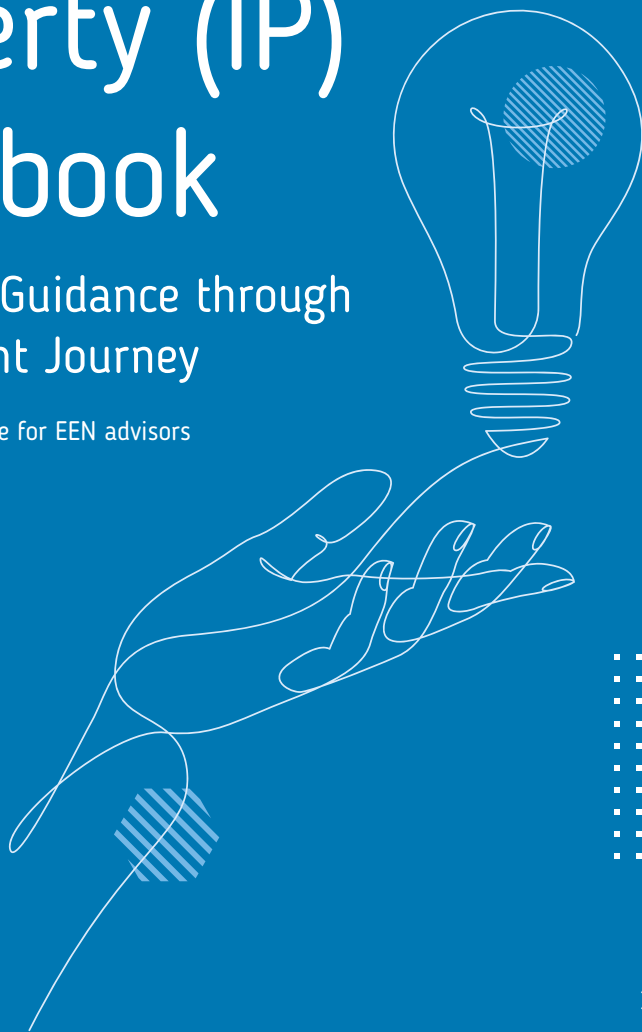


Intellectual Property (IP) Handbook

Providing IP Guidance through
the EEN Client Journey

An easy-to-consult guide for EEN advisors



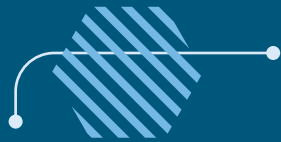
European
IP Helpdesk



Foreword

*Intellectual property has become a key building block for the commercial success and competitiveness of many companies – and especially for **small and medium-sized enterprises (SMEs)** – as modern economies are increasingly driven by knowledge-based services and products. For this reason, while delivering services to SMEs, **all the advisors of the Enterprise Europe Network** should always consider intellectual property and its potential impact as well as implications for the clients.*

*This guide was written by **intellectual property experts** with the aim of providing all EEN advisors with guidance and support they can rely on in carrying out activities within the Enterprise Europe Network project: it underlines the key aspects to take into account when assisting a client in creating a **POD profile**, participating in an **international fair** or accessing **European funds**, for instance. As this document represents first-line support, in case of doubts, uncertainties or need for specialist advice/assistance, it is possible to contact the IP experts of EEN (list available at the end).*



