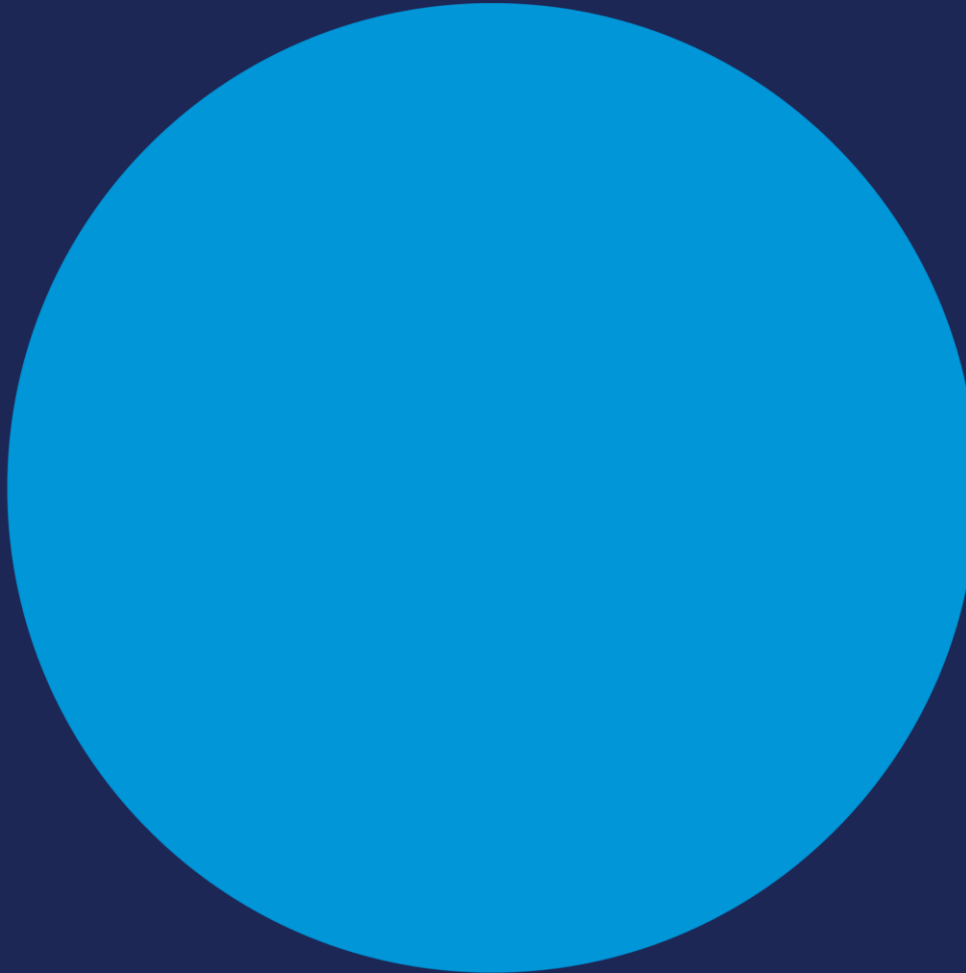




WORKSHOP

IP Strategies for SMEs

By Katrin Krenn



Today's agenda

- IP definition & IP instruments (16:00-16:15)

Focus on trade-mark, trade-secret & patent

- IP strategy (16:15-16:30)

Why, where what?

About me



Katrin Krenn



Mercedes-Benz



Science Park
The High Tech Incubator
Graz

As a start-up you should...

1. **Identify** your IP
 - What is my IP?
 - Who created my IP?
 - Do I own my IP?
2. **Protect** your IP
 - How can I protect my?
 - What does it cost?
3. **Manage** your IP
 - IP changes and evolves over time
 - IP strategies have to be adapted
 - IP rights have to be monitored



Intellectual property is...

Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce - WIPO

Intellectual property is...

- Your company name
- Your product name
- Your product/service/solution
- Your source code
- Your know-how
- Your employee's know-how
- Your Logo, Design, Corporate Identity,
- ...



