways in which IPRs could enhance their competitiveness in export markets. Implementing an IP strategy in the export market will help develop advantageous market positions, ensure freedom to operate in that market, and build positions for enforcing IPRs in that market.

23 Recommendations provided by the Chamber of Commerce of Sussex, England

Helping companies use IP to raise funds

As there is an increasing reliance on IP assets as a source of competitive advantage for businesses, investors in new or established businesses are paying more attention to the company's IP portfolio and how it is managed. A strong, well-managed IP portfolio will make a business more attractive for an investor.

Business membership organizations can put companies in touch with potential funding sources and advise them to include IP information and strategies in their business plans. Sources of funding for early stage ventures include personal funding (savings, friends and family); public funding (grants, incubators, science parks) and venture funding (angel investors, venture capital investors, corporate venture capital, bank funding).

For each stage of development of the innovation there is a potential source of funding:

- Early in the development cycle, risks are high, but cash needs are low. Companies can rely on grants, friends and family and possibly incubators for funding.
- Later, as the technology becomes more viable and IP protection is on-going, needs and risk are high, angel and early stage venture capital investors may support financing.
- When financing needs are greatest and the technology is approaching commercialization, late stage venture capital investors and bank lenders may provide financial support.

Source: Ip4inno training module on IP valuation and IP financing written by Bay of Thermi Ventures and the European Institute for Enterprise and Intellectual Property (IEEP) www.ieepi.org

Method

The following issues should be considered when setting up IP consultancy services:

Analyse the type of service to deliver

The format and type of services will depend on the client profile, objectives, budget and human resources available. Added-value services should identify market gaps by conducting market surveys or asking the staff that are in close contact with the final client. Business membership organizations should focus on overall IP management and offering a comprehensive solution for companies, always keeping in mind the company's overall business strategy.

Staff

When providing IP services, especially consulting services, one of the most important considerations is the competence of staff. Qualified and experienced experts in law, technical matters, business management and commercialization are critical for the success of the service. The results from a European survey of IP support services showed that a high proportion of the surveyed services were operated by small teams: 35 % of organizations surveyed employed at most the equivalent of three full time staff, while 18 % employed only one. The survey also demonstrated a shortage of qualified staff, so that most employees will require training to acquire the necessary expertise²⁴.

²⁴ "Benchmarking National and Regional Support Services for SMEs in the Field of Intellectual and Industrial Property", Austrian Institute for SME Research: 2007 page 58

‘One-stop-shop’ consulting services for companies

Services should be linked, integrated and complementary not only with other IP services but also with non-IP services. IP services can be integrated with other support services to provide comprehensive packages of service that support companies in all phases of the innovation process, from the development of ideas up till the commercialization of intangible assets. Complementary services focusing on all phases of IP management, from awareness-raising activities and economic incentive information to training and litigation support services.

Interaction with different networks

Actively building national and international networks of consultants, stakeholders and service providers (particularly with IP offices, patent attorneys, universities and technology development agencies) is important to allow mutual client referral, cooperative activities, and the possibility of acting as an intermediary for IP services. A network of contacts is also important to complement the advice and assistance given to companies: for intra-institutional learning; exchange of experiences; promotion of the activities among a wide number of potential clients; and to put IP in context as part of an integrated strategy in the overall innovation system.

Tailor services according to the client profile

Orienting IP consultancy services towards the customer facilitates the business membership organization’s ability to adapt and tailor the service to the needs of the particular company; delivering a service to SMEs or an innovator is very different from delivering the same service to a multinational company. Customer-orientation can be achieved through conducting user satisfaction surveys or by asking the staff that are usually in contact with the companies.

Marketing activities

Because they act as an entry point to the world of IP, awareness-raising and information activities are useful channels to market IP consultancy services, especially if they are carried out in cooperation with other stakeholders. Presenting practical examples of other entrepreneurs or innovators will demonstrate how companies may benefit from protecting and managing their intangible assets. Promotional activities are necessary to give exposure to the organization’s IP services. As most business membership organizations already disseminate newsletters to members or provide different activities for entrepreneurs, the promotion of new or expanded IP services should be relatively easy and inexpensive to conduct. Many local chambers work closely together with local patent attorneys to offer a free first consultation on how to protect their innovations.

Specific tools and services

Business self-assessment

- *Intellectual Property Explorer* is an online tool to assist businesses in understanding their current IP initiatives; <http://intellectualpropertyexplorer.com/>
- *UK Intellectual Property Office IP Healthcheck* is an online tool to assess a business' current IP <http://www.ipo.gov.uk/whyuse/business/iphealthcheck.htm>

“Informal” IP management

- *MAC-SSIIM project*: a pan European network of resources focused on Informal-IP Management. Includes a training and support solution made of 5 Key Themes on informal IP and Intellectual Capital (IC) management for SMEs. <http://www.mac-siiim.com/>

Contracts

- WIPO's manual, “Exchanging Value: Negotiating technology, licensing agreements”²⁵. http://www.wipo.int/sme/en/documents/guides/technology_licensing.html
- ICC model contracts - <http://www.iccbooks.com>
 - International transfer of technology contract
 - Model distributorship contract
 - Model selective distributorship contract
 - Model international trademark licence
 - Model international franchising contract
 - Model confidentiality agreement

Patent and trademark searches

WIPO GOLD <http://www.wipo.int/wipogold> is a free public resource which provides a one-stop gateway to WIPO's global collections of searchable IP data. WIPO's IP information includes free online access to all published international patent applications within the framework of the Patent Cooperation Treaty (PCT) and their related documents and patent collections from National and Regional Offices through its PATENTSCOPE search service at <http://www.wipo.int/patentscope/search/en/search.jsf>. It also provides access to WIPO's PCT Distance Learning Course which provides an introduction and general overview of the Patent Cooperation Treaty (PCT), an international system for seeking patents on a global scale http://www.wipo.int/pct/en/distance_learning/index.html. In addition, WIPO GOLD has a list of trademark databases that may be free of use by business membership organizations.

IP evaluation

- *IPscore*[®] – European Patent Office specialized software tool that provides both qualitative and quantitative evaluation in the form of a financial forecast showing the net present value of the evaluated technology. This software is free of charge and can be downloaded from the EPO website²⁶.
- *IP Response* – IP valuation tool by the Danish Patent and Trademark Office: <http://www.dkpto.org/online-tools/ip-response.aspx>

²⁵ Complete guide available at http://www.wipo.int/export/sites/www/sme/en/documents/pdf/technology_licensing.pdf

²⁶ <http://www.epo.org/searching/free/ipscore.html>

Market places and technology fora

- ICC's World Chambers Federation World Chambers Network Business Opportunities (*GBX*) service: an online network that allows chambers and their member companies to place and find business opportunities worldwide - <http://www.iccwbo.org/wcf/id2837/index.html>
- The Hamburg Chamber of Commerce and the Office of Science and Research of the Free and Hanseatic City of Hamburg have set up a technology data base to showcase technologies developed in Hamburg. - www.hk24.de/technologie

Dispute resolution

- ICC Dispute Resolution Services - provides rules and services for arbitration as well as amicable dispute resolution, including mediation, which can be used for IP-related disputes at <http://www.iccwbo.org/court/>. It also issues publications and provides training on the topic at <http://www.iccbooks.com> and; <http://www.iccwbo.org/events/id34191/index.html>
- WIPO Arbitration and Mediation Centre – offers arbitration and mediation services: - <http://www.wipo.int/amc/en/>

Sources of funding

- The European Business Angels Network encourages the exchange of experience among the business angels networks and provides direct feedback from investors to SME's, and plays an education and training role. <http://www.eban.org/>
- The European Venture Capital Association's website provides links to a large number of national venture capital associations worldwide. <http://www.evca.com/sources.html>
- The European Commission CORDIS programme: the website provides information and links about sources of finance for innovation activities and their commercialization - <http://cordis.europa.eu/finance> – and a practical guide to EU funding for research – and innovation http://cordis.europa.eu/eu-funding-guide/home_en.html
- The European Investment Bank (EIB) – The “Innovation 2000 Initiative” at <http://www.eib.org/pub/news/i2i/pmreport.htm>) marks a clear shift in its lending activities towards innovation-rich projects and focuses on five key components, one of which is on “SMEs and Entrepreneurship”. The support provided by the EIB is mostly through its loan operations, as well as risk capital funding for SMEs (through its specialized subsidiary, the European Investment Fund-EIF at <http://www.eif.org/sme/default.htm>); for “SMEs and Entrepreneurship”. The support relates to venture capital operations or guarantee instruments for debt finance, which are managed by the EIF.

Case studies

In relatively few cases, business membership organizations have developed in-depth consulting services such as: IP management, valuation of intangible assets, patent and trademark research and analysis, and trend or technological monitoring. The cases mentioned below are focused on these experiences.

Austria

ICC Austria

Belarus

Belarusian Chamber of Commerce and Industry

Croatia

Croatian Chamber of Economy

France

Paris Chamber of Commerce and Industry

Regional Agency for Strategic and Technological Information

Germany

German Chambers of Industry and Commerce Association

Hamburg Chamber of Commerce

Hungary

Chamber of Commerce and Industry

India

Confederation of Indian Industry

Italy

Italian Union of Chambers of Commerce

Regional Union of the Veneto's Chamber of Commerce

Chamber of Commerce of Treviso

Mongolia

Mongolian National Chamber of Commerce

Russia

Chamber of Commerce & Industry of Pushkin and Pavlovsk

Spain

Barcelona Chamber of Commerce

Chamber of Commerce, Industry and Navigation of Cantabria

Switzerland

ICC Switzerland

Ukraine

Ukrainian Chamber of Commerce and Industry

United Kingdom

Intellectual Assets Centre, Scotland

Uruguay

National Chamber of Commerce and Services of Uruguay

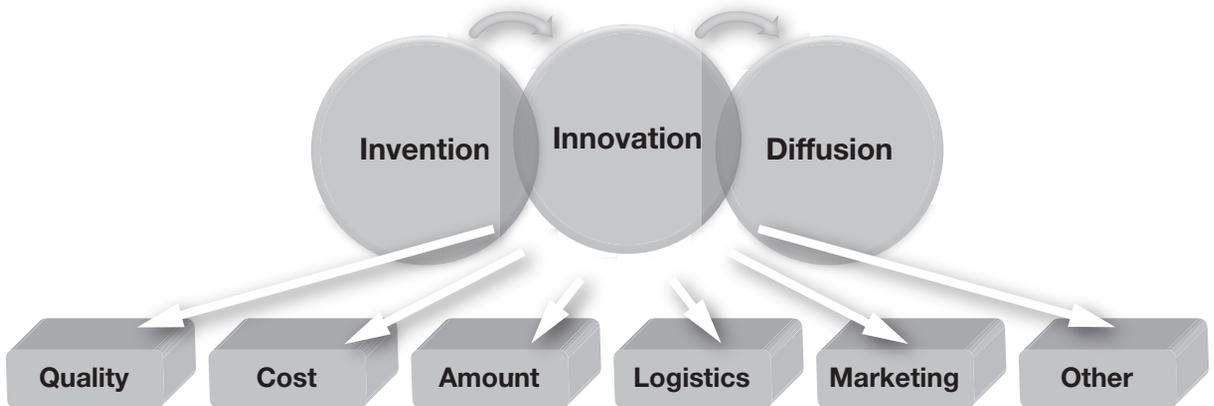
For more examples of IP consulting initiatives worldwide, see ICC's IP tool kit – IP Action in Chambers at <http://www.iccwbo.org/policy/ip/toolkit/id16920/index.html> and WIPO SMEs Division - Best Practices at http://www.wipo.int/sme/en/best_practices

Stimulating and disseminating innovation

Objectives Raise awareness among businesses of the importance of strategically integrating innovation into an overall business strategy,
Encourage businesses to innovate and develop IP assets
Help business find commercial partners for commercializing IP assets

Target groups Individual businesses; SMEs
Universities and researchers

Innovation and IP are separate concepts but closely-linked. Innovation often leads to the creation of IP, and IPRs help provide a vehicle to obtain the financing to develop innovative ideas and to move them into the market. Innovation should not be an end in itself but should be methodically integrated into business culture and practices to enhance overall performance. Innovation can be integrated into all areas of business as follows:



A company's ability to innovate is crucial to maintaining competitiveness in today's increasingly globalized markets. While competing on price may suffice in the short term, such competitive advantage is unsustainable over a long period. Sustained competitive advantage requires constant innovation in both production and management. However, the ability to generate innovation on a consistent basis requires a paradigmatic shift in the workplace culture. Business membership organizations are well-placed to provide businesses with the requisite skill sets and tools to foster sustained innovation.