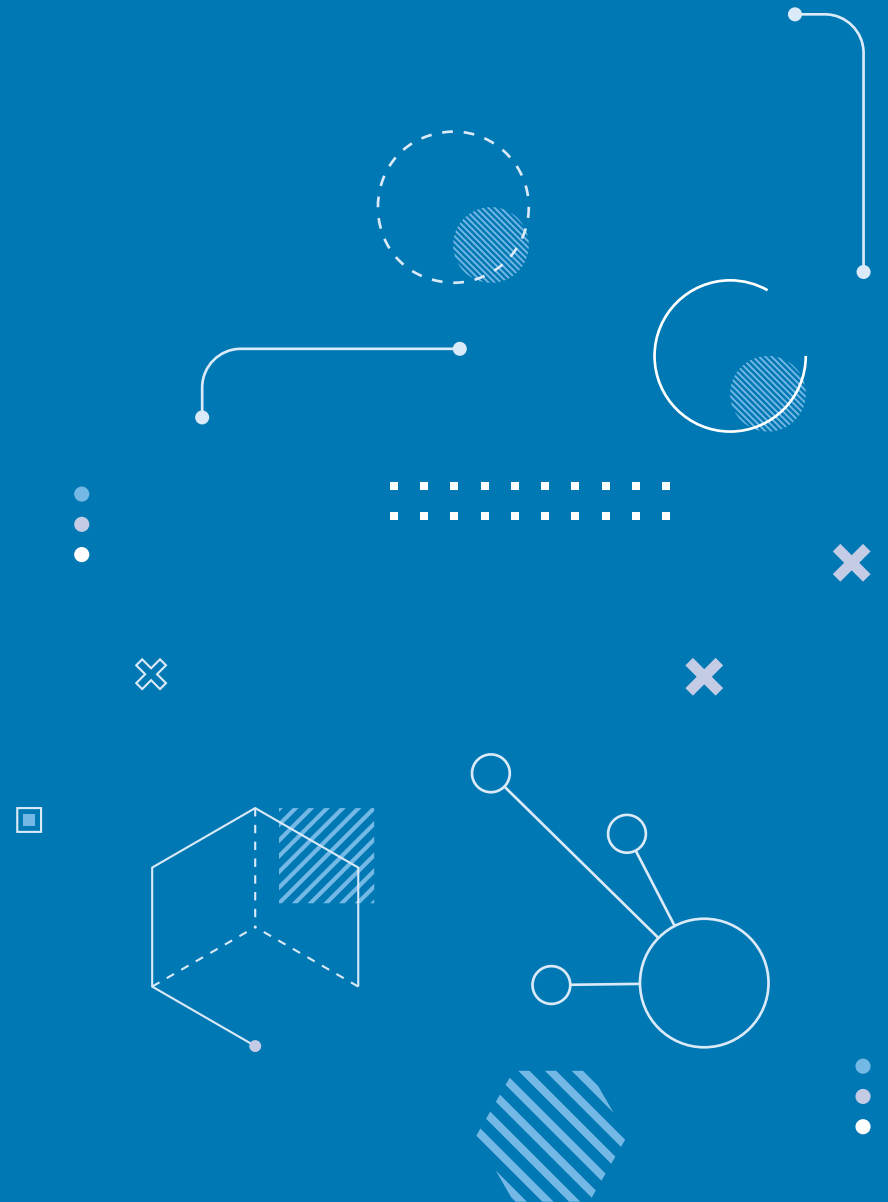
Authors

This guide is the result of a collaboration between the **European IP Helpdesk Ambassadors** scheme and members of the **core group** of the **EEN Single Market Thematic Group** with the support of the **European Innovation Council** and **SMEs Executive Agency (EISMEA)**.

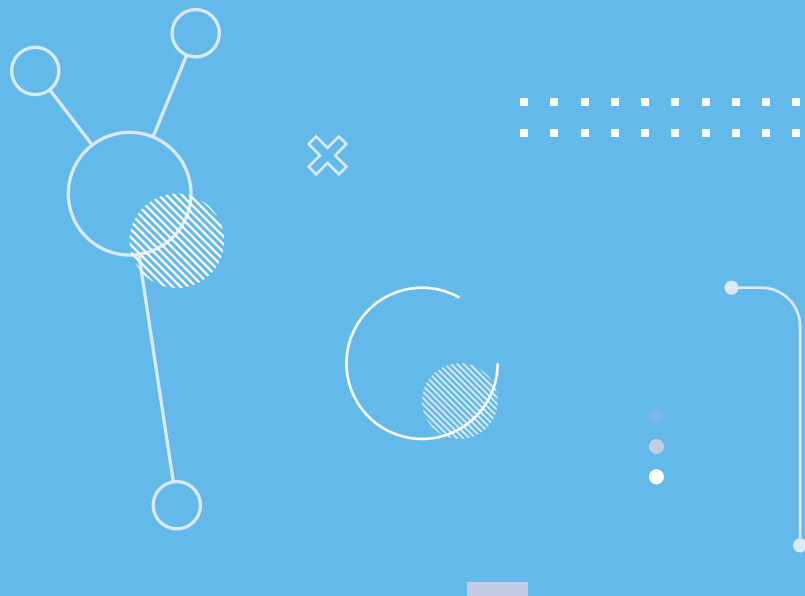
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I. Introduction to intellectual property (IP) and related rights (IPRs)



1. What is intellectual property? And what are intellectual property rights?



Intellectual property (IP) refers to intangible creations of the human intellect (inventions, literary and artistic works, designs, symbols, names, and images used in commerce, etc) and may be protected by law.