Intellectual property rights

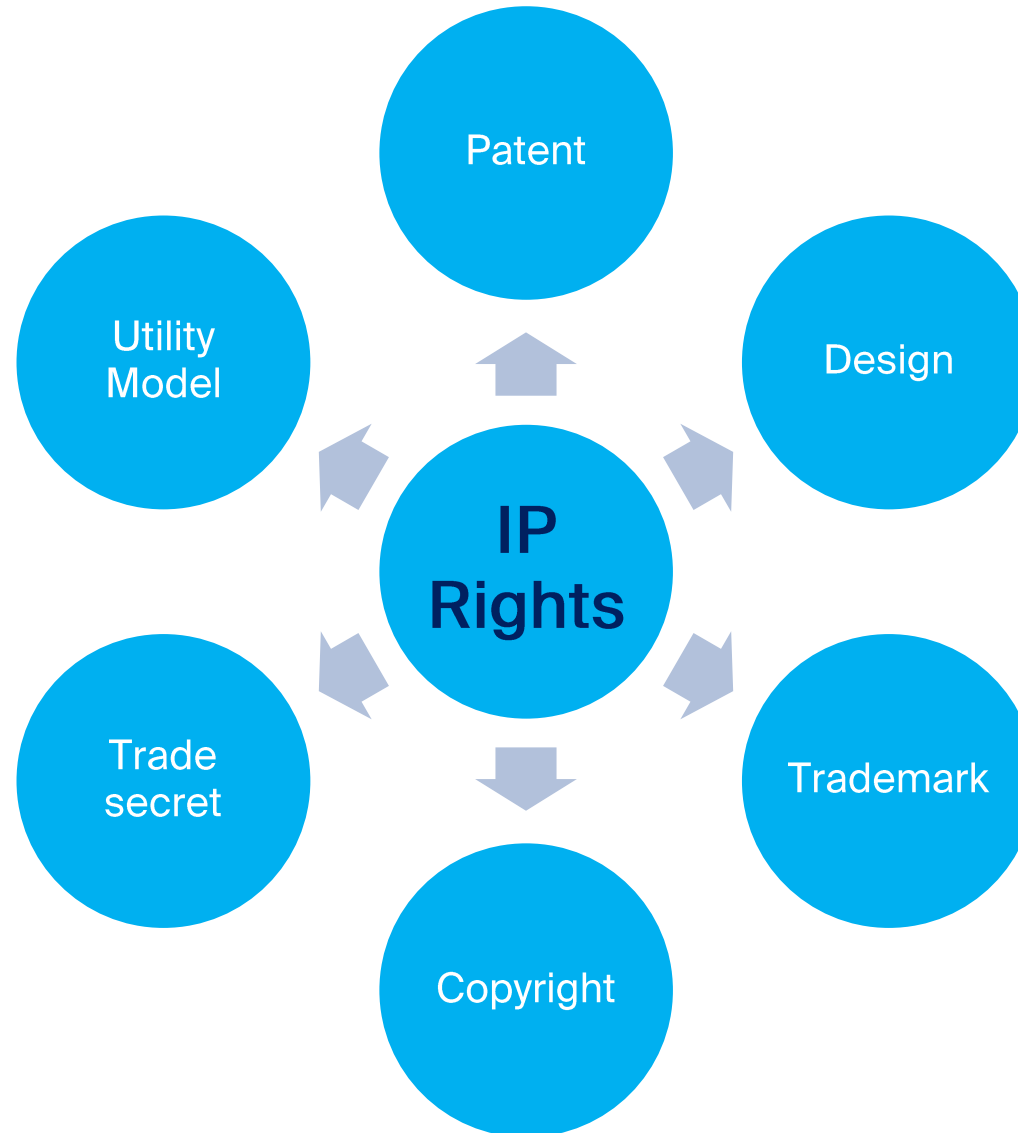
Intellectual property rights are the rights given to people over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time.

IP rights can be

- **registered** (patent, trade-mark, design)
- or **not registered** (copy-right, trade-secret)



Intellectual property rights



What is a trademark?

