



# IP needs identified in SMEs and the fit with national policies


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What do SMEs need?

Which IP services do we provide?

What IP services should we provide to meet SME needs?



Supply and Demand of Intellectual Property Rights Services for Small and Medium-sized Enterprises: A Gap Analysis

Working paper

By  
The Danish Patent and Trademark Office  
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IPeuropAware DANISH PATENT AND TRADEMARK OFFICE cip

2008

Desk study on existing supply of services = no knowledge on need for IP support services

Survey among 320 SMEs in 8 countries on their need for IP services



# Support services

Target group: SMEs

Publicly funded or offered by public institutions



# AIDA method

- A (Attention - Awareness): The SME is aware of IP
- I (Interest - Protection): The SME is protecting IP on a more or less regular and systematic basis
- D (Desire - Management): The SME possesses an IP portfolio and is managing its rights
- A (Action) Exploitation: The SME exploits its IP rights



# Main conclusions

SMEs with the lowest awareness on IP have a high need for support services

On the other hand – the largest supply by public actors is exactly targeted to these low-awareness SMEs



SME level	SME survey results	Service gaps identified
A Awareness	<p>☹️ Why, how and when IP</p> <p>☹️ Why and how IA</p>	<p>Need for overview on where to learn more on IP</p> <p>Benefits of IA</p>
I Protection	<p>☹️ Little 3rd party rights awareness</p> <p>☹️ No procedures for confidential info</p> <p>☹️ How to deal with infringements</p> <p>☹️ Protection of IA</p>	<p>How to handle confidential info</p> <p>Benefits of IA</p> <p>3rd party rights and infringement</p>



SME level	SME survey results	Service gaps identified
D Management	<ul style="list-style-type: none"> <li>☺ Clear IP policy</li> <li>☺ Coupling creativity with IP</li> <li>☺ Overview of IA</li> <li>☺ Know what to do when infringed</li> <li>☹ Only ½ focus on IP management</li> </ul>	<ul style="list-style-type: none"> <li>Tool for handling knowledge</li> <li>Benefits of IP management</li> <li>IP rights for the right markets</li> </ul>
A Exploitation	<ul style="list-style-type: none"> <li>☺ IP strategy</li> <li>☺ Take out IP on the right time</li> <li>☺ How to sell or license</li> <li>☹ Monitoring competitor's IP</li> </ul>	<ul style="list-style-type: none"> <li>Elements of an ideal strategy</li> <li>How to use IP database information</li> </ul>