IP rights (IPRs) provide the legal framework by granting exclusive rights for a specified period, allowing creators to safeguard their ideas and creations from unauthorized use or reproduction. Another important feature of the IPRs is that they are territorial rights, meaning that they are valid only in the jurisdiction/s where they have been registered (or otherwise acquired).

IPRs can be divided into several categories: copyright, trademarks, geographical indications (GI), industrial designs, patents, and trade secrets.

IPRs are therefore part of the non-physical property of a business:

- One of the most famous and important ones is the **patent/utility model** (the latter is not available in every country), which is an exclusive right granted for an invention - which is a product or a process - that either provides a new way of doing something or offers a new technical solution to a problem. The patent owner has the exclusive right to prevent or stop others from commercially exploiting the patented invention (generally for 20/10 years).
- Another IPR is the **trademark**, which is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises - and whether registered - it confers an exclusive right to the use of the registered trademark (for 10 years, renewable indefinitely). The sign could be a word or a combination of words, letters, numerals or drawings, symbols, and non-visible signs (i.e., sounds or fragrances) among others.
- Differently, **design** protection refers to the ornamental aspect of an article: it may consist of three-dimensional features, such as the shape of an article, or two-dimensional features, such as patterns, lines or colors.
- A **copyright** (or author's right) represents instead the rights that creators have over their literary and artistic works such as books, music, paintings, sculpture, movies, computer programs, databases, advertisements, maps, and technical drawings. In the end, a rising topic is the protection of software: it refers to the protection of information

stored on hardware and used by computer systems to execute several operations, and it includes the protection of algorithms, program codes and graphical interfaces.

- A **trade secret** is a type of IP that encompasses confidential, proprietary information (such as manufacturing processes, formulas, techniques, customer lists, marketing strategies, software algorithms, data and more) that provides a business with a competitive advantage over others in the industry. Unlike patents, copyrights, or trademarks, trade secrets rely on maintaining their secrecy. To qualify as a trade secret, the information must meet certain criteria:

Confidentiality: The information must not be generally known or readily accessible to the public or competitors.

Economic Value: The information should have economic value specifically because it's not known to others and provides a competitive advantage.

Reasonable Efforts: The owner of the trade secret must take reasonable steps to keep the information confidential through measures like non-disclosure agreements, access controls, and employee training.

Useful Links

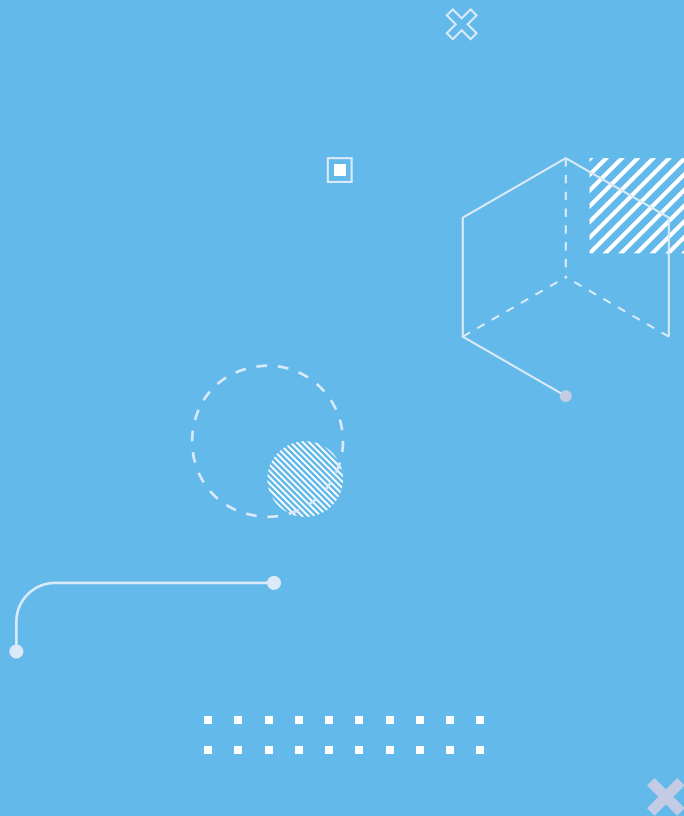
Free learning opportunities:

- [European IP Helpdesk E-Learning](#)
- [European Patent Office E-Learning](#)
- [International IP SME Helpdesks](#)
- [WIPO Academy](#)
- [European Patent Academy](#)
- [Inventors' handbook \(European Patent Office\)](#)
- [EPO "New to Patents"](#)
- [EUIPO Academy Learning Portal](#)
- [4IP Council](#)
- [European Patent Office News and Events](#)
- [Unitary Patent Information](#)