A recognizable **sign, expression** or **design** making it possible to **distinguish goods and services** of a company from those of other companies

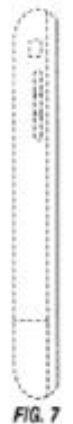
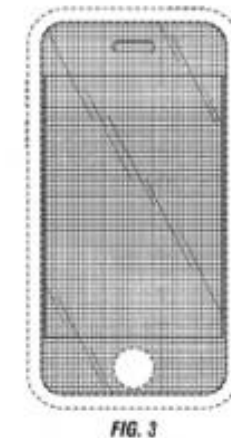


- **Nice Classification** classifies different **goods and services**
- Examination as to formal/legal requirements – **distinctive character**
- repeatedly extendable for 10 years – **unlimited term of protection**
- **Exclusive right** preventing unauthorized use of the **registered trademark**

What is a design?

A right that the protects the **visual design** or **aesthetic nature** of a **product**, i.e. the appearance of the whole or a part of the product, shape, patterns and colours

- **Locarno Classification** classifies different goods in which industrial designs are incorporated
- Examination as to formal/legal requirements – **new** and **individual character**
- Repeatedly extendable for **5 years** – **max. term of protection 25 years**
- **Exclusive right** against unauthorized copying or imitation of the **registered design**



What is a Trade Secret?

A right that the protects **confidential business information**, which gives an enterprise a competitive edge. Including manufacturing, industrial and commercial secrets

- **No registration** necessary
- Lasts for an **unlimited period of time**
- YOU as a SME must set measurements in order to keep the information secret!
 - **Internal measurements:** NDAs with all employees, Identifying confidential information
 - **External measurements:** NDAs with all partners, no source code available for partners/clients

What is a Patent?

A patent is an IP right granted by a state to exclude others from exploiting the specified invention for **technical inventions** which are **new, not obvious** and can be used in a **commercial way**.

- Territorially limited property right - only within the territory of a state (e.g.: AT, DE, US) – **every patent** is a **national patent**!
- Temporary limited property right - expires at the end of the maximum period (**max. 20 years**)
- The patentee is **exclusively entitled** to **commercially**
 - producing the subject matter of the invention
 - putting it on the market
 - offering it for sale or using it
 - importing or possessing it for the said purposes

IP strategy

IP strategy is the bundle of IP instruments/rights which are used to protect the intellectual property over a defined period.

The worst IP strategy there is, is having no strategy!

IP protection Samsung Smartphone

Trademark

Google Play
Google Play Logo
Ringtone

Copyright

Firmware
Software
User manual
Ringing tones
Icons
Emojis



Patent

Tiltable Image Sensors
Foldable Screens
Under-Display 3-Fingerprint ID System

Design

Shape of the case and keys
Appearance of the GUI

Trade Secret

Source Code
Any confidential business info

Patent – yes or no?



Patent – yes or no?

What can I protect with a patent?

Why should I go for a patent?

Where should I get patent protection?

Patent strategy – WHAT?

Can I protect my solution with a patent?

- The subject matter must be patentable.
- The invention must be novel (new, meaning there are no other similar patents or state of the art inventions).
- The invention must have some utility or usefulness (invention must physically accomplish something – effect!).
- The invention must not be obvious (not anyone could invent it).

Patent strategy – WHAT?

A patent cannot protect an idea. Instead, the idea must be embodied in one or more of the following:

- A process or method (such as a new way to manufacture concrete)
- A machine (something with moving parts or circuitry)
- A manufactured article (such as a tool or another object that accomplishes a result with few or no moving parts, such as a pencil)
- A new composition (such as a new pharmaceutical)

Patent strategy – WHAT?

Patentable	Non-patentable
A new generator (the technical solution)	The mathematical formula for how the generator produces electricity
Use of the generator on a bicycle	A scheme for how to sell the generator
A method of manufacturing the generator	

Patent strategy – WHY?

Prohibition

Granted patents give the owner the right to prohibit the use of the patented subject matter.

Competitor's risk

Patent applications create uncertainty for competition.

Marketing

Patents/applications can create a marketing effect (increase quality/trust).

Investor relation

Patents help to attract and to protect investments/investors.

EXIT

Selling a start up at a high price depends on the value for the buyer.

Licenses

IP Portfolio can create cash flow in the form of license fees.

Patent strategy – WHERE?

My target market

Where is my product

- Sold?
- Offered?
- Produced?