SMEs need to start work more strategically with IP



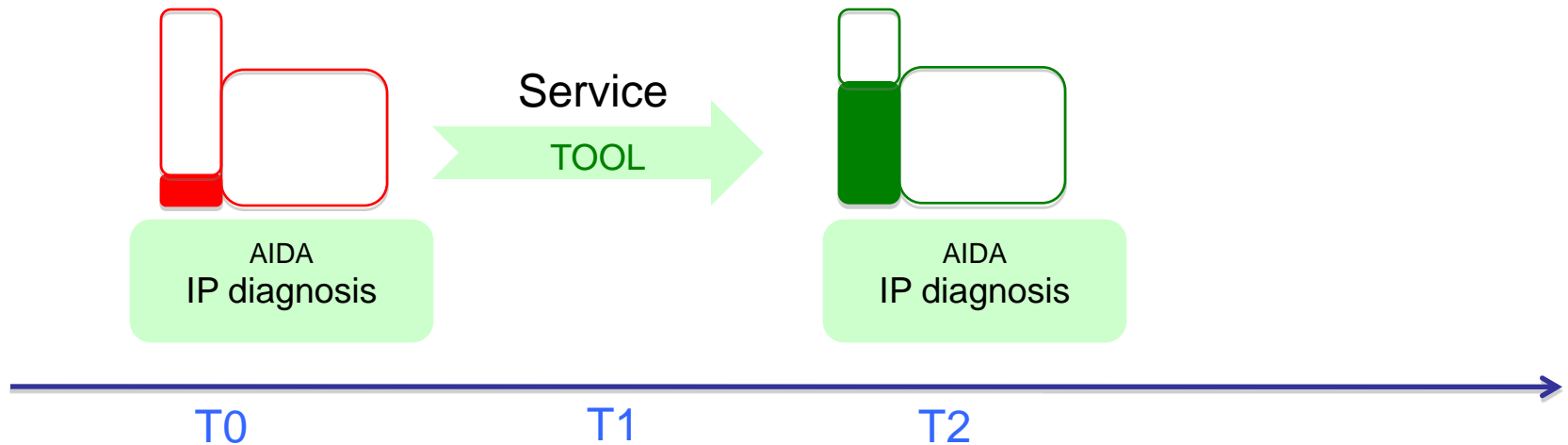
# Thank you for your attention

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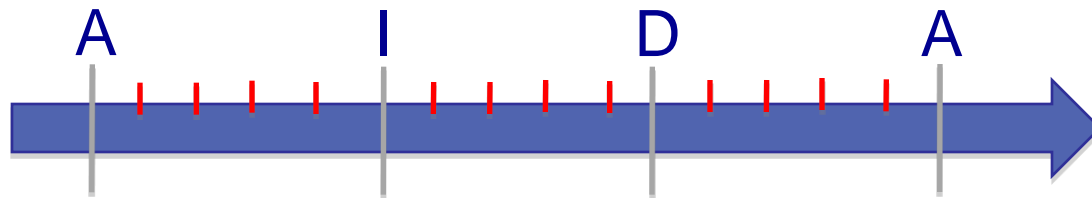


# IPeuropAware pilot actions

- 219 pilot actions (20 countries)



# The AIDA scale



<b>A - Knowledge</b>			
General knowledge in IP	Confidence in IP	Information	Protection and confidentiality
<b>I - Protection</b>			
IP rights	Use of other IP tools	Intangible assets	Confidentiality
<b>D - Management</b>			
Administrative management	Operational management	Intangible assets	Third parties rights
<b>A - Exploitation</b>			
Strategy	Commercialization	Defense of IPR	Information monitoring



# WP 11 – Pilot actions with SMEs

## INTERVIEW GUIDE

NPO

interviewed firm

te

INNOVACCESS

[Preparing Europe for global competition]

### PROFILE OF THE FIRM RELATED TO INTELLECTUAL PR

FIRM:	
CONTACT PERSON:	
ADDRESS:	
PHONE NUMBER:	
MEETING DATE:	
PARTICIPANTS AT THE MEETING:	
MEETING DURATION:	
HISTORY OF THE FIRM:	
NUMBER OF EMPLOYEES:	
ACTIVITY SECTOR (NACE):	
MAIN PRODUCTS:	
MARKETS:	
COMPETITORS:	

### A.I.D.A. LEVEL

### KNOWLEDGE AND AWARENESS

#### 1. → GENERAL KNOWLEDGE IN IP

1	Do you know IP rights in general?	
2	Do you distinguish the different kinds of assets a company can own?	
3	Do you know the main IP organizations at national, European and international-level?	
4	Do you know the procedures to apply for an IP right?	
5	Do you know the scope (duration, geographic...) of the IP rights?	

#### 2. → CONFIDENCE IN IP

1	Do you think that your products or innovations could be easily copied or imitated?	
2	Do you think that the IP rights can protect effectively your intangible assets?	
3	Do you think that owning an IP right and respecting third parties IP rights can have an influence on the image of your company?	
4	Do you know the benefits of an official protection with the IP rights?	
5	Do you know the risks of the non-protection of your assets by IP rights?	