Innovation processes have changed rapidly in recent years, largely as a result of advances in the area of information technologies and communication technologies (ICT) and the high level of global economic integration. These two factors have accelerated and transformed ways of generating and transferring knowledge and technology²⁷.

Integrating innovation into an overall business strategy and as a work method will increase market competitiveness. As this is difficult in practice, member companies of business membership organizations will greatly benefit from specific services in this field. These can include advice on how to innovate on a sustainable basis, including assessments of individual companies, as well as the publication of reports and studies,

²⁷ SELA (2009) Políticas e instrumentos para enfrentar el impacto de la crisis económica internacional sobre las Pequeñas y Medianas Empresas (PYMES) de América Latina y el Caribe. P.58

the presentation of awards, and training. Effective and continuous communication with members by utilizing the tools previously described is important to understanding members' situations and needs, and to accurately assess the success of initiatives developed to increase innovation in the workplace.

Creation of programmes

The great majority of business membership organizations which reported having initiatives to promote and disseminate innovation in the ICC survey of January 2009 did this through organizing awards or exhibitions. A very few reported providing innovation consulting services.

The following tools and services can help to integrate innovation into the business culture and strengthen the organization's relationship with its members.

Awards

Awards can both encourage and raise awareness of innovative practices among businesses. Presenting awards at important events, such as those organized by government agencies, will raise the award's profile.

Examples of awards

- "Hungarian Innovation Grand Prize", organized by the Chamber of Commerce and Industry of Hungary <http://www.innovacio.hu>
 - "Mohammed bin Rashid Al Maktoum Business Award", organized by the Chamber of Commerce and Industry, Dubai, www.dubaichamber.com/
 - "Golden Kuna Innovation Award" presented by the Croatian Chamber of Economy <http://www2.hgk.hr>
-

Innovation forums and market places

Innovation fairs bring together the different stakeholders necessary to support innovation and can be an important catalyst and networking opportunity. Such fairs or fora are usually organized by government agencies, but some business membership organizations have partnered with such agencies to organize these events.

Some organizations have also set up marketplaces to help companies commercialize their technologies and IP assets.

Market places

- Knowledge Innovation Market by the Barcelona Chamber of Commerce - www.cambrabcn.org
 - Hamburg Chamber of Commerce and the Office of Science and Research of the Free and Hanseatic City of Hamburg technology data base - www.hk24.de/technologie
-

Innovation technology fairs - examples

- "Foro de Innovación de las Américas" organized by the national agency of research and innovation of Uruguay, ANII (Agencia Nacional de Investigación e Innovación) - www.fia.com.uy
 - Mongolian National Chamber of Commerce and Industry (in collaboration with various institutions) annual exhibition, "Inventions and Utility Models" - www.mongolchamber.mn
-

Reports/studies

Collating, analysing and publishing information on innovation trends help companies to benchmark their performance and to keep abreast of developments. This can also raise the profile of business membership organizations and establish them as references in the field.

Chamber reports and studies

- The “Innovation Centre of Bizkaia,” (Barrixe), linked to the Chamber of Commerce of Bilbao, continually monitors levels of innovation within the region and tracks trends in innovative sectors. The centre informs members about successful experiences, programmes and potential sources of aid at the community, regional and national levels - www.bilbao.net
- The Association of Chambers of Commerce and Industry of Germany (ACCIA) releases an annual report on the state of innovation in German firms, with information on the different activities performed in the field and on how receptive the target audiences are to such innovation - www.dihk.de/english/
- The Croatian Chamber of Economy publishes “The innovation environment of Croatia” with the same objectives as ACCIA - www2.hgk.hr

Educational activities

Training is one of the most effective ways to implement cultural change within the workplace. Educational courses and modules can be used to train students on how to carry out innovation on a continuing basis. However, educational activities are time and resource intensive and require a training infrastructure, either internal or through partnerships with educational institutions, as well as resources for training trainers. Business membership organizations may consider options for procuring public funding for such activities (see Training Businesses chapter).

Innovation support to individual companies

Innovation support services aim to analyse the innovation potential of individual companies and to help them adopt an integrated, methodical approach to innovation. Providing such advice requires highly-trained specialists in the modern trends towards dynamic, interdisciplinary, integrated and sustained innovation.

Innovation support services

- Barcelona’s Chamber of Commerce provides its members with a full range of services to assess individual members’ integration of the methodical approach to innovation in the workplace. These services include: an initial assessment of needs for innovation, guides for creating, introducing and managing innovation within the business, and management of innovation projects - www.cambrabcn.org
- Arist-Paris provides members with a self-diagnosis programme of innovative project. The Chamber of Commerce in Paris assesses companies and respective markets to assess their strengths, weaknesses, opportunities and threats, and provides options for innovation in management, production and marketing - www.arist.ccip.fr
- IPR-Helpdesk: The main objective of the IPR-Helpdesk is to assist current and potential participants in Community-funded research and technological development projects, as well as innovation projects on IP matters. While focused on the European region, the information provided can generally assist business membership organisations through detailed information on its website, a helpline, online courses, and an IPR Bulletin - <http://www.ipr-helpdesk.org/home.html>

Training in innovation -

The Chamber of Commerce of Ireland’s “Diploma in Innovation Development” is part of a larger programme on Innovation Development and Technology Transfer. The course is government-subsidized and accredited by the Irish education system. The 12 month course applies acquired knowledge in a practical business setting and provides access to specialized software tools (“Online innovation software measurement tool” and “Global Technology Exchange Software”).
www.chambers.ie



Case studies (see Annex)

Croatia

Croatian Chamber of Economy

Finland

South Ostrobothnia Chamber of Commerce

France

Paris Chamber of Commerce and Industry

Germany

Association of German Chambers of Industry and Commerce

Hungary

Hungarian Chamber of Commerce and Industry

Ireland

Chambers Ireland

Italy

Italian Union of Chambers of Commerce

Chamber of Commerce of Treviso

Kuwait

Kuwait Chamber of Commerce and Industry

Mongolia

Mongolian National Chamber of Commerce and Industry

Spain

Chamber of Commerce, Industry and Navigation of Cantabria

Uruguay

National Chamber of Commerce and Services of Uruguay

For more examples of innovation initiatives worldwide, see ICC's IP tool kit – IP Action in Chambers at <http://www.iccwbo.org/policy/ip/toolkit/id16920/index.html> and WIPO SMEs Division - Best Practices at http://www.wipo.int/sme/en/best_practices

Advocating policy

Objectives	Ensure that those influential in defining a particular policy understand and take into account the view points and concerns of the business membership organizations' constituency in developing that policy
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Target groups	Government policy makers Thought leaders Different media, as channels to influence policy makers
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Most IP policy measures will have a direct impact on some or all sectors of businesses. Individual companies look to their trade associations or business organizations to represent their views to policy makers for several reasons: collective views carry more weight than the voice of one company; most companies do not have the resources to engage in policy advocacy activities; and policy makers often find it easier to engage with a single representative organization which has already defined a consensus industry view rather than with many individual companies.

Engaging in policy discussions on IP will enhance the business membership organization's leadership role in this area, and raise its profile among both the business community and policy makers. As IP is a horizontal, cross-cutting issue that relates to most other policy areas, it is useful for business membership organizations to have defined their IP positions when engaging in related discussions.

There exists a well-developed international legal framework for IP matters, with several international treaties on different aspects of IP administered by WIPO, a specialized UN agency, as well as the TRIPS agreement administered by the World Trade Organization. There are also IP aspects raised in international agreements and discussions on a host of other topics, ranging from the environment, to health, and to the Internet, as well as in bilateral and regional trade agreements. The biennial ICC publication "Current and Emerging Intellectual Property Issues for Business: a roadmap for business and policy makers" gives a good overview of the main IP policy issues affecting business today²⁸.

Most countries in the world are members of one or more of these treaties or trade agreements, and their domestic IP policies and laws will be influenced by their international treaty obligations and international discussions. Business membership organizations engaging in domestic advocacy should therefore be aware of, and take into account, the impact of international developments in their advocacy efforts.

IP policy has also in some cases become a very political matter and can play a role in other policy areas, such as science and technology, investment, education, trade, health, etc. Discussions on IP policy can therefore sometimes become controversial and business membership organizations need to be prepared to manage this sensitivity in their discussions with policy makers and the media.

Creation of programmes

A business membership organization will usually engage in advocacy on a wide spectrum of issues with an impact on their members. As IP issues are cross-cutting, it is important that there is coordination with other policy positions within the organization. It is probably therefore preferable for any advocacy on IP issues to be undertaken within the policy department, if this exists, rather than within a unit providing more practical IP services.

When deciding whether to engage in advocacy activities in the area of IP, the organization first has to ensure that it has a critical mass of members interested in IP issues, and sufficient expertise, either within its staff or its membership. A committee of

²⁸ Available at <http://www.iccwbo.org/policy/ip/id2950/index.html>

interested members and experts should then be established to guide the organization in developing its positions on specific IP subjects and to provide a pool of expertise on technical aspects as well as on the impact of specific legislative proposals on different sectors. The most common model is to have an overarching IP committee, which might then have subgroups working on specific issues of interest. Members may have to be specifically recruited for certain issues if existing committee members do not have the necessary expertise to address them. The quality of membership of the committee is essential to the effectiveness of the committee. A well-respected and committed leadership is key to drawing good members to the committee and will add credibility to its positions and outreach. It is also important to ensure that the leadership is sufficiently committed and will devote time and resources to the committee to ensure its effectiveness. To ensure that any positions developed have the support of the organization as a whole, there should be clear procedures for review and approval of policy positions.

When beginning advocacy in this area, the business membership organization has to start to identify and build relationships with the different players involved in IP policy-making. This includes relevant government officials, members of parliament, intergovernmental organizations where appropriate, relevant media, academics, and other business and professional associations.

Method

There are two main stages to policy advocacy: developing the policy position and advocating that position.

Several aspects have to be taken into account when embarking on an advocacy project:

- **Time frame and process:** often legislative processes have defined timeframes within which the organization will have to work. The organization should also consider how long it needs to develop a position according to its own review and approval process.
- **The different interests involved:** Understanding the dynamics of the policy debate, the perspectives and interests of various constituencies, and the perceptions of policy makers to the issue, is essential to determine the advocacy strategy and how to frame the organization's message. Different parts of its membership may have opposing positions on the same issue, and the organization will have to take this into account when deciding how to position itself. Identifying organizations with similar positions will also help the business membership organizations identify potential allies in promoting the organization's position.
- **Key organizations and people defining the policy in question:** it is important to establish a good relationship with the key players. If they are key players in IP issues in general, a permanent dialogue should be established. To influence a specific process managed by a specific organization, it is important to obtain a status which allows the business membership organization to participate in meetings or submit comments which will be recognized in the process. Where a business membership organization does not have such status, it can join other organizations with such status (e.g. ICC has observer status with UN and other international organizations) and work through them.

Developing the policy position

The specific issue – which should be consistent with the organization's mandate – first has to be identified. When resources are limited, issues also have to be prioritized according to their importance for the organization's constituency as a whole and their urgency.

Members' views on the issues have to be collated and a consensus obtained. This is usually done through committees and working groups consisting of interested members, working through meetings, conference calls, and e-mails and other

correspondence. IT tools may be useful to facilitate meetings and collective drafting. Consensus-building is not necessarily an easy task as members' interests may diverge on certain IP issues. Any necessary internal review processes and approvals should be respected to ensure that the position has the necessary official backing of the organization's membership before it is made public, especially if the issue is a controversial one.