My competitor's target market

Where is my competitor's product

- Sold?
- Offered?
- Produced?

My customer's target market (B2B)

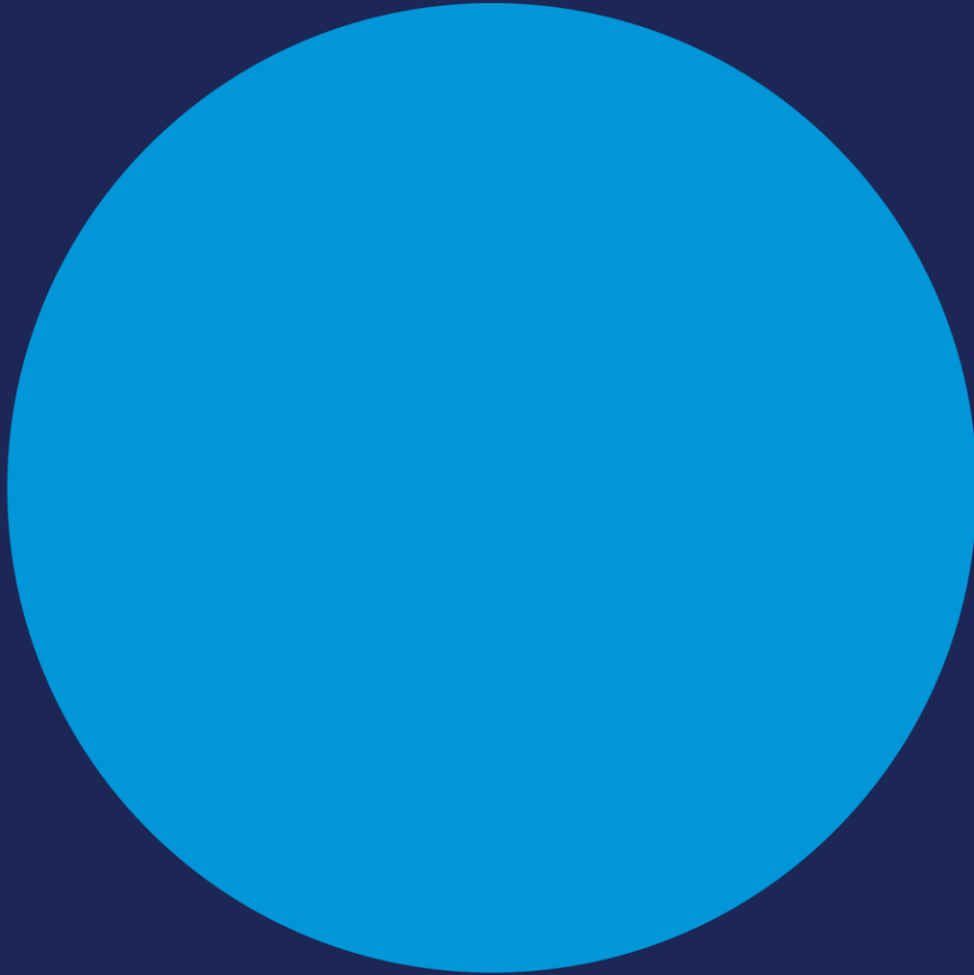
Where is my customer's product

- Sold?
- Offered?
- Produced?

IP Strategy in your business plan

Make sure to explain the following points:

- Is your name already protected with a **trademark**?
 - If yes – in which countries?
 - If not – when are you planning to protect it and where?
- Is your technical solution/product already protected with a **patent**?
 - If yes – what is the status (patent filled, pending or granted?) in which countries?
 - If not, and you are planning on filling a patent – what are you going to patent and where?
- Are you going to use a **trade-secret** as your IP protection?
 - If yes – how? (What internal and external measurements are in place) describe it as detailed as possible!
- Are you are using other **external IP licences** from partners/universities etc.?
 - If yes – what are the terms and conditions with the partner/university?



Thank you!