Sheets Charts SmartArt Graphics WordArt

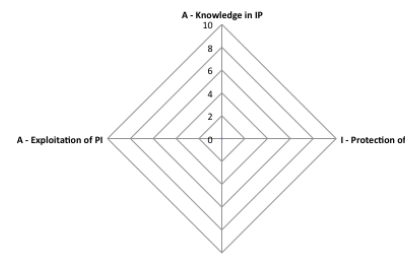
Data 1

A - KNOWLEDGE			
General knowledge in IP	Confidence in IP	Information search and knowledge improvement in IP	Awareness in confidentiality and IP protection
Q1	Q1	Q1	Q1
Q2	Q2	Q2	Q2
Q3	Q3	Q3	Q3
Q4	Q4	Q4	Q4
Q5	Q5	Q5	Q5
Average level/10	0,00	Average level/10	0,00
I - PROTECTION			
Use of registered IP rights	Use of other IP tools	Use of other means of IP protection (know-how, trade secret...)	Contractual procedures and sanctions
Q1	Q1	Q1	Q1
Q2	Q2	Q2	Q2
Q3	Q3	Q3	Q3
Q4	Q4	Q4	Q4
Q5	Q5	Q5	Q5
Average level/10	0,00	Average level/10	0,00
D - MANAGEMENT			
Organisation and administration of IP	Operational management of IP	Time management of IP aspects	Third party IP rights
Q1	Q1	Q1	Q1
Q2	Q2	Q2	Q2
Q3	Q3	Q3	Q3
Q4	Q4	Q4	Q4
Average level/10	0,00	Average level/10	0,00
A - EXPLOITATION			
Global IP strategy	Commercialisation and valorisation of IP by transfer	Defense policy of IP in the enterprise	IP information monitoring and competitive intelligence
Q1	Q1	Q1	Q1
Q2	Q2	Q2	Q2
Q3	Q3	Q3	Q3
Q4	Q4	Q4	Q4
Q5	Q5	Q5	Q5
Average level/10	0,00	Average level/10	0,00

Sheets Charts SmartArt Graphics WordArt

A - KNOWLEDGE	
General knowledge in IP	0,00
Confidence in IP	0,00
Information search and knowledge improvement in IP	0,00
Awareness in confidentiality and IP protection	0,00
I - PROTECTION	
Use of registered IP rights	0,00
Use of other IP tools	0,00
Use of other means of IP protection (know-how, trade secret...)	0,00
Contractual procedures and sanctions	0,00
D - MANAGEMENT	
Organisation and administration of IP	0,00
Operational management of IP	0,00
Time management of IP aspects	0,00
Third party IP rights	0,00
A - EXPLOITATION	
Global IP strategy	0,00
Commercialisation and valorisation of IP by transfer	0,00
Defense policy of IP in the enterprise	0,00
IP information monitoring and competitive intelligence	0,00

A - Knowledge in IP	0,00
I - Protection of IP	0,00
D - Management of PI	0,00
A - Exploitation of PI	0,00