The policy position has then to be translated into material that can be used for advocacy purposes. This can take the form of position papers, reports, press releases, web stories, briefings, presentations, brochures etc. depending on who is being targeted. It is worth noting that positions are often more persuasive for policy makers when backed by facts and figures. To the extent that time and resources allow, it may be helpful to have research done to obtain evidence to back up positions. If the business membership organization conducts policy advocacy in other areas, any IP policy positions should be coordinated with its positions in other areas.

Advocacy of policy position

The business membership organization's position can be advocated in different ways: through sending documents to relevant policy makers; by organizing meetings between policy makers and staff and/or members; by organizing conferences and debates on the topic; by making presentations and interventions at conferences; by communicating with the press and addressing public opinion through social media, etc. It can often be helpful to collaborate with other like-minded organizations to coordinate and reinforce shared messages with different constituencies.

Building a relationship of trust with policy makers working in the IP field – both at a personal and at an institutional level – is essential to the success of any long-term IP advocacy service. A business membership organization has to build up its credibility with policy makers – as well as with its members – with sound, well-founded positions which accurately reflect its members' interests. A regular dialogue with key policy makers is important to maintain open channels of communication, and personal and institutional relationships.

Members can be valuable advocates for an organization's policy positions and can multiply the communication possibilities. It is important, however, that members acting as spokespeople for business membership organization positions should accurately represent positions of the organization as a whole, and not the interests of their own organizations or sectors, and that they have the mandate and technical, political, and advocacy expertise to represent the organization appropriately.

Required resources and their potential sources

Resources needed to develop an advocacy function which results in sound consensus positions which are effectively communicated include:

- having a critical mass of interested members with relevant expertise in the topic;
- staff member(s) to coordinate and drive the process who are able to understand the substance and follow the processes, as well as maintain relationships with key policy players and members; and
- communication specialists to support the communication of policy positions to the media and other channels.

Funds may be required to commission research to gather evidence to support a position, or to hire a consultant to prepare papers if this cannot be done by staff or members. When undertaking an advocacy campaign on an issue, resources may be necessary for preparing materials, for meetings with policy makers, or for organizing conferences on the topic. To increase outreach with limited resources, it may be helpful to work with and share communication efforts with other organizations.

Specific tools

- **ICC IP Roadmap** *Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers*: Published every two years, ICC's IP Roadmap provides a comprehensive and concise overview of key IP issues today and is currently available in Arabic, Chinese, Portuguese, Russian and Spanish <http://www.iccwbo.org/policy/ip/id2950/index.html>
- **Intellectual Property: Powerhouse for Innovation and Economic Growth**: A study on the benefits of IP protection in strengthening national economies, driving innovation and technology, fostering new ideas, and enhancing society and culture - <http://www.iccwbo.org/policy/ip/id41147/index.html>
- **ICC BASCAP studies on the economic impact of piracy and counterfeiting** <http://www.iccwbo.org/bascap/id1127/index.html>
- Policy papers, reports and information on several international IP issues and on ICC advocacy activities can be found on the ICC website at <http://www.iccwbo.org/policy/ip/id3060/index.html> (Commission on Intellectual Property) and <http://www.iccwbo.org/bascap/id1127/index.html> (BASCAP counterfeiting and piracy)

Case studies (see Annex)

Austria

ICC Austria

Finland

The Central Chamber of Commerce of Finland

Germany

German Chambers of Industry and Commerce Association

Hamburg Chamber of Commerce

ICC Deutschland

India

Federation of Indian Chambers of Commerce and Services

Confederation of Indian Industry

Kuwait

Kuwait Chamber of Commerce & Industry

Lebanon

Chamber of Commerce, Industry and Agriculture of Beirut and Mount Lebanon

Mongolia

Mongolian National Chamber of Commerce and Industry

Switzerland

ICC Switzerland

Ukraine

Ukrainian Chamber of Commerce & Industry

United Arab Emirates

Dubai Chamber of Commerce

United States

US Council for International Business (ICC National Committee)

Uruguay

National Chamber of Commerce and Services of Uruguay

ICC National Committees in various countries also have intellectual property advocacy activities

<http://www.iccwbo.org/id100/index.html>

For more examples of IP advocacy initiatives worldwide, see ICC's IP tool kit – IP Action in Chambers at www.iccwbo.org/policy/ip/toolkit/id16920/index.html and WIPO SMEs Division - Best Practices at www.wipo.int/sme/en/best_practices

Annexes

Case studies

Argentina

Argentina American Chamber of Commerce

- Raising awareness

The AmChams in Argentina, Uruguay, Paraguay, Peru and Chile are working on a regional project to help improve IP enforcement throughout Latin America by creating awareness at governmental, private and public opinion levels.

The project is structured into three programmes: 1) IPR training for the judiciary in cooperation with the International Judiciary Academy; 2) Customs training in enforcement issues; and 3) an IP essay contest for students and young professionals.

Austria

ICC Austria

- Raising awareness
- Providing consultancy services
- Advocating policy

<http://www.icc-austria.org/>

ICC Austria promotes raising awareness initiatives by contributing to books on brand name management as well as actively working with the media, press, radio, and television outlets to promote IPR. In addition to working closely with journalists and media, radio and TV in order to ensure good coverage of this issue, ICC Austria also organizes regular seminars and workshops to raise awareness of IP issues in general. ICC Austria provides consultancy services on registration of brand names, procedures concerning counterfeit products and prevention of counterfeiting. Finally, ICC Austria advocates policy through work with the Austrian Ministry of Finance's Department of Customs, the Austrian chambers, and other business associations.

Belarus

Belarusian Chamber of Commerce and Industry

- Providing consultancy services

<http://www.cci.by>

BelPatentService

<http://www.belpatent-service.org>

Founded in 1996 and owned by the Belarusian Chamber of Commerce and Industry (BCCI), "BelPatentService" is a well-known, licensed IP agent in Belarus. BelPatentService provides free verbal information to members on general IP issues, official and agent's fees, and terms of patenting and registration. Specifically, Belpatentservice carries out national registration, renewal and prosecution of trademarks, patents for inventions, industrial designs, utility models for domestic and foreign manufacturers, as well as preparing member applications for PCT-patenting and international trademark registrations. BelPatentService also provides its members, usually domestic enterprises and individual entrepreneurs, with free legal advice in the following areas: trademark registration, litigation and counselling; patent prosecution, litigation, counselling and searching; licensing and franchising; IP-assets evaluation; and identification and litigation of counterfeiting and other infringements. Belpatentservice manages the deposition system for computer programmes, grants BCCI certificates to owners of computer programmes and executes the correspondent publications in the BCCI bulletin entitled, Mercury. In addition to these services, BCCI's BelPatentService and its Centre of Business Education jointly conduct IP training programmes, which are available to participating member and not-member companies for a fee.

Colombia

Manizales Chamber of Commerce

- Raising awareness
- Training business
- Providing consultancy services

The Manizales Chamber of Commerce has currently 17,017 enterprises registered under its jurisdiction, and there are substantial investment projects in innovation and technology in the region.

The Chamber has a customized consultant's office in different IP subjects which offers consultations to entrepreneurs, members and companies

The Chamber provides support to its members through a number of different online tools, including records, guides and information on the website and the promotion of the government's website (<http://www.sic.gov.co>) where businesses can consult and verify the status of their trademark registration. In addition, the Chamber's website www.crearempresa.com.co, which allows the user to verify if the commercial standard that a business is looking for appears as a registered trade name.

The Chamber has produced six guides made by La Superintendencia de Industria y Turismo (the supervision of industry and tourism), as well as patents case studies so companies can consult directly.

The Chamber offers short training courses in IP; including training in management of

intellectual assets. The Chamber offers these types of services in alliance with an Italian firm named ABC NET SERVIZI per L'IMPRESA, within the consulting area of the Chamber. With the goal of implementing an IP Training Course Programme in Colombia, a national alliance between the different Colombian Chamber of Commerce has been established to allow them to rely on tools to aid the promotion of IP use in the different business.

The Chamber is setting up the first Centre for SMEs for the Promotion and Support of IP, and is also working with six other chambers in Colombia in a national project to promote IP to businesses.

Croatia

Croatian Chamber of Economy

- Raising awareness
- Providing consultancy services
- Stimulating and disseminating innovation

<http://www2.hgk.hr/en/>

The Croatian Chamber of Economy established in 1997 the Society for Innovation within the Industry Department. Its mission is to promote and help innovators to commercialize their innovation on domestic and foreign markets, most notably, with regards to the issue of IP. Among others activities, the Society for Innovation collaborates with all Croatian institutions and agencies authorized in the IPR field (SIPO, CIT, Ministry for Science, education and sport, BICRO, etc.)

The mission of the Society for Innovation within the Industry Dept. of the chamber is to provide information on IP, with the aim to raise the awareness of IP policy. In collaboration with SIPO and the Croatian Inventors Associations, the Chamber supports publications and guides aimed to inform and help scientists and innovators obtain IPR. The Society for Innovation periodically publishes a bilingual (printed and digital) Catalogue of Croatian innovations and Innovative Products (based only on patented Croatian inventions) and a guide on the innovation environment in Croatia.

The Croatian Chamber of Economy is a partner in various EU projects on SIPO (Cards, Phare, Pro Inno Europe – ip4inno) and in EU TEMPUS Programme – Opus Project (<http://opus.unizg.hr>). Furthermore, the Chamber is also a partner in the EU Project EEN Network, which organizes seminars and workshops in the IP field.

The Croatian Chamber of Economy offers some advisory services to its members within its working programme, including general IP aspects. As these services are offered free of charge to members specialized consultants are recommended through the list of authorized and registered Croatian Industrial Property Representatives (Patent representatives and Trademark representatives) which is public and accessible on the website of State Intellectual property Office (SIPO): <http://www.dziv.hr>. The Chamber also provides information of interest to innovators, such as authorized institutions, national supporting programmes, IPR system, and possibilities of exhibiting at domestic and international Innovation Fairs.

The Chamber supports domestic companies as well as innovators and entrepreneurs exhibiting during domestic and international commercial innovation fairs (Genius - Geneve, INNOVA – Bruxelles, Arhimed – Moscow etc.), where workshops and seminars in the IP field for exhibitors/innovators are organized. Moreover, the Chamber awards The Golden Kuna Award for Innovation to the most successful innovator/entrepreneur on the domestic market, as well as to the most successful SME. This award has been granted for the past 10 years to individuals and companies whose innovation has been one of the key factors of their success on the global market. Through its Affiliation for Innovations, the Chamber assists companies in disseminating innovations at Fairs by selecting the best innovations/exhibits, preparing the printed materials, advertising, translating the materials, helping in the booth during the exhibition etc. and also by financing a certain part of common exhibition costs – based on the Invoice of the Fair.

Finland

South Ostrobothnia Chamber of Commerce

- Raising awareness
- Stimulating and disseminating innovation
- Advocating policy

<http://www.southostro.chamber.fi/>

The Central Chamber of Commerce of Finland provides several IP services for its members. The Chamber is one of the key actors in the regional working group of the InnoSuomi Innovation Competition, which takes place in Finland every year. The IPR-Committee of the Chamber examines issues and releases statements in the field of IPR-legislation. Moreover, the Chamber helped develop an IP tool-kit on informal IP protection called MAC SSIIM (<http://www.mac-ssiim.com/>). Developed between 2003 and 2006, this Leonardo da Vinci Project partnered Finland, Poland, Hungary, Portugal, Belgium and France to create a pan-European network of resources focused on informal intellectual property rights (I-IPR) and intellectual capital/knowledge protection. The project aims to:

- raise awareness of the significance of IP management,
- develop a proactive IP management training tool for SME and network development,
- enable learning through case examples of good practices in IP management, and
- disseminate good practices in the management of IP.