Free of charge Information

Trademark database: [TMView](#), [EUIPO](#)

Patent database: [Google Patents](#), [Espacenet](#)

General IP information: [IP Helpdesk Europe](#)

IP funding: [IP funding for Trademark \(EU\)](#), [IP funding for Patent \(AT\)](#)

IP related Costs

Trademark

National Trademark

€320 online application fee (incl. 3 Nizza classes)
+ **€75** for every add. Nizza class

European Union Trademark

€850 online application fee (incl. 1 Nizza class)
+ **€50** for 2nd Nizza class
+ **€150** for every add. class

International Trademark

National/Union TM as a base + **€ 141** application
+ national fees for every add. Country

Patent

National patent

~ **€500** application fee (in AT)
+ annual fee starting with €104 in year 6 and rises to € 1.775 in year 20

European Patent (EP)

~ **€4.500** application fees
+ translation costs (up to €5.000 per country)
+ annual fees starting from year 3

PCT Patent (Patent Cooperation Treaty)

~ **€3.200** application fees
+ translation costs (up to €5.000 per country)
+ annual national fees

Attention
Fees for patent attorneys are not included here!

Patent research



Google Patents

(amazon) (recommendation)

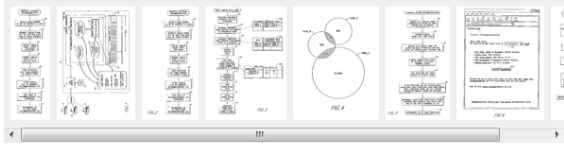
Back to results amazon; recommendation;

Recommendation system

Abstract

A computer-implemented service analyzes purchase histories and/or other types of behavioral data of users on an aggregated basis to detect and quantify associations between particular items represented in an electronic catalog. The detected associations are stored in a mapping structure that maps items to related items, and is used to recommend items to users of the electronic catalog. The items may include products and/or categories of products.

Images (8)



Classifications

G06Q30/0631 Item recommendations

View 13 more classifications

Description

RELATED APPLICATIONS

This application is a continuation of U.S. patent application Ser. No. 09/850,263, filed May 7, 2001 now U.S. Pat. No. 7,113,917, which is a continuation of U.S. patent application Ser. No. 09/156,237, filed Sep. 18, 1998 (now U.S. Pat. No. 6,317,722).

Claims (27)

Hide Dependent

1. A computer system, comprising:

a first component configured to generate, for each of a plurality of item pairs, a respective data value representing a degree to which only the items of the that particular pair are related to each other, said data value being

US7908183B2
United States

Download PDFFind Prior ArtSimilar

Inventor: Jennifer A. Jacobi, Eric A. Benson, Gregory D. Linden
Current Assignee: Amazon Technologies Inc

Worldwide applications
1998 · [US](#) 1999 · [WO AU](#) 2001 · [US US US](#) 2004 · [US US](#) 2006 · [US](#) 2007 · [US US US](#) 2011 · [US US](#) 2012 · [US](#) 2013 · [US US](#)

Application US11/394,999 events
1998-09-18 · Priority to US09/156,237
2006-03-31 · Application filed by Amazon com Inc
2006-08-31 · Publication of US20060195362A1
2009-05-15 · First worldwide family litigation filed
2011-03-15 · Application granted
2011-03-15 · Publication of US7908183B2
2019-06-24 · Application status is Active
2022-06-30 · Adjusted expiration
Show all events

Info: Patent citations (94), Non-patent citations (147), Cited by (1708), Legal events, Similar documents, Priority and Related Applications
External links: USPTO, USPTO Assignment, Espacenet, Global Dossier, Discuss

<https://patents.google.com/>
<https://patents.google.com/patent/US7908183B2/en?q=amazon&q=recommendation>

Trademark research



österreichisches
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Marken	Muster	Nationale Patente	Europäische Patente	Schutzzertifikate	Download
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Marken Suche ([Hilfe Dokument](#))

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Markenname

Anmeldenummer

Registernummer

Typ ☒ Wort
☒ Bild
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☒ abstrakte Farbmarke
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☒ Positionsmarke
☒ Bewegungsmarke
☒ Mustermarke
☒ Multimediamarke
☒ Sonstige Marke

Status ☒ Angemeldet
☒ Registriert
☐ Gelöscht
☐ Anmeldung beendet

Anmeldedatum von bis

Registrierungsdatum von bis

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