A - KNOWLEDGE

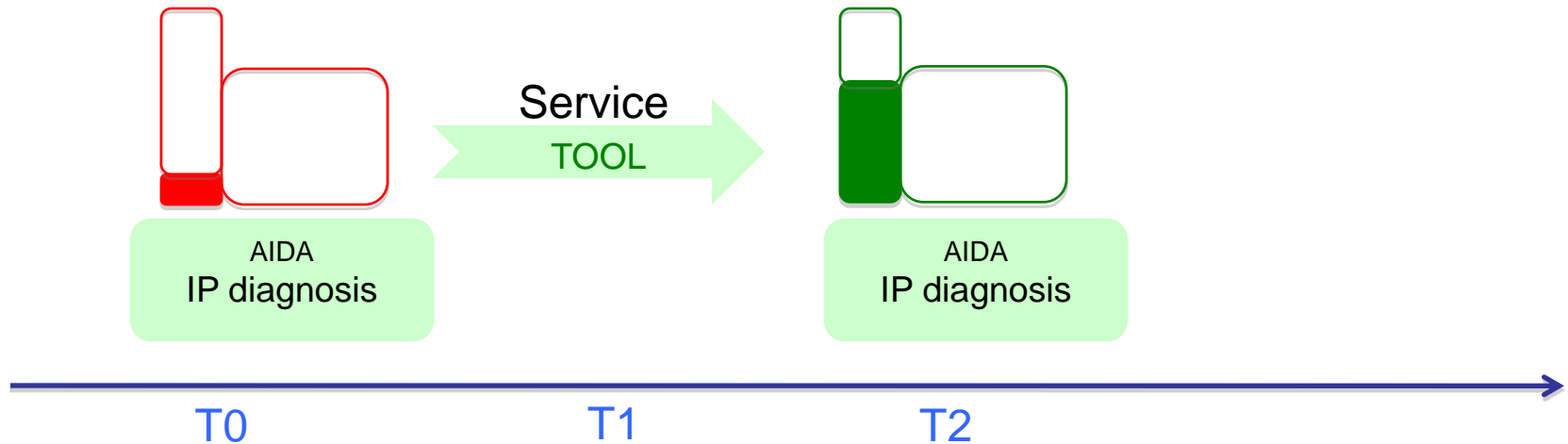
- Use of patents by the SME



- Use of trademarks by the SME



# Categorisation of tools



- 74 tools categorised /AIDA
- 76 tools exchanged = new services



A - KNOWLEDGE							
General knowledge in IP		Confidence in IP		Information search and knowledge improvement in IP		Awareness in confidentiality and IP protection	
SMEs' needs	Tools identified	SMEs' needs	Tools identified	SMEs' needs	Tools identified	SMEs' needs	Tools identified
Why protecting a company knowledge?	<ul style="list-style-type: none"> <li>- Innovator guide- chapters "brief guide to patenting" and "Innovation and invention guide"</li> <li>- LIIP guide/ CD ROM</li> <li>- Raising IP awareness (training)</li> <li>- Intellectual property the expert responses - Seminar 2009 (training)</li> <li>- IP Panorama 01 (training)</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> </ul>	Why protecting intangible assets?	<ul style="list-style-type: none"> <li>- LIIP guide/ CD ROM</li> <li>- Raising IP awareness (training)</li> <li>- Intellectual property the expert responses - Seminars 2007 (training)</li> <li>- IP Panorama 04 (training)</li> <li>- EPO Inventor's Handbook</li> </ul>	Where to learn about protection of IP, the basics of IP rights?	<ul style="list-style-type: none"> <li>- Innovator guide- chapter "brief guide to patenting"</li> <li>- Patent information (training)</li> <li>- Awareness raising material - "IPR – How Does It Concern Me?"</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> </ul>	What are the risks of disclosing a confidential knowledge?	<ul style="list-style-type: none"> <li>- Non registered and soft IP (training)</li> <li>- EPO Inventor's Handbook</li> </ul>
Basic knowledge on trademarks, designs and patents (focus on patents)	<ul style="list-style-type: none"> <li>- Innovator guide- chapters "brief guide to patenting" and "Innovation and invention guide"</li> <li>- LIIP guide/ CD ROM</li> <li>- Patent information in product development</li> <li>- Trademark in business</li> <li>- IP basics (training)</li> <li>- Intellectual property the expert responses - Seminars 2008 (training)</li> <li>- Intellectual property the expert responses - Seminars 2009 (training)</li> <li>- Information flyer on software protection</li> <li>- Information flyer on the IP symbols</li> <li>- Q time (training)</li> <li>- IP Panorama 02 (training)</li> <li>- IP Panorama 03 (training)</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> </ul>	What are the advantages of using IP rights?	<ul style="list-style-type: none"> <li>- LIIP guide/ CD ROM</li> <li>- Raising IP awareness (training)</li> <li>- Q time (training)</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- EPO Inventor's Handbook</li> </ul>	How to learn about protection of IP, the basics of IP rights?	<ul style="list-style-type: none"> <li>- Patent information (training)</li> <li>- Awareness raising material - "IPR – How Does It Concern Me?"</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> </ul>	Considerations on IP rights when creative or innovative processes are taking place.	<ul style="list-style-type: none"> <li>- IP in business operations- chapters 1 and 2- Non registered and soft IP (training)</li> </ul>
How to protect company knowledge?	<ul style="list-style-type: none"> <li>- Innovator guide- chapter "brief guide to patenting"</li> <li>- LIIP guide/ CD ROM</li> <li>- Advanced information about IP protection</li> <li>- Inventor's guidebook</li> <li>- Intellectual property the expert responses - Seminars 2009 (training)</li> <li>- Information flyer on software protection</li> <li>- Information flyer on the IP symbols</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- EPO Inventor's Handbook</li> </ul>	What are the risks of not using IP rights?	<ul style="list-style-type: none"> <li>- LIIP guide/ CD ROM</li> <li>- Raising IP awareness (training)</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- EPO Inventor's Handbook</li> </ul>	How to help SMEs and enterprises starters to protect their R&D results for the first time? How to help an enterprise to write a patent or support the process of taking out an IP right?	<ul style="list-style-type: none"> <li>- Free of charge initial consultation by external patent attorneys</li> <li>- Schemes for IPRs financing initiatives: Examples from recent Italian programs</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- Integrated consultancy service on IPR issues to SMEs</li> </ul>	Identify the IPR which could be a source of income.	<ul style="list-style-type: none"> <li>- IP in business operations- chapters 1 and 2- Patent Portfolio Positioning Scheme</li> </ul>
				Where to find IP agents? Where to find information indicating service points? Where to find information on local and national patent offices?	<ul style="list-style-type: none"> <li>- LIIP guide/ CD ROM</li> <li>- Schemes for IPRs financing initiatives: Examples from recent Italian programs</li> <li>- Awareness raising material - "IPR – How Does It Concern Me?"</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- Flyer: "PROTECT YOUR IPRs FROM COUNTERFEITING"</li> </ul>	Is there a service point to explain what to do in case of infringement?	<ul style="list-style-type: none"> <li>- Enforcement (training)</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- Flyer: "PROTECT YOUR IPRs FROM COUNTERFEITING"</li> </ul>
				Patent database search services and proactive awareness raising activities How to apply for an IP right? What is the procedure?	<ul style="list-style-type: none"> <li>- Patent search (pre-filing)</li> <li>- Online searches for designs</li> <li>- Online searches for trademarks</li> <li>- Patent information in product development</li> <li>- Patent information (training)</li> <li>- Espacenet tutorial (training)</li> <li>- Inventor's guidebook</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- Integrated consultancy service on IPR issues to SMEs</li> <li>- Innovator guide- chapter "brief guide to patenting"</li> <li>- Inventor's guidebook</li> </ul>	What to do in the case of infringement applied to the specific industry? (Industry specific guidebook)	<ul style="list-style-type: none"> <li>- Enforcement (training)</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> </ul>