France

Paris Chamber of Commerce and Industry (IPRI)

- Providing consultancy services
- Stimulating and disseminating innovation

<http://www.ccip.fr>
<http://www.irpi.ccip.fr>

The Institut de Recherche en Propriété Intellectuelle Henri-Desbois (IRPI), one of the first research centres dedicated to IP, was created in 1982 by the Chamber de Commerce and Industry of Paris (CCIP) and the University Panthéon-Assas (Paris II). IRPI is a specialized IP department of the Chamber comprised of qualified legal and economic experts that conducts studies in various areas of IP, organizes training programmes on IP matters, distributes a newsletter and publishes studies, articles, IP guides and legal books for professionals. IRPI's consultancy services consist of providing legal assistance and information to a large variety of businesses. A free helpline is provided twice a week to businesses that have questions relating to IP. IRPI also informs companies about applicable regulations and procedures both in France and abroad, and refers them to qualified professionals if needed, such as industrial property consultants, lawyers, government departments, and management companies.

Regional Agency for Strategic and Technological Information (ARIST)

- Providing consultancy services

<http://www.arist.ccip.fr>

The Paris Regional Agency for Strategic and Technological Information (ARIST Paris) is part of the Chamber of Commerce and Industry of Paris. ARIST is a member of a national network of 22 regional agency offices established by the Ministry of Industry,

With 100% programme funding by National Bureau for IP (INPI), ARIST provides specific information, advice and support to enterprises that intend to develop their activity in France and worldwide. In this framework, ARIST Paris provides awareness activities and distributes information about financial and business opportunities for innovative projects. In particular, it provides advice to SMEs on: which private or public organizations are the best alternatives to support their innovation; how to improve and protect projects on innovation; how to implement research about the competitors in the market; and identify the most suitable development strategies.

ARIST supports companies in incorporating IP into their strategic plans by promoting patent and brand registration; encouraging employee inventions; and assisting with contracts on outsourcing, co-production, confidentiality, licensing or shared R&D. It also offers specific services like brand or patent research; technological and competitive watch; and technological and strategic analysis.

Germany

Association of German Chambers of Industry and Commerce DIHK

- Raising awareness
- Providing consultancy services
- Stimulating and disseminating innovation
- Advocating policy

www.dihk.de/english/

The Association of German Chambers of Industry and Commerce (DIHK) is the central organization for 80 Chambers of Industry and Commerce in Germany. DIHK publishes monthly news relating to innovation from Brussels (EU policy) and Berlin (federal German policy). The newsletter of the local Chambers of Commerce provides further information regarding current regional and country-specific topics within the field of technology and research.

DIHK also publishes innovation news and also has an innovation and technology database of advisors in all the local Chambers. The Association has three central Internet platforms that support the orientation on innovation and technology issues:

- *Cordis*, which is the central information server of the European Union for all questions regarding research and development including databases on support programmes, current tenders, partnership projects and the latest news (<http://cordis.europa.eu/en/home.html>).
- *German Networks of Competence*, these networks acts as a guide in innovation, investments and education. It is administered by the Federal Ministry of Economics and Technology (<http://www.kompetenznetze.de/navi/en/root.html>).
- *IHK Technology exchange platform*, which offers the latest supply and demand within a specific field of technology (<http://www.technologieboerse.ihk.de>).

Furthermore, DIHK publishes a monthly e-Newsletter ("Innovationsnachrichten"), which is made available free of charge on the DIHK-website or through email subscription: <http://www.dihk.de/themenfelder/innovation-und-umwelt/info/innonachrichten>. This Newsletter will allow readers to receive the latest developments and tender invitations on national, EU and international level, as well as IP-related news.

Additionally, DIHK provides consulting in the following areas: latest technology; situation concerning industrial property rights; government funding; the market; contacts with external experts in the academic and business communities; and, in-house technology exchange. Finally, DIHK is engaged in the German Anti-Counterfeiting Association (APM). The Association works as an information platform for its members, as an advisor for politics and as a partner in public relations work, for example by offering information to prevent consumers from buying counterfeits. The association comments on the public consultations of the European Commission, for example on the revisions of customs legislation, e-Commerce or the Enforcement-Directive.

Hamburg Chamber of Commerce, Innovation and Patent Centre (IPC)

- Providing consultancy services
- Advocating policy

www.hk24.de/

The Innovation and Patent Centre (IPC) of the Hamburg Chamber of Commerce is part of a nationwide network of Patent Information Centres, which provide information on patents. IPC was established to assist companies in exploring patent information and establishing efficient IP-management. IPC is a department within the Chamber as well as a part of the chambers consulting company (Handelskammer Hamburg Service GmbH), which provides one of the most complete and comprehensive offerings of IP services carried out by a chamber of commerce. Every year, the IPC provides information on IP to 3,000 individual clients, and provides telephone consultancy to a further 12,000 people. It has also a reading room, which is available for personal research using the databases, under the expert guidance of the IPC staff.

The services provided by IPC cover nearly the whole patent management process starting with answering preliminary questions and providing general information; organizing events; delivering patent documents; and acting as a receiving office for patent, trademarks and design applications for the German Patent and Trademark Office. These services are mostly free of charge. IPC offers several customized services, through the consultancy company, such as: searches of the state of the art, legal status monitoring, evaluation of inventions (whether a patent filing is reasonable or not), technology and competitor monitoring, patent statistical analyses, external exploitation of patents (e.g. identifying potential licensees or licensors) and evaluation of the customer's patent portfolio. These services are provided for a fee that can range from one hundred euros to several thousand.

IPC has also developed the following patent management tools:

- *Trend Monitoring Tool*, which analyses, once a month, all patent applications published by the German Patent and Trademark Office and the European Patent Office. It shows the trends in patenting to help companies find out about technological and market trends in their business environment. With this information, companies can identify which are the most interesting and dynamic technological fields in Germany and in the world. It can be customized to the needs of the customers.
- *Innovation Management-Tools*, which is an auto evaluation tool to help enterprises to enhance their innovation management. It gives companies courses of action to exploit their innovation management. <http://www.hamburger-innovationsaudit.de>
- *Patent Portfolio Management-Tool* developed by IPC is SME tailor-designed to analyse the patent portfolio of a company. The tool gives an easy-to-understand overview of the patents and generic strategies for each individual patent, with the aim to optimize the profit of the company. For instance, patents with no value for the company but high value for the market should be licensed out whereas patents with low value for the company and low value for the market should be abandoned. Other benefits of this service include: optimization of the patent application strategy; identification of gaps in the protection for key products and potential opportunities for licensing; and, generation of cash-flow through the patent portfolio. (For more information see: Gudrun Littmann-Hilmer and Michael Kuckartz, "SME tailor-designed patent portfolio analysis", *World Patent Information* 31 (2009) 273-277).
- *Technology Transfer Database*, called TechSearch, where enterprises and universities inform other users about their knowledge, interest in transfer of know-how, projects, cooperation wishes and equipment needs. <http://www.hk24.de/technologie>

The Hamburg Chamber of Commerce develops strategic proposals for political institutions based on information that is gathered on technological trends and tendencies. Likewise, the Chamber offers and provides consultancy services to analyse member company's patent portfolios. The service not only identifies the patent portfolio but also develops patent management strategies for companies, which allows companies to exploit their patents' maximum potential and make comparisons vis-à-vis market competitors. The Chamber encourages patent exploitation by directly assisting in the transfer of patent-protected technologies and accepts commissions to search for suitable co-operation partners, who can either be companies looking to acquire external know-how under license or patent-holders looking to license their inventions.

Germany

ICC Deutschland

- Raising awareness
- Advocating policy

[http:// www.icc-deutschland.de](http://www.icc-deutschland.de)

ICC Germany is a connecting link between ICC International Secretariat's BASCAP initiative and national stakeholders, such as chambers of commerce. Along with its members, the Federation of German Industries (BDI), the German Brands Association and the Association of the German Chambers of Industry and Commerce (DIHK), ICC Germany runs an internet portal on IP issues named 'bascap.de', which integrates existing legislative initiatives and enforcement activities as well as contact points in Germany. This portal offers SMEs target group-specific assistance and information, and also presents latest news and upcoming events on topics related to IP.

ICC Germany carries out several awareness raising activities, such as promoting its national BASCAP portal and the protection of IP by distributing flyers via Messe Frankfurt and presenting the BASCAP initiative at national anti-piracy conferences. ICC Germany, together with the German representatives of BASCAP's member companies, advocates for IPRs on the national level.

Hungary

Hungary Chamber of Commerce and Industry, Industrial Law Protection Info Points

- Providing consultancy services
- Stimulating and disseminating innovation

<http://www.mkik.hu/>

The Industrial Law Protection Info Points, created by the Hungarian regional chambers of commerce to foster awareness of the IP system and the development of an industrial property culture among SMEs, gives general information about IP through specific advisors, who have been trained by the Hungarian Patent Office (HPO). Information is provided on asset protection according to specific IP law in Hungary, in the EU and abroad. Info Points also provides information on IP resources, IP contracts or IP law infringements. For more complex questions or for specific consultancy, Info Points refers companies to experts from the National IP Office. Info Points has access to the most important IP data bases and delivers all services free of charge by phone, Internet, or in person.

The Hungarian Chamber of Commerce stimulates and disseminates innovation through a variety of programmes. For example, the Hungarian Innovation Grande Prize is organised by the Hungarian Innovation Foundation founded by the Hungarian Innovation Association. The Foundation conducts a competition every year for the awards as follows:

- Hungarian Innovation Grande Prize,
- Environment Protection Prize (offered by the ministry responsible for the environment),
- Industrial Prize (offered by the ministry responsible for the economy and industry),
- Agricultural Prize (offered by the ministry responsible for the agriculture),
- Technological Prize (offered by the National Office for Research and Technology),
- Prize of the National Patent Office, and
- Prize of the Hungarian Chamber of Commerce and Industry.

Finally, the Regional Quality Prize is part of a system of Prizes initiated at European level at this level the European Quality Prize is awarded. The National Quality Prize was established in Hungary in 1996 and the Regional Quality Prize in 2002. The Regional Quality Prize was initiated by the Ministry of Economics and coordinated by the regional chambers of commerce and industry. The Regional Quality Prize is awarded in seven regions (which cover the whole country). The candidate makes a self-evaluation appropriate to the requirements of the European Quality Prize which suits to a uniform criteria system, to reveal the strong and weak points of the company and to determine the areas to be developed, so the whole company is evaluated.

India

Federation of Indian Chambers of Commerce and Industry

- Raising awareness
- Training business
- Advocating policy

<http://www.iprindia.net/>

The IPR Division at the Federation of Indian Chambers of Commerce and Industry (FICCI) is intensively involved in issues pertaining to protection and enforcement of IPRs. It has taken a lead role in raising awareness on IPRs amongst the citizens of India along with various capacity building and training programmes for the industry, judiciary and enforcement agencies. Further, the IPR Division is a platform for continuous interaction between the industry and the Government with a view to provide an interface for the businesses to resolve their various issues pertaining to IPRs. Most importantly, it also provides constructive inputs and feedback to the Government on policy related matters. FICCI also works tirelessly towards sensitizing our judiciary on quality and speedy adjudication of IP matters.

Further, FICCI has established an "Anti-Piracy Coordination Cell." The Cell serves as a platform for all stakeholders – the Government, Industry and the public – to work together and address their concerns. It also assists in evolving a culture where IP is accorded due recognition and protection. The IPR Division of FICCI has also established an Intellectual Property Facilitation Centre (IPFC) in association with Ministry of Micro, Small and Medium Enterprises. The key objective of this Facilitation Centre is to support micro, small and medium enterprises (MSME's) regarding utilization of IP tools and technologies for better management of their IP related needs. On traditional knowledge front, FICCI has constituted a Task Force with an aim to look into all aspects of Indian Traditional Knowledge, scope of protection in the existing legislations, etc. to serve as an input to the Government.

India

Confederation of Indian Industry

- Raising awareness
- Training business
- Providing consultancy services
- Advocating policy

<http://www.cii.in>

CII is a non-government, not-for-profit, industry-led and industry-managed organization, playing a proactive role in India's development process. Founded over 116 years ago, it is India's premier business association, with a direct membership of over 8100 organizations from the private as well as public sectors, including SMEs and MNCs, and an indirect membership of over 90,000 companies from around 400 national and regional sectorial associations.