Frequently Asked Questions (FAQ)

[FAQ on IP in Europe](#)

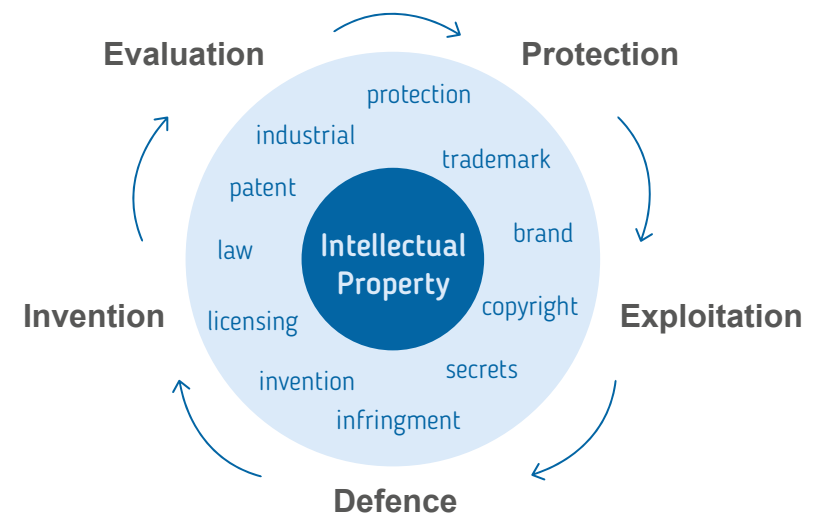
2. Why is intellectual property important for SMEs?



In general, IP promotes economic, social, and cultural progress by stimulating creative work and technological innovation. The theft of intellectual property causes serious harm to international trade, promoting a climate of uncertainty that puts the most innovative companies at risk.

For small and medium-sized enterprises (SMEs) IP is a key asset for several reasons:

- A proper IP strategy can help to enhance market growth and support competitiveness.
- The protection is crucial to prevent loss of market share (generated by the loss of revenue) and reputational damages.
- In the case of patents, industrial design and trade secrets, the rationale is to guarantee the protection of the results of investment in research and development of new technologies, thus giving the incentive and means to finance these kinds of activities.
- Protecting own intellectual assets can reduce risks arising from potential legal disputes, which are often burdensome for the companies both in terms of economic expenses and timing.

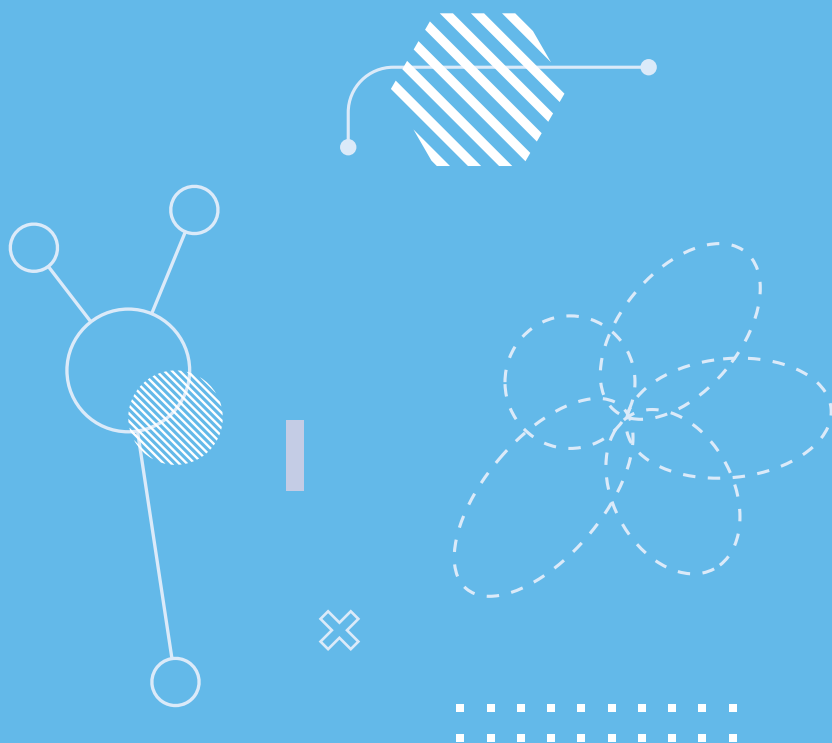


This image illustrates the different phases of the intellectual property management process (external circle) and the intellectual property rights and related activities (inner part).