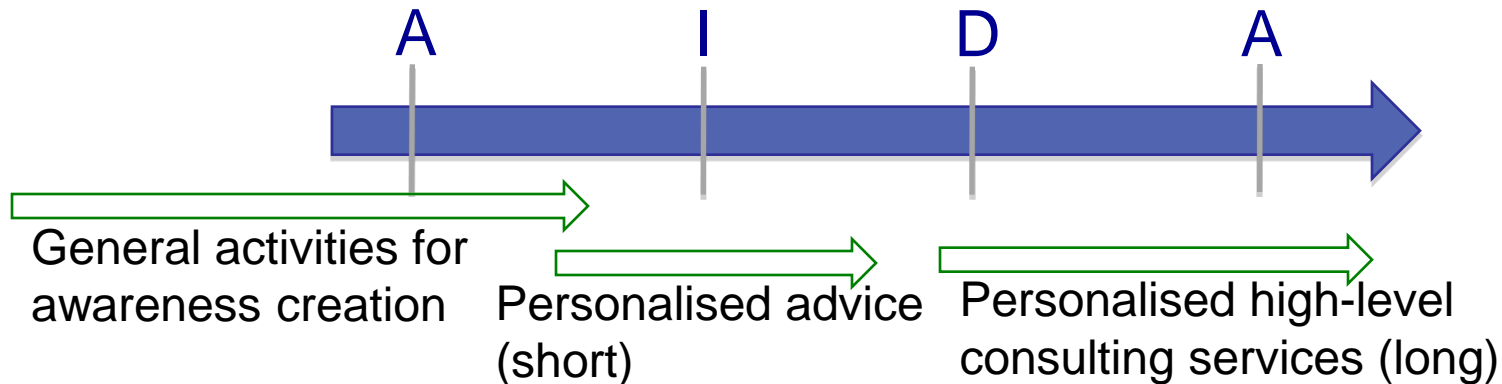
I - PROTECTION							
Use of registered IP rights		Use of other IP tools		Use of other means of IP protection (know-how, trade secret...)		Contractual procedures and sanctions	
SMEs' needs	Tools identified	SMEs' needs	Tools identified	SMEs' needs	Tools identified	SMEs' needs	Tools identified
Knowledge on third parties rights before applying for its own rights.	<ul style="list-style-type: none"> <li>- Online searches for designs</li> <li>- Online searches for trademarks</li> <li>- Intellectual property the expert responses - Seminars 2009 (training)</li> <li>- Integrated consultancy service on IPR issues to SMEs</li> <li>- Online Integrated Trademark and Domain Name Search</li> <li>- Flyer: "PROTECT YOUR IPRs FROM COUNTERFEITING"</li> </ul>	Linkage between the company name, the registered trademarks and the website of the company (combine IPR and overall strategy)	<ul style="list-style-type: none"> <li>- Non registered and soft IP (training)</li> <li>- Issues by sector (training)</li> <li>- IP Panorama 05 (training)</li> <li>- IP Panorama 08 (training)</li> <li>- Online Integrated Trademark and Domain Name Search</li> </ul>	How to protect intangible assets if classical IP are not used?	<ul style="list-style-type: none"> <li>- Non registered and soft IP (training)</li> <li>- Issues by sector (training)</li> <li>- Business problem workshops (training)</li> <li>- Raising IP awareness (training)</li> <li>- Intellectual property the expert responses - Seminars 2007 (training)</li> <li>- IP Panorama 04 (training)</li> <li>- EPO Inventor's Handbook</li> </ul>	How to setup procedures for handling confidentiality knowledge?	<ul style="list-style-type: none"> <li>- Business problem workshops (training)</li> <li>- TT and R&amp;D Model Agreements - INPI Portugal</li> </ul>
Use registered rights (business identifiers) communicating with others (external).	<ul style="list-style-type: none"> <li>- Issues by sector (training)</li> <li>- IP Panorama 08 (training)</li> </ul>					How to electronically complain about IPR issues?	<b>TOOL TO IDENTIFY OR DEVELOP</b>