CII through its National Committee of IP Owners serves the interest of all IP owners in all industries and all fields of technology. It advocates effective and affordable IP ownership rights and provide a wide array of services to members. Specialized IPR Service facilitation includes – IP information services, prior art analysis, IP protection, and counselling and advisory services. It has established the first of its kind IP Facilitation Centre (IPFC) in different parts of the country on public private partnerships mode with the support of Govt. of India & State Government. The IPFCs cater to the requirement of micro and SMEs in different parts of the country. The centre also undertakes specialized intervention for traditional products and process which involves research study, legal support and post IPR handholding for market linkages. The target beneficiaries have been the micro enterprises which are owned by weavers, artisans, craftsman and grassroots' workers in the traditional sectors of India like textile, hand-crafts and agriculture.

CII engages with policymakers, including parliamentarians, ministers and officials to represent industry viewpoint on emerging trends and help shape policies. Conferences and seminars help disseminate member perspectives on key economic and industry issues across a wide spectrum. The focus of CII's capacity building initiatives in India have been in three important areas: catalysing human resource development, facilitate support for IP protection and enforcement and advocate policy reforms which are conducive for Indian industry to do competitive business in India and face competition in the global market. In the last 10 years, it has addressed 350 different service requirements for Indian industry and outreach initiatives included 155 awareness and training programmes covering 10,000 stakeholders across the Country.

Ireland

Chambers Ireland

- Training business
- Stimulating and disseminating innovation

<http://www.chambers.ie/index.php?id=1>

Chambers Ireland directly runs an in-company programme on Innovation Development and Technology Transfer, which takes place over nine months and results in a Diploma in Innovation Development. In addition, the Chambers' Business School provides a range of business development training programmes, in conjunction with regional chambers and local trainers across the country. Chambers Ireland also offers an annual one-day national workshop/seminar on innovation called Extreme Business Makeover, assisting companies in business and innovation development. Finally, Chambers Ireland hosts the High-Tech Community Cluster along with WCN, which provides an IP and Technology Transfer Exchange portal that offers a forum for technology/IP showcase and a secure forum for technology partnerships.

Italy

**Unioncamere
(Italian Union of
Chambers
of Commerce),
DINTEC
(Consortium for
Technology
Innovation)**

- Raising awareness
- Providing consultancy services
- Stimulating and disseminating innovation

<http://www.infobrevetti.camcom.it>

DINTEC²⁹ is a consortium between Unioncamere (Italian Union of the Chambers of Commerce), ENEA (Italian National Agency for New Technology, Energy and the Environment), 27 chambers of commerce and five regional unions of chambers of commerce. Created in 1994, DINTEC designs and implements programmes to diffuse patent information and promote its usage to increase SME competitiveness. In collaboration with the chambers of commerce and its partners, DINTEC performs awareness raising activities; organizes training workshops; designs and implements programmes for the creation of new innovative companies; and identification of technological trends in a particular sector.

DINTEC manages the Innovation Platform website which is an instrument for promoting activities in the field of innovation and technology transfer. It contains information on the IPR services provided by the Italian chambers of commerce network. Through this website a company could subscribe to several IPR services. For example, DINTEC distributes a monthly newsletter, which contains news on global IP issues and events. On the Innovation Platform a company can also subscribe to Patnews, which is an online patent alert service, developed by DINTEC to help SMEs identify and monitor relevant European patents. This service allows entrepreneurs to be constantly informed about the specific technologies in a particular sector or area of interest. To request the service, companies complete a checklist by providing certain amount of minimum information to define the profile and the area of interest. The company then receives initial information on patent applications to the European Patent Office (EPO) from 1 January 2004 to the present. From there, companies continue to receive monthly updates about the patent filed at the EPO. This registration service provided for free.

DINTEC also prepares and publishes brochures and advertisements in local newspapers and online banners to advertise their meetings and events. DINTEC carries out promotional activities to raise awareness about the IP system, particularly in order to encourage the transfer of technology to companies that may be potentially interested in making use of it.

**Regional Union
of the Veneto's
Chambers of
Commerce - Italy
(Unioncamere del
Veneto)**

- Providing consultancy services

<http://www.unioncamere.delveneto.it>

Established in 1965, the Regional Union of the Veneto's Chambers of Commerce brings together and represents the seven Chambers of Commerce, Industry, Crafts and Agriculture of the Veneto region. The Regional Union provides support, promotes and helps internationalizing the regional economy, while coordinating the relationship of the regional bodies and institutions with the Veneto Region.

The Regional Union provides information about the EU legislation, programmes, community funding, calls for tenders, proposals, patents, trademarks, certifications, tax and custom requirements at local level. It also manages the Veneto APRE desk (Agency for the Promotion of European Research) whose task is to promote the participation of Veneto's SMEs in the EU calls in the field of research and technological development. APRE is a non-profit association providing information, training and assistance in research and technological development programmes of the EU, promoting participation in the EU programmes on research, development, technological innovation and work in close collaboration with the Italian Ministry of Education, University and Scientific and Technological Research and the European Commission.

Veneto Innovazione is the regional reference for the Innovation Relay Centre Network and helps SMEs, universities and research centres through the entire technology transfer process: identification, exploitation and licensing of the owned know how, industrial property and innovative technologies. By means of technological audits, Veneto Innovazione supports also SMEs in the identification of their technological needs and then in seeking the best solution.

In Veneto, each Chamber of Commerce has an Office dealing with IPRs protection (patents, design and brands). These offices are branches of the network of the European Patents Offices (EPO) and provide information and assistance in:

²⁹ Based on: IP Tool Kit; DINTEC web page (www.dintec.it); and Best Practices on SMEs Division of WIPO webpage (http://www.wipo.int/sme/en/best_practices/italian_cc.htm).

Italy

Chamber of Commerce of Treviso (Italy) Treviso Tecnologia (TT)

- Providing consultancy services
- Stimulating and disseminating innovation

<http://www.tvtecnologia.it>

<http://www.infomarchi.brevetti.it>

<http://www.tv.camcom.it/docs/Bisogni/di-Marchi-/index.htm>

- Supplying all the necessary information about the steps to the filing patent requests,
- Receiving the requests for the national trademarks and patents for industrial invention,
- Providing information about the registered brand and the requests to register them,
- Promoting the participation of Italian SMEs in the European programmes on research, development and technological innovation, and
- Promoting the registration of patents for the protection of IPRs.

Treviso Tecnologia and Centro Produttività Veneto are the two Special Agencies for the Technological Innovation, established by the Veneto's Chambers of Commerce, Industry, Craft and Agriculture, with the intent to foster an innovation-oriented corporate culture.

The Veneto's Chambers of Commerce, Industry, Craft and Agriculture with their Special Offices and Agencies for Technological Innovation offer seminars, in-depth courses and specialized training courses with the intent to meet the specific requirements of qualification and education of the territory and its productive system.

The main source of information about IPRs for the Veneto's Chambers of Commerce is the Patent Information Centres (PatLib) that are formally recognised by the National Patent Office, which is a member of the EPO. Through PATLIB Centres, users can access patent databases and receive assistance. Database searches can be customized and provide information and documents pertaining to various subjects. In Italy, there are 19 PatLib Centres, 12 of which are run by the local Chamber of Commerce.

Treviso Tecnologia (TT) is the Special Agency for Technological Innovation established in 1989 by the Treviso Chamber of Commerce to foster an innovative culture among companies. Treviso Tecnologia offers services of consulting, technical assistance and training courses. Its aim is to be a facilitator of information, training and development of services for the diffusion of technological innovation in businesses between research institutes, universities, chambers of commerce and public institutions.

Since 1999, Treviso Tecnologia has been a member of the PatLib network to provide support and assistance for companies and individuals in the field of IP. Through this network, TT assists companies with the filing process of trademarks and also provides monitoring and research service of prior art in patents. Moreover, Treviso Tecnologia provides InfoTech Services, which develops activities like technical and technological information; awareness activities; operative backing on IP – patents, trademarks, design rights – and international standardization themes.

The aim of this service is to supply targeted tools and knowledge on technological innovation, patents and trademarks, and on new planning, production and marketing systems for products.

Patent and industrial model area/trademark area:

- Patent researches on specific items, useful for choosing the R&D strategies and necessary against counterfeiting.
- Periodic competitors and technical field monitoring.
- Periodic information service on European or International Patents classified with the IPC of the field of interest.

Trademark search services:

- Searches for similarity on more than 100 national and international (OAMI, WIPO) databases.
- More detailed IP advice on specific SME questions on application proceedings (forms and fees), patent families, legal status, designated contracting states, extension states (patents, trademarks and design). Information and training courses on the strategic use of the patent documentation.

Kuwait

Kuwait Chamber of Commerce & Industry (KCCI)

- Raising awareness
- Stimulating and disseminating innovation
- Advocating policy

<http://www.kuwaitchamber.org.kw/echamber/website/index.jsp>

KCCI conducts surveys, carries out questionnaires, gathers and disseminates information pertaining to IP. KCCI provides regular IP awareness activities, as well as promotes and conducts exhibitions and trade fairs, where IP awareness is emphasized. Through technology showcases, the KCCI actively encourages Kuwaiti inventors and university graduates with creative ideas and innovative technology. KCCI also collaborates with other institutions and NGOs to promote IP assets development, especially among small business and business initiators. In policy advocacy, KCCI is involved in the following activities:

- Proposing new laws and regulations, pertaining to IP;
- Expressing opinions on existing laws and regulations pertaining to IP;
- Expressing opinions on international agreements and conventions on IP which the Government of Kuwait is considering;
- Advisory role to the Government of Kuwait on TRIPS Agreement within WTO/GATT;
- Consultation with the Governmental bodies on many issues pertaining to IP; and
- Active participation in permanent or Adhoc Government committees on IP subjects including enforcement.

Lebanon

Chamber of Commerce, Industry and Agriculture of Beirut and Mount Lebanon (CCIAB)

- Advocating policy

<http://www.ccib.org.lb/Home/index.aspx>

At the onset of its mandate in January 2010, the current Board of Directors of the CCIAB declared in its policy statement the intention to intensify efforts to bring about firmer application of laws protecting IPRs and raise awareness about the inextricable link between the level and extent of IPR protection and the country's ability to attract foreign investments. To confirm the resolve to act forcefully, the committee's name was changed from "IPR Committee" to "Committee on Advanced Technologies, Investment Promotion, and IPR".

The new committee's chairman is Mr. Shakib Shehab, a member of the CCIAB Board of Directors and a renowned entrepreneur in the IT sector in Lebanon and the region. Public policy advocacy remains the committee's central mission. To that end, the committee holds frequent meetings with representatives of the Lebanese Ministry of Economy and Trade (MOET) to undertake concerted action aiming at facilitating and endorsing IPR laws. Meetings with Lebanon's high-tech crime unit are also frequent and emphasize the need to rigorously detect and sanction IPR law infringements. The committee actively participates in all local events and most regional events pertaining to IPR. It also holds regular meetings and seminars with CCIAB member enterprises with the twin aim of exploring means of curtailing piracy and raising awareness about the benefits of protecting IP as a prime business asset in certain sectors of activity.

Through its monitoring of the creative economy in Lebanon, the Centre for Economic Research (CER) at the CCIAB contributes to supporting the Chamber's role in public policy advocacy. Lebanon's creative sectors contribute some 4.8 per cent to the country's Gross Domestic Product and stand to benefit most from a legal, regulatory and enforcement framework that safeguards and protects IPR. The CER also provides information about IPR laws and prevailing enforcement practices, and offers guidance to business enterprises relating to patent registration in Lebanon and EU countries.

The Arbitration Centre at the CCIAB has a roster of practiced arbitrators specialized in IPR legal matters and can, therefore, contribute to conflict resolution in that context.

Mongolia

Mongolian National Chamber of Commerce and Industry

- Setting up an IP unit
- Training business
- Providing consultancy services
- Stimulating and disseminating innovation
- Advocating policy

<http://www.mongolchamber.mn>

Currently, the Chamber publishes a guide entitled “Secrets of Intellectual Property” translated from WIPO publications to raise awareness among business developers. The use of the Chamber mailing list members@mongolchamber.mn includes e-mails of 500 members, all 90 staff of the Chamber and all staff of local chambers to contact members closely.