II. IP in the EEN services



1. IP and advisory support



1.1 Identifying, assessing and valuating intellectual property assets

IP assessment refers to the process of evaluating and analysing IP assets owned by individuals or organisations. The purpose of IP assessment is to understand the strengths and weaknesses of IP assets, which can help make informed decisions regarding their management, exploitation, or protection.

1.1.1 IP audit and assessment

A comprehensive IP examination involves at least the following general requirements:

- Identification of the intangible assets.
- Identification of the IPRs related to these assets, verifying that these intangible assets are protected and properly registered as IPRs when necessary.
- Validity and current legal status of the IPRs, as the company must hold the property of the relevant IPR, using free databases offered by EUIPO, EPO, WIPO and National IP Offices, and for knowing whether the IPR is already applied for or granted. Given that IPRs are territorial rights, it is important to know the countries they are registered in, where applicable.
- Rights and obligations arising from the ownership of these IPRs, as the existence of licence or technology transfer agreements or the dependence on earlier rights.
- Evaluating the value and market potential of IP assets to determine their commercial viability.
- Comparing IP assets with those of competitors to know the relative strength and market position.
- Identifying potential risks associated with IP assets to mitigate any legal or financial liabilities.

1.1.2 IP valuation

IP valuation subsumes a set of techniques used in the market to put an economic value on intangible assets, such as IPR.

- Qualitative approach: Here, the valuation is performed through the analysis of different aspects and their impact on the value of the IP asset (e.g. legal aspects, technology level of the innovation, remaining max. duration, country coverage, market details...).
- Quantitative approach: cost-based method, market-based method, income-based method, option-based method etc.

The valuation should be performed by an expert. IPscore is a tool, offered free of charge by the EPO, to evaluate patents, technologies and research projects. It can be used with the support of the EEN IP experts.

1.1.3 Freedom to Operate analysis

A Freedom to Operate (FTO) analysis is a legal and business assessment that evaluates whether a product, process, or technology infringes upon existing patents, copyrights, trademarks, or other IPRs held by others. For SMEs, an FTO analysis is crucial as it helps them identify potential legal risks and obstacles before investing resources in the development, production, or commercialisation of their innovations.

By conducting an FTO analysis, SMEs can make informed decisions to avoid potential legal disputes, navigate the competitive landscape, and safeguard their business interests, ultimately saving time, money, and efforts in the long run.

This analysis should also be performed by an expert.

Checklist

- ✓ Identify and classify all the intangible assets that the company manages in its usual activity (also including any undocumented knowhow).
- ✓ Check if there are the corresponding IPRs or if at least there are related documentation.
- ✓ Is it possible to expand the existing protection with additional applications?
- ✓ Is the scope of the present protection appropriate with the company's growth plans?
- ✓ Review contracts, agreements, and licenses to determine if there are any restrictions or limitations on the rights to use or transfer the IP assets.
- ✓ Assess whether any enforcement actions are necessary to safeguard the IP assets.
- ✓ Analyse the commercial potential of various forms of IP.
- ✓ Try to understand the uniqueness and differentiation of the IP assets, as well as potential opportunities for collaborations or partnerships.
- ✓ Is there any infringement while entering to new markets?
- ✓ Evaluate IP portfolio maintenance costs, or risks associated with licensing or commercialization activities.
- ✓ Is signposting to a specific IP expert required for further details?

Useful links

- [Your Guide to IP in Europe](#)
- [Your Guide to IP Management in International Business](#)
- [Infographic IP in International Business](#)
- [WIPO IP Diagnostics](#)
- [EPO IPscore](#)
- [Freedom-to-Operate Toolkit](#)
- [Intellectual Property Cost Information](#)
- [Cost Tool](#)
- [High-growth technology business initiative library](#)
- [Interactive infographic 4 reasons to patent with links to EPO case studies](#)
- [Market success for inventions: Patent commercialisation scoreboard](#)
- [Are you new to patents? - the EPO's guide to patenting for absolute beginners](#)

1.2 Assisting clients in securing industrial property rights

1.2.1 Support to finance

One of the biggest issues related to the protection of IPRs are the potentially high costs linked to it, especially when compared to other costs that arise during the first stage of product development in many start-ups. EEN advisors can guide their clients to possible funding sources at the EU and national levels, as well as deliver support in applying for the financing.