D - MANAGEMENT							
Organization and administration of IP		Operational management of IP		Time management of IP aspects		Third party IP rights	
SMEs' needs	Tools identified	SMEs' needs	Tools identified	SMEs' needs	Tools identified	SMEs' needs	Tools identified
What are the benefits of introducing an IP management in the entire organization (all departments, cooperation between them)?	<ul style="list-style-type: none"> <li>- IP Response</li> <li>- Raising IP awareness (training)</li> <li>- Patent information (training)</li> <li>- Issues by sector (training)</li> <li>- Intellectual property the expert responses - Seminars 2008 (training)</li> <li>- Intellectual property the expert responses - Seminars 2009 (training)</li> <li>- Q time (training)</li> </ul>	Analyze of IPR protection / market potential.	<ul style="list-style-type: none"> <li>- IP in business- chapters 2 and 3</li> <li>- Patent information in product development</li> <li>- IP Response</li> <li>- Patent information (training)</li> <li>- Building a business (training)</li> <li>- IP Finance: Ip-backed financial instruments (training)</li> <li>- Patent Portfolio Positioning Scheme</li> </ul>	How and when to take out IPR from the development process?	<ul style="list-style-type: none"> <li>- IP in business- chapters 2 and 3</li> <li>- IP Finance: IP in regulated market (training)</li> <li>- TT and R&amp;D Model Agreements - INPI Portugal</li> </ul>	How to handle a situation of infringement?	<ul style="list-style-type: none"> <li>- Enforcement (training)</li> <li>- Business problem workshops (training)</li> <li>- IPR Sectorial guides for Textiles &amp; Closing, Footwear, Leather and Furniture industries</li> <li>- Flyer: "PROTECT YOUR IPRs FROM COUNTERFEITING"</li> </ul>