MNCCI trains businesses through its Training Centre, which provides a one-year MBA course for businessmen and potential business developers. The course includes a subject about IP issues, patent, trademark, industrial design, utility models and GI as well as franchising.

Moreover, MNCCI delegation participated in Asian regional meeting and delivered a presentation on using IP PANORAMA™ for capacity building of SMEs for IP management jointly by WIPO, KIPO and KIPA in Jeju Island in Republic of Korea in December, 2007. Following this seminar, WIPO and Korean IP Office assisted MNCCI to develop a course on IP for Business using the IP PANORAMA™ multimedia toolkit. Over 50 business operators participated in a national seminar on using IP PANORAMA™ organized in cooperation with WIPO, KIPO and MNCCI on Building capacity of SMEs for strategic IP Management on March 13-14, 2008 in Ulaanbaatar. During the seminar WIPO, KIPO and MNCCI signed a Memorandum of Understanding on establishing an “IP for Business” course using the IP PANORAMA™ multimedia toolkit. MNCCI has entered into a licensing agreement with KIPO on IP PANORAMA™, which will be translated into Mongolian, made available to the public online, and reproduced and distributed within Mongolia.

MNCCI's Patent, Trademark and Geographical Indication Division³⁰ was nominated the first IP agent in Mongolia in 1970 by Patent and Trademark Bureau. Through the Bureau the Chamber carries out national registration, renewal and prosecution of trademarks, patent, industrial designs, utility models and geographical indications of domestic manufacturers, and has also applied for an international trademark registration. Member companies have 30% discount for IP registration and protection. The Bureau also provides its domestic and foreign customers with legal advice, which is free for members, The Chamber also has a Franchising Council which aim is to promote the development of franchising activities and a Geographical Indication National Centre, which has been established to provide legal advice related to GI practical matters according to the related laws and regulations, to highlight the importance and recognition of GI protection to Mongolian local producers, to introduce activities of internationally accredited certification organizations in terms of quality control of GI products and to support the export potential products within the framework of GI. <http://www.gi-mongolia.co>

Finally, MNCCI organizes “Best 99 products” contest every two years. MGQ – Mongolian Grand Quality – is granted to 99 selected companies, who are then allowed usage of MGQ logo. In cooperation with IPOM, the Mongolian Chamber's “Best brand of the Year” award ceremony focuses on promoting private sector's use of trademarks in the domestic market to increase the brand recognition.

With regards to enforcement and protection of IPRs, MNCCI has established a Cooperation Agreement with the Swiss Agency for Development and Cooperation and Shanghai Intellectual Property Administration.

³⁰ Based on: IP Tool Kit, and webpage of Mongolia National Chamber of Commerce and Industry, www.mongolchamber.mn

Russia

Chamber of Commerce & Industry of Pushkin and Pavlovsk

- Providing consultancy services

<http://www.pushkin-town.net>

The Chamber assists in the registration of trademarks and inventions, the drawing up and registration of license contracts, and patent searches in Russia and abroad. Specifically, the Chamber prepares license and sale offers of high technology products abroad as well as prepares offers for accommodation in an international bank of licensed technologies. Additionally, the Chamber will perform searches for potential buyers abroad on the patent licenses or high technology products and manage all correspondence with the foreign intermediaries and buyers. For the domestic market, the Chamber will prepare licensing agreements, offer consulting advice connected to non-material asset taxation and book-keeping, and assist in developing trademarks and company names.

Spain

Barcelona Chamber of Commerce, Kimbcn Foundation

- Providing consultancy services

<http://www.cambrabcn.org>

The Knowledge Innovation Market (KIM), created by the Barcelona Chamber of Commerce, is constituted at present by five members from Barcelona Chamber of Commerce and Leitat Technological Centre. KIMBcn is a private foundation, created to add technological value to companies and institutions by offering global solutions to the technology innovation needs, from the research and development to the commercialization and protection phases. The mission of KIMBcn is to contribute towards improving the competitiveness and technological progress of companies through providing specialized innovation services and the delivery of technology transfer projects driven by focused market intelligence.

KIMBcn responds to its members' global competition needs by endorsing the approach to promote technology transfer through attracting investors in the early stages of the innovation process. KIM provides four stages of service

- Technology evaluation: technology assessment, identification of emerging technologies, and market studies and IP protection analysis.
- Technology Development: commercial feasibility studies, exploring financial options, and technology prototyping.
- Third phase: proof of concept activities, identification of partners and collaborators, and IP protection.
- Technology commercialization: IP licensing, commercialization strategies, and distribution.

KIMBcn aims to develop and embed an innovative culture, one that seeks to exploit new technologies, protect IP appropriately, and fully engage right across the technology transfer spectrum. KIMBcn organizes seminars that offer the opportunity to learn about the latest trends in the field of innovation as well as institutional policies, such as the European Commission, and other initiatives related to this sector. KIMBcn offers a wide range of services based on a rigorous and personalized treatment oriented to results, with the aim of implementing and diagnosing strategies for the valuation of technologies. The service offered is in line with the maturity stage of the valued technology. KIMBcn also provides the "ComerTech" service, which defines and establishes a commercialization strategy for a new technology. This service includes a business plan, possible partners and all potentially required elements to market the innovation.

The KIMBcn team is multidisciplinary with a wide range of relevant expertise that covers technological innovation; IP management and protection; business management; and natural sciences and engineering. Through its broad expertise base, KIMBcn is able to offer a full response to meet the global needs of companies.

Spain

Chamber of Commerce, Industry and Navigation of Cantabria

- Raising awareness
- Providing consultancy services
- Stimulating and disseminating innovation

<http://www.camaracantabria.com/>

Located in the Santander region of Spain, the Cantabria Chamber of Commerce has developed numerous services to stimulate and disseminate the research, development and innovation of regional enterprises and large industries. These support services were reinforced in 2000 with the creation of the Innovation Area, which functions as one of the most important single points of service at a regional level.

The Chamber of Commerce has promoted its IPR services by distributing an information brochure to the various different regional companies. The most important aspects of the services are explained along with the contact details of the person in charge of each service in the Chamber. The Chamber of Commerce gives local companies the opportunity to promote IPR results using the structure of the Enterprise Europe Network, and previously through the Innovation Relay Centre. These European projects have offered different promotion activities and services to companies, especially those companies unable to conduct research and development on their own.

The Industry, Innovation and Environment department within the Cantabria Chamber of Commerce stresses the importance of IPR as a key tool to promote innovation activities and improve productivity at the international level by offering a free IPR assessment service to regional companies and entrepreneurs, especially SMEs, to increase competitiveness in the international context. This service gives an in-depth analysis in both national and international contexts concerning different areas of IPR: patents, trademarks, designs and geographical indications. This service is free and provides users with the opportunity to clarify questions concerning the possibility of implementing an IPR strategy, the documentation and procedures to register patents, trademarks, etc. Likewise, the service offers examples and real cases in relation to IPR models and their implementation into business activities.

The Chamber of Commerce develops and promotes different training activities about IPR aspects both at national and international levels. These training activities disseminate different IPR aspects in collaboration with the Spanish National Patent Office and IPR Helpdesk. The Chamber promotes the activities developed by the National Patent Office as well as the IPR Helpdesk project of the EU.

Technology watch services developed by the Chamber of Commerce stress the importance of innovation. The Chamber offers information about different studies, technologies, news and documents in relation with the state of the art of different industrial areas. The chamber specifically developed the technology watch service called ECOINNOVATION, which gives companies the opportunity to research different technologies as a necessary step in developing an IPR strategy.

The Chamber also supports technology transfer activities by participating in international technology transfer events and collaborating with other European organizations to promote regional IPR results. Moreover, the Foreign Commerce Service of the Chamber offers varied commercial missions that can be useful in managing commercial and technological cooperation activities with other European countries. Through the Enterprise Europe Network, the Chamber request information on all technological offers and requests. Such activities have been developed due to the synergies created between the Foreign Commerce Service and the EEN. Finally, the Chamber offers numerous technological visits to regional companies, and as a part of the reports produced from such visits, offers the opportunity to provide thorough explanations about relevant IPR and practical advice to further develop an IPR strategy.

Switzerland

ICC Switzerland

- Training business
- Providing consultancy services
- Advocating policy

<http://www.icc-switzerland.ch>

ICC Switzerland contributes to national and international changes in IP legislation through “economiesuisse”, which can be found online at <http://www.economiesuisse.ch>. Through a public-private partnership, ICC Switzerland has developed “Stop Piracy” (Schweizer Plattform gegen Fälschungen und Piraterie - Swiss Anti-Counterfeiting and Piracy platform) which offers seminars aimed at raising awareness in regard to counterfeiting with national advertisement campaign, educational seminars and close collaboration with Swiss embassies abroad. Information to members about important legislative changes is provided through an electronic newsletter and in ad-hoc publications on proposed or pending legislative changes.

Ukraine

Ukrainian Chamber of Commerce and Industry

- Training business
- Providing consultancy services
- Advocating policy

<http://www.ucci.org.ua>

The Ukrainian Chamber of Commerce offers seminars and workshops on IP matters that include the following: Trade Mark - the Image of Your Business, Industrial Standards and their Implementation, Trade Secrets, Know-How, Innovations, Trademarks of Goods and Services: Practical Problems of their Protection, and Legal Regulation of Incorporeal Rights. The Chamber provides legal support and consultation in the following: preparation of license and IP contracts; legal defence of violated patent and copyrights in the court; assistance in registering trademarks; patenting inventions, utility models, industrial designs, software and data bases; and, evaluation of intangible assets, including IPRs.

The Chamber launched the Anti-Counterfeiting Programme (ACP). Ukrainian Bureau of Inspections of UCCI (UBI UCCI), formed in 2000 as UCCI sub-division, is authorized body, appointed to implement this mission. UBI is well adjusted to demands of this rapidly growing area of concern by cooperating with national police, customs, Government and various international institutions. UBI has solid and effective intelligence network with investigation offices located in every major city, in all Ukrainian international seaports, international container with, with access to most sensitive data sources. Moreover, UBI possesses contacts to a number of regional laboratories accredited for these specific purposes. The UBI team consists of well-trained and experienced investigators, chemists, engineers, lawyers, customs brokers and IPR consultants. To ensure unilateral actions with world-wide participants of ACP initiatives, the specific tasks underlined by Counterfeiting Intelligence Bureau of International Chamber of Commerce (CIB CCI) were brought to the focus. These are: to collect and evaluate intelligence; to investigate sources and distribution of fake products; to provide expert advice and training; evidence supply to enable police legal actions, including arrests and counterfeit products seizure; to strengthen and bring consistency to existing laws in the area of IP.

United Arab Emirates

Dubai Chamber of Commerce

- Advocating policy

<http://www.dubaichamber.com/>

The Dubai Chamber of Commerce & Industry proactively advocates policy-making to the Government and public organizations by formulating and presenting proposals to establish new and amend existing legislations. Through open communication channels with members and representatives of business groups and business councils, the Chamber allows members to share their policy concerns, participate in existing policy reviews, and provide input on various laws affecting businesses including IP related policies.

The Dubai Chamber provides IP related information to the business community and replies to the legal queries. The Chamber also conducts seminars, roundtables and workshops on regular basis on various topics including: Trademark Strategies, Establishing, Protecting and Licensing Brands, IP Management, Copyright, Consumer Protection against Counterfeiting and Madrid System for International Registration of Trademarks. Most of the events are held on the World Intellectual Property Day as part of the Dubai Chamber's commitment and continued support for IP.

The Dubai Chamber offers ADR services to resolve commercial disputes including IP and infringement based disputes. Mediation is a fast and cost effective alternate to litigation. It provides the disputing parties with an opportunity to come up with creative and practical solutions to settle disputes while preserving business relationships.