EUIPO SME Fund – vouchers for IPRs

The “[Ideas Powered for business SME Fund](#)” is a grant scheme designed to help EU SMEs protect their IPRs. The SME Fund is a European Commission (EC) initiative implemented by the European Union Intellectual Property Office (EUIPO) and will run every year for a limited amount of time. Be aware that funds are limited and available on a first come, first served basis.

The rationale behind this initiative is to encourage companies to use the protection provided by IPRs through the granting of vouchers which reimburse part of the costs that companies themselves have to bear to be granted these rights with the intellectual property offices (EUIPO, EPO, WIPO, national and regional offices).

The SME Fund is a reimbursement programme which issues vouchers that can be used to partly cover the fees for the selected activities. There are several types of vouchers available depending on the activity the SME wants to implement: trademarks, designs, patents or community plant varieties.



The percentage of reimbursement varies from the type of IPR the company is willing to protect, and it could change from year to year.

Advisory services by EEN staff

This support can help identifying IP, assess its value for the company and thus also assess purposefulness of bearing costs, prevent irreversible steps like premature disclosure or waiting with patent extension until the grant of the patent, help deciding about other protection measures like trade/company secret. The services would also include information about costs of protection although the costs can usually only be roughly estimated.

1.2.2 IP database searches

Searches in free accessible patent, trademark or design databases can give companies first information about the feasibility of protecting the name, design, invention, but also can deliver information about target market and competition to help taking decision about protection measures. Most EEN offices can do an illustrative search in trademark, design or patent databases. Some EEN offices are also able to perform Freedom to Operate (FTO) searches information providing clarity on whether there maybe a risk of infringement of third parties's rights.

1.2.3 Attorney (advisory) support

If the budget of the EEN office permits, EEN consultants can propose to their clients patent or trademark attorney advisory services. In this case, the EEN will not finance preparation of an application nor representation of the client in the IP office. Instead, it will pay for advisory support, for example information about patent or trademark protection procedure, information about filling an application form, information about steps to be taken in a specific situation, like when an objection to an IPR application is submitted by a competitor. The client company can decide then if it will employ an attorney on its own.

Checklist

- ✓ Conduct a comprehensive IP Search to ensure Your client's unique and does not infringe upon existing rights.
- ✓ Check if the company is the holder of the rights and contact details are up to date.
- ✓ Stay vigilant with your client regarding renewal deadlines and ensure all necessary fees are paid.
- ✓ Check with the company, at what step of protection procedure it is at the moment and what is the problem.
- ✓ See, if you/your organisation's competencies are sufficient to respond to the problem and offer a service.
- ✓ If you have a budget, you can offer support of an external expert (patent attorney, IP specialized lawyer). Check within the EEN network, if somebody has sufficient competencies to respond to the problem and offer your client a support by another EEN In the frame of the Hub and Spoke model.

Useful links

- [EUIPO SME Fund - EU level financing source for industrial property protection:](#)
- [Your Guide to IP in Europe](#)
- [10 Steps to Find a Suitable IP Professional](#)
- [Free Espacenet patent database](#) – over 140 million patent documents from over 100 countries
- [Free Patentscope patent database](#)
- [Free EU trade marks search](#)
- [Free EU Registered designs search](#)
- [PATLIB Network](#)

1.3 Protecting IP against infringement

The avoidance of IP infringements via FTO analysis is an essential area of IP compliance. Nevertheless, others might infringe your client's IPRs. The infringement through, among others, counterfeiting and piracy creates substantial losses to industry, as it undermines companies' investments in innovation and marketing.

Protection of trade secrets is also vital to maintaining a company's unique market position and can extend as long as the information remains confidential. If trade secrets are misappropriated (stolen, disclosed without permission), the owner can seek legal remedies against those responsible for the breach.

The legal framework protecting IP owners from infringement may differ from country to country. However, the fundamental aim of all these legislations is to provide the owners of IP rights the means to enforce their rights against infringers, that is, the means to stop infringements and to obtain economic compensation from such wrongdoings.

It is recommended to utilise monitoring services, online searches, and industry networks to identify potential infringements. If infringement is detected, your client may consult an IP attorney to determine the appropriate enforcement actions, which may include sending cease-and-desist letters, negotiating licensing agreements, or pursuing legal remedies.

How do you find out whether your client's IP is being infringed?

- Their customers might tell them about competing products.
- They might find infringements for sale on the internet.
- They might see infringing products at a trade fair.
- A Technology Scan/Monitoring at