# Lessons learned

- How to evaluate SMEs needs !
- How to address identified needs – what type of service !



- How to address identified needs – the most suitable tool(s)!

→ Toolbox with 74 selected services



# Outcome of pilot-actions

- Luxembourg – from 12 pilot-actions :
  - 1 SME filed a patent
  - 2 SME filed trademarks
  - 2 SMEs filed i-dépôt (Benelux Office of Intellectual Property)
  - 4 SMEs have made database-searches or have contacted IP-consultants



# Thank you for your attention

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# Building on what's there

- **Cataloguing Enforcement Support Services for SMEs**
- Needs analysis (WP1)
- Helpdesk services & Implementation Plans (WP8)
- **Training Assessment**
- Current practice
- **Training Material**
- Taking staff forward
- **Brochure - The Potential Role of NPOs**
- Exploiting strengths



Core enforcement services  
(at 4 levels)

Strategic services

Innovative 'new' services



IPeuropAware and  
the Danish Patent and Trademark Office

**A Catalogue of Enforcement Support  
Services for SMEs**

November 2009



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Web site: [www.cses.co.uk](http://www.cses.co.uk)

Different scenarios

4 modules

Definition of learning objectives



IPeuropAware and  
the Danish Patent and Trademark Office

**New Enforcement Services  
Training Needs Assessment**

November 2009



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# IRP and Innovation Policy

## NPOs & Communication on 'Enhancing the enforcement of IPR'

Best practice - services should start with SMEs not providers

Leadership role of NPOs



IPeuropAware and  
The Danish Patent and Trademark Office

### Creating Effective IPR Enforcement Support for SMEs

April 2010

 Centre for  
Strategy & Evaluation  
Services



# Thank you for your attention

Mike Coyne



# Aim of WP9 – Study on IP policies

- identify **national innovation strategies** with special regard to IP awareness and enforcement
- present **the strengths, weaknesses, opportunities and threats of IP policy**
- monitor the conditions under which IP awareness and enforcement policies can efficiently prevail with regard to the **changes in the role of National IP Offices**
- analyse the existing services of the NPOs in order to **recommend new awareness raising and enforcement related services**



# Preparation of the study

- **Country reports** collected from 20 participating NPOs (national innovation support system, national IP policy/strategy, conclusions of the policy documents)
- **Evaluation of reports**, additional questionnaire
- Compilation of the IP awareness and enforcement services of NPOs („menu“)
- Summary of the main **findings and conclusions**



# Innovation or IP Strategy

- Need for a national innovation or IP strategy even if a wide scale of services is already offered for enterprises
- Wide institutional complexity could be found in most participating countries
- NPOs with different competencies in the field of the IP awareness and enforcement support issues
- Stronger presence of NPOs in form of lobbying, coordinating and mediating



# Services by NPOs

- No single solution for “best practice”
- Services should be offered in integrated packages to increase the efficiency of NPO policies with regard to the AIDA level of targeted SMEs
- NPOs should keep the delicate balance between profit-oriented services and non-profit oriented publicly founded services
- Services should be rolled out to regional/national/local actors



# Enforcement services

- Increased attention to enforcement issues among the NPOs
- Not all national NPOs are involved in enforcement support activities
- Participation in national anti-counterfeiting bodies
- Organising seminars, workshops etc. on enforcement
- Web-based services



# Thank you for your attention

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