United Kingdom

Intellectual Assets Centre, Scotland

- Providing consultancy services

<http://www.ia-centre.org.uk>

Intellectual Assets Centre (IA Centre)³¹, based in Glasgow and supported by the Scottish Government, offers different online tools in order to help companies realize their potential through managing their IP assets. The IA Register facilitates the identification of IP assets, and can be used as a checklist to generate ideas of what types of IP assets the company may own. The IA Audit helps companies identify, audit and appraise the IP assets contained within their business. The information can be used as an appendix to the business plan as a tool to review companies' actions to safeguard or exploit its IP assets. The IA Questionnaire is designed to clarify how the company has evolved over time, with core competencies and markets changing, hence the development of IP assets over time. This tool does not require any specialist knowledge to complete it, but it will have most benefit if it is reviewed with an IP asset adviser. Finally, the IA Benchmarking Tool is a simple web-based tool to be completed in 20 minutes. The tool requires online registration and provides online assistance. The result is a record of IP asset ownership, which shows the importance of each asset to the overall value of the company and helps it to prioritize areas of action. This tool can also be used as an internal benchmarking tool by tracking the company scores over time and as an instrument to compare the company to others in similar industries/of similar sizes.

United States

United States Council for International Business (USCIB)

- Advocating policy

<http://www.uscib.org>

USCIB promotes open markets, competitiveness and innovation, sustainable development and corporate responsibility, supported by international engagement and prudent regulation. Its members include top U.S.-based global companies and professional services firms from every sector of the U.S. economy, with operations in every region of the world. With a unique global network encompassing the ICC, the International Organization of Employers (IOE), and the Business and Industry Advisory Committee to the OECD (BIAC), USCIB provides U.S. business views to policy makers and regulatory authorities worldwide, and works to facilitate international trade and investment.

USCIB addresses a wide range of policy and regulatory issues through 26 full committees and a multitude of task forces. The USCIB Intellectual Property Committee has been active in the promotion and improvement of IPR protection and enforcement worldwide. USCIB has long-recognized that IP protection is one of the central public policy pillars for the rapidly changing knowledge-based 21st century economy, spurring innovation, stimulating investments in innovation, and disseminating technology and knowledge in socially beneficial ways. Thus, the USCIB Intellectual Property Committee provides a forum for achieving a U.S. business consensus on key international policy objectives in IP protection so that this position can then be taken to its affiliates and other international institutions across the globe as the unified vision of U.S. industry on these crucial and timely matters.

³¹ No Chamber is known to currently provide this type of service. However, due to the importance of such a service, the experience of the Intellectual Assets Centre, a public provider in Scotland, has been analyzed. All information is based on the IA Centre webpage www.ia-centre.org.uk.

Uruguay

National Chamber of Commerce and Services of Uruguay

- Setting up an IP unit
- Training business
- Providing consultancy services
- Stimulating and disseminating innovation
- Advocating policy

<http://www.cnccs.com.uy/>

The National Chamber of Commerce and Services of Uruguay set up a Centre to Promote IP which provides general advice in the IP management. The Centre gives general information about IP such as what assets can be protected, in which forms, and IP law infringements. It also acts as an intermediary between companies and innovators and the institutions and stakeholders that are related to the subject, with the objective of providing a comprehensive solution for members.

The Chamber conducts awareness raising activities through presentations in different universities, and in particular through the International Business School; a special section in its website and newsletter; seminars and workshops in different fields; and through supporting the Superbrands initiative. With the support of WIPO and a private company, the Centre printed a guide about “IP and Companies”, which is distributed in all seminars and workshops. Most of the activities that the Chamber has conducted were carried out thanks to the collaboration with other specialist institutions on the subject. Additionally, the Chamber conducts presentations in different universities to spread the message among future professionals, in particular in the faculties of designers, engineers, and communications.

For training businesses, the National Chamber of Commerce of Uruguay and the local IP office collaborated with the SMEs Division of WIPO to conduct a one week, 18 hour intensive course entitled, “Workshop on Intellectual Property and the Small and Medium Enterprises (SMEs)”. The Chamber has held different workshops and seminar with WIPO, WTO, the IP office, the Council of Copy Rights and different IP Agents. The Chamber also presents the best practices experiences of companies in specific seminars.

The Chamber has introduced IP in the courses of its Business School and in the Chamber’s course on Entrepreneurship in the School of Sciences (University of the Republic of Uruguay). The Chamber has been the first to create a “Diploma in IP and Management of Intangible Assets”. The Centre also promotes franchising by doing different workshops, seminars and consulting activities and also has introduced the subject in the formal courses of the chamber’s International Business School.

Finally, the Chamber offers the National Award of Services Exporters, where innovation is present among the criteria of qualification. In this award there is a special mention for the most original service exporter. The Chamber also takes part in the Board of the Innovation and Research National Agency, which has different national programmes to support and finance innovators. At the national level, the Centre is a member in the National Commission to Fight Against Counterfeiting and Piracy, which makes awareness and enforcement activities with the police, judges and custom. It offers business matchmaking and marketplaces, but not specifically in the area of IP. The Chamber also refers companies to the institutions that can provide financial support to develop innovation projects.

Intellectual property resources by topic (non-comprehensive list)

General points for managing IP

- Module One of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- An Introduction to WIPO
http://www.wipo.int/edocs/mdocs/sme/en/wipo_smes_dub_10/wipo_smes_dub_10_ref_theme01_02.ppt
- WIPO and its Programme for SMEs
http://www.wipo.int/edocs/mdocs/sme/en/wipo_smes_dub_10/wipo_smes_dub_10_ref_theme01_03.ppt
- IP Management for Enhancing the Competitiveness of SMEs and Other Creative Communities
http://www.wipo.int/edocs/mdocs/sme/en/wipo_smes_dub_10/wipo_smes_dub_10_ref_theme1_4.ppt
- WIPO SMEs Brochure
<http://www.wipo.int/export/sites/www/sme/en/documents/pdf/brochure.pdf>
- Corresponding PowerPoints on the above topics are available at:
http://www.wipo.int/meetings/en/details.jsp?meeting_id=22222
- “The Management of Intellectual Property Rights by Small and Medium Sized Enterprises” (see WIPO/ACAD/E/93/12 available in Adobe PDF format)
- “The Role of Intellectual Property Rights in the Promotion of Competitiveness and Development of Enterprises” (see WIPO/IPR/MCT/99/5.A available in Adobe PDF format)
- “Corporate Strategies for Managing, Exploiting and Enforcing Intellectual Property Rights” (see WIPO/IP/PK/98/7 available in Adobe PDF format)
- Find national and regional IP offices
<http://www.wipo.int/directory/en/>
- ICC Commission on Intellectual Property
<http://www.iccwbo.org/policy/ip/id3060/index.html>
- IP Toolkit for Chambers
<http://www.iccwbo.org/policy/ip/toolkit/id17122/index.html>

Copyright

- Module Five of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- “Creative Expression – An Introduction to Copyright for Small and Medium-Sized Enterprises”
<http://www.wipo.int/sme/en/documents/guides/>
- Copyright Protection: Reaping the Benefits of Literary or Artistic Creation
http://www.wipo.int/sme/en/documents/wipo_magazine/01_2003.pdf
- IP in the Fashion Industry
http://www.wipo.int/sme/en/documents/wipo_magazine/5_2005.pdf
- Using Photographs of Copyrighted Works and Trademarks
http://www.wipo.int/sme/en/documents/wipo_magazine/3_2006.pdf
- Legal Pitfalls of Taking and Using Photographs of Copyright Material, Trademarks and People
http://www.wipo.int/export/sites/www/sme/en/documents/pdf/ip_photography.pdf
- What to do if you are Accused of Copyright Infringement
http://www.wipo.int/sme/en/documents/copyright_infringement.htm

Patents

- Module Three of IP PANORAMA <http://www.wipo.int/sme/en/multimedia/>
- “Inventing the Future – An Introduction to Patents for Small and Medium-Sized Enterprises”
<http://www.wipo.int/sme/en/documents/guides/>
- Quality Patents: Claiming What Counts
http://www.wipo.int/sme/en/documents/wipo_magazine/1_2006.pdf
- Managing Patent Costs: An Overview
http://www.wipo.int/sme/en/documents/managing_patent_costs.htm
- Patentscope: WIPO’s Gateway to Patent Services which includes resources (some resources are freely available to all business membership organizations in least-developed countries and at a low cost for certain developing countries) including Access to Research for Development and Innovation (aRDI), Access to Specialized Patent Information (ASPI), and the availability of Technology and Innovation Support Centres (TISCs)
<http://www.wipo.int/patentscope/en/programs/>
- Module Six of IP PANORAMA <http://www.wipo.int/sme/en/multimedia/>
- Connecting Strategy and Competitive Intelligence: Refocusing Intelligence to Produce Critical Strategy Inputs
http://osint.pbworks.com/f/Fahey_2007.pdf
- IPRs Information Serving Innovation
http://www.wipo.int/export/sites/www/sme/en/documents/pdf/ip_info_serv_innov.pdf
- Patents in Technical Standards http://www.wipo.int/sme/en/documents/wipo_magazine/11_2005.pdf
- Prior Art Searches: A Must for Innovative SMEs
http://www.wipo.int/sme/en/documents/prior_art.html
- Going Beyond the Prior Art Search http://www.wipo.int/sme/en/documents/beyond_prior_art.htm

Trademarks, collective marks, certification marks, and geographical indications

- Module Two of IP PANORAMA <http://www.wipo.int/sme/en/multimedia/>
- “Making a Mark – An Introduction to Trademarks for Small and Medium-Sized Enterprises”
<http://www.wipo.int/sme/en/documents/guides/>
- The Role of Trademarks in Marketing
http://www.wipo.int/sme/en/documents/wipo_magazine/02_2002.pdf
- Trademark Usage: Getting the Basics Right
http://www.wipo.int/sme/en/documents/wipo_magazine/3_2004.pdf
- The Synergy of Trademarks and Marketing
http://www.wipo.int/sme/en/documents/wipo_magazine/5_2006.pdf
- So What are the Do’s & Dont’s for Choosing a Brand?
http://www.wipo.int/sme/en/documents/brand_choosing.htm
- Independent Existence or Coexistence of Identical or Similar Trademarks
http://www.wipo.int/sme/en/documents/trademarks_identical.htm
- The Value of Collective and Certification Marks for Small Players
http://www.wipo.int/sme/en/documents/wipo_magazine/09_2002.pdf
- Using Collective Marks for the Protection of Traditional Products
http://www.wipo.int/sme/en/documents/collective_mark.htm
- Role of Intellectual Property in Enhancing the Competitiveness of the Tourism Industry
http://www.wipo.int/sme/en/documents/tourism_ip.html
- Adding Value to Traditional Products of Regional Origin - A Guide to Creating a Quality Consortium (2010)
http://www.unido.org/fileadmin/user_media/Publications/Pub_free/Adding_value_to_traditional_products_of_regional_origin.pdf
- Linking People, Places and Products - A Guide for Promoting Quality Linked to Geographical Origin and Sustainable Geographical Indications (2009)
<http://www.foodquality-origin.org/guide/guide.pdf>

Designs

- Module Two of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- “Looking Good – An Introduction to Industrial Designs for Small and Medium-Sized Enterprises
<http://www.wipo.int/sme/en/documents/guides/>
- The Power of Design for Marketing Success
http://www.wipo.int/sme/en/documents/wipo_magazine/03_2002.pdf

Trade secrets

- Trade Secrets Module Four of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- “In Confidence” will be available soon at
<http://www.wipo.int/sme/en/documents/guides/>
- Trade Secrets are Gold Nuggets : Protect Them
http://www.wipo.int/sme/en/documents/wipo_magazine/04_2002.pdf
- Trade Secrets: Policy Framework and Best Practices
http://www.wipo.int/sme/en/documents/wipo_magazine/05_2002.pdf
- Disclosing Confidential Information
http://www.wipo.int/sme/en/documents/disclosing_inf.htm
- What an Employee Needs to Know About Trade Secrets
http://www.wipo.int/sme/en/documents/employees_confidentiality.htm
- ICC Model Confidentiality agreement
<http://www.iccbooks.com>

Online issues

- Module Eight of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- Business Success, Copyright and the Digital Environment
http://www.wipo.int/sme/en/documents/wipo_magazine/03_2003.pdf
- IP and E-Commerce: How to Take Care of Your Business Website
http://www.wipo.int/sme/en/documents/pdf/business_website.pdf

International aspects and trade

- Module Nine of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- SMEs or Micromultinationals? Leveraging the Madrid System for International Branding
http://www.wipo.int/sme/en/documents/madrid_system_branding.htm
- The Outsourcing Offshore Conundrum: An IP Perspective
<http://www.wipo.int/export/sites/www/sme/en/documents/pdf/outsourcing.pdf>
- International Trade in Technology – Licensing of Know-How and Trade Secrets
http://www.wipo.int/export/sites/www/sme/en/documents/pdf/trade_technology.pdf
- Parallel Imports and International Trade
http://www.wipo.int/edocs/mdocs/sme/en/atrip_gva_99/atrip_gva_99_6.pdf
- International Trade Centre
<http://www.intracen.org/>
- World Chambers Network: country trade and business information
<http://www.worldchambers.com>

- Organization of American States: country information for exporters dealing with Latin or North American countries in the SICE database under “Trade and Integration.”
<http://www.oas.org/>
- SBA’s 6 Steps to Begin Exporting is particularly for American companies
<http://www.sba.gov/content/6-steps-begin-exporting>
- ICC model contracts
 - International Transfer Of Technology Contract
 - Model Distributorship Contract
 - Model Selective Distributorship Contract
<http://www.iccbooks.com>

Enforcement and dispute resolution

- ICC BASCAP website <http://www.iccwbo.org/bascap/id1127/index.html>
- ICC “IP Guidelines for Business” – These guidelines, available in several languages, provides information to businesses on practical steps they can take to protect their own creativity and innovation in IP-based products and services, as well as to protect against the risk of using counterfeit materials or infringing other companies’ IP rights.
<http://www.iccwbo.org/bascap/index.html?id=24276>
- ICC BASCAP studies on the economic impact of piracy and counterfeiting
<http://www.iccwbo.org/bascap/id1127/index.html>
- ICC Dispute Resolution Services - provides rules and services for arbitration as well as amicable dispute resolution, including mediation, which can be used for IP-related disputes -
<http://www.iccwbo.org/court/>.
- “We Must Talk Because We Can: Mediating International Intellectual Property Disputes”
<http://www.iccbooks.com/Product/ProductInfo.aspx?id=491>
- ICC publications and training on dispute resolution -
<http://www.iccbooks.com> and <http://www.iccwbo.org/events/id34191/index.html>
- WIPO’s Online Resource to Resolving Disputes
http://www.wipo.int/sme/en/ip_business/ip_dispute/dispute_resolution.htm
- “The Role of The Government Authorities in the Enforcement of Intellectual Property Rights”
http://www.wipo.int/edocs/mdocs/sme/en/wipo_ipr_ju_bey_99/wipo_ipr_ju_bey_99_5b.pdf
- InnovAccess Enforcement Best Practices
http://www.innovaccess.eu/enforcement_best_practices.html

Licensing

- Modules Seven and Twelve of IP PANORAMA <http://www.wipo.int/sme/en/multimedia/>
- Exchanging Value - Negotiating Technology Licensing Agreements - A Training Manual
http://www.wipo.int/export/sites/www/sme/en/documents/pdf/technology_licensing.pdf
- Successful Technology Licensing
http://www.wipo.int/ip-development/en/strategies/pdf/publication_903.pdf
- Franchising & Licensing - What are they? and how can you benefit from them?
<http://www.wipo.int/sme/en/documents/franchising.htm>
- IP Licensing: Reaping the Benefits
http://www.wipo.int/sme/en/documents/wipo_magazine/06_2003.pdf
- Savvy Marketing: Merchandising of IPRs
<http://www.wipo.int/sme/en/documents/merchandising.htm>
- Role of the IP System in Developing and Marketing of New Products
<http://www.wipo.int/sme/en/documents/pdf/lifecycle.pdf>
- ICC Model International Trademark Licence <http://www.iccbooks.com>

Franchising

- Starting a New Company: Consider Franchising as an Option
http://www.wipo.int/sme/en/documents/wipo_magazine/11_2003.pdf
- ICC Model International Franchising Contract”
<http://www.iccbooks.com>

IP and finance: accounting and valuation of IP assets; IP-based financing

- Module Eleven of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- IP Financing: the Ten Commandments
http://www.wipo.int/wipo_magazine/en/2008/05/article_0002.html
- Managing Patent Costs: An Overview
http://www.wipo.int/sme/en/documents/managing_patent_costs.htm
- IP Reporting
http://www-dev.wipo.int/edocs/mdocs/sme/en/wipo_smes_dub_10/wipo_smes_dub_10_ref_theme15_02.ppt
- ICC IP Roadmap “Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers” section on IP valuation
<http://www.iccwbo.org/policy/ip/id2950/index.html>

Role of IP management in effective government-university/ research institutes-industry relations

- IP Ownership: Avoiding Disputes
http://www.wipo.int/sme/en/documents/wipo_magazine/11_2002.pdf

IP asset management: IP audit and IP due diligence

- Module Ten of IP PANORAMA
<http://www.wipo.int/sme/en/multimedia/>
- IP Audit: A “How To” Guide
http://www.wipo.int/sme/en/documents/ip_audit.htm
- IP Due Diligence Readiness
http://www.wipo.int/sme/en/documents/due_diligence_readiness.html

IP policy issues

- ICC IP Roadmap “Current and Emerging Intellectual Property Issues for Business: a Roadmap for Business and Policy Makers”
<http://www.iccwbo.org/policy/ip/id2950/index.html>
- “Intellectual Property: Powerhouse for Innovation and Economic Growth”:
<http://www.iccwbo.org/policy/ip/id41147/index.html>
- ICC policy papers, reports and information on several international IP issues
<http://www.iccwbo.org/policy/ip/id3060/index.html> (Commission on Intellectual Property) and
<http://www.iccwbo.org/bascap/id1127/index.html> (BASCAP (counterfeiting and piracy))

Intellectual property resources by region (non-comprehensive list)

Africa

- Organisation Africaine de la Propriete Intellectuelle (OAPI)
<http://www.oapi.int/>
- African Regional Intellectual Property Organization
<http://www.aripo.org/>

Americas

- Canadian Intellectual Property Office
<http://cipo.ic.gc.ca/>
- United States of America Department of Commerce, Strategy Targeting Organized Piracy (STOPI)
www.stopfakes.gov

Asia

- Surf IP: <http://www.surfip.gov.sg>
- Indian Technology Information, Forecasting and Assessment Council
<http://www.indianpatents.org.in>
- Guide to IPRs for Industry Machine Tool: Shaping the Future (2005)
http://www.imtma.in/index.php?page=machine_tool_intellectual_guide
- Intellectual Property Office of Singapore <http://www.ipos.gov.sg>
- China Intellectual Property Training Center <http://www.ciptc.org.cn>
- Korean Intellectual Property Office <http://www.kipo.go.kr>
- Korea Women Inventors Association <http://www.inventor.or.kr/>
- Andhra Pradesh Technology Development & Promotion Centre <http://www.aptdc.com>
- Intellectual Property Facilitation Centre for Micro, Small and Medium Enterprises of Punjab
<http://www.pscst.com/en/services/IPFC.htm>

Europe

- European Patent Office
<http://www.epo.org>
- IP United Kingdom
<http://www.ipo.gov.uk/>
- “Your Software and How to Protect it” (European Commission)
ftp://ftp.cordis.lu/pub/innovation-smes/docs/brochure_ipr_software_protection_en.pdf
- China IPR SME Helpdesk, A Project Funded by the European Union
<http://www.china-IPRhelpdesk.eu>
- Intellectual Property Rights Desk, Italian Trade Commission – Seoul Office iprdesk.seoul@ice.it
- Swiss Federal Institute of Intellectual Property www.ipi.ch Includes resources specifically for SMEs:
<https://sme.ipi.ch/en/home.html>
- IPEuropAware: This project provides resource rich websites that can be used by business membership organizations in its development of training programmes for its members.
<http://www.ipeuropaware.eu>
- IPR-Helpdesk:
<http://www.ipr-helpdesk.eu>
- InnovAccess: (includes an IP Toolbox which is available to intermediaries to provide services to members)
<http://www.innovaccess.eu/home.html>

- Ip4inno: Intellectual Property for Innovation provides training and online teaching materials for business support organizations.
<http://www.ip4inno.eu>
- Office for Harmonization in the Internal Market The brochures are available in EN, ES, DE, FR and IT and also include a CD with e-learning Quick Guides about IP, Trade Marks and Designs in the same languages which can be requested by sending an email to Information@oami.europa.eu
<http://oami.europa.eu/ows/rw/pages/index.en.do>
- Enterprise Europe Network
http://www.enterprise-europe-network.ec.europa.eu/index_en.htm
- National Board of Patents and Registration of Finland (NBPR) has a guidebook on IP Issues in Business Operations
<http://palveluverkko.prh.fi/immateriaalityokirja/>

Oceania

- IP Australia
<http://www.ipaustralia.gov.au/index.html>
- Biotechnology Intellectual Property Manual (Biotechnology Australia)
http://www.biotechnology.gov.au/Primary_Producers/IP_Management/IP_Training_Manual/ip_training_manual.asp
- Technology New Zealand – A Practical Guide to R&D Agreements
http://www.nmi.is/files/%7Be5afde1b-a19c-45b7-b555-8a74df52045e%7D_a_guide_to_r%26d_agreements.pdf
- Intellectual Property Manual for the Engineering Team (2009)
<http://www.sprusons.com.au/pdf/IP%20Manual%20for%20Engineering%20Team.pdf>
- Biotechnology Intellectual Property Management Manual (2008)
<http://www.sprusons.com.au/pdf/Biotechnology%20Intellectual%20Property%20Management%20Manual.pdf>
- Guide on IP in Australia's Clothing and Fashion Design Industry (2007)
<http://www.ipfashionrules.gov.au/UserFiles/File/handbook.pdf>
- IP Management: A Practical Guide for Electrical and Electronics Related Industries (2007)
http://www.sprusons.com.au/pdf/IP_Management_Guide_%28lowres%29.pdf
- Biotechnology IP Manual (2001)
http://www.sprusons.com.au/pdf/Biotechnology_IP_Manual.pdf

ABOUT THE INTERNATIONAL CHAMBER OF COMMERCE

ICC is the world business organization, a representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world. ICC was founded in Paris in 1919. Today it groups hundreds of thousands of member companies and associations in over 120 countries.

Business experts drawn from the ICC membership establish the business stance on broad issues of trade and investment policy as well as on a wide range of policy subjects of interest to companies worldwide. National committees convey to their governments the business views formulated by ICC.

The United Nations, the World Trade Organization, the G20 and many other intergovernmental bodies are kept informed of international business views through ICC.

ABOUT THE WORLD CHAMBERS FEDERATION

ICC established the World Chambers Federation (WCF) in 1951 to be the advocate of its chamber of commerce members worldwide. While each chamber represents a group of companies of mostly small- and medium-sized enterprises, WCF strengthens links between these chambers, enabling each to improve performance and discover new products and services to offer their members. WCF promotes and protects the role of the chamber as an essential intermediary between government, businesses and the general public.

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ABOUT WIPO

WIPO is an intergovernmental organization in the United Nations system of organizations. It seeks to ensure that the rights of creators and owners of intellectual property (IP) are protected worldwide and that inventors and authors are recognized and rewarded for their ingenuity.

WIPO's mission is to promote, through international cooperation, the creation, dissemination, use and protection of works of the human spirit for the economic, cultural and social progress for all humanity.

WIPO contributes, among other things, to the strengthening of small- and medium-sized enterprises worldwide by promoting the effective awareness of, access to, and more effective use of tools of the IP system for improving their competitiveness in domestic and export markets. It encourages the integration of the management of IP assets into the business and export strategy of entrepreneurs, SME support institutions, and governments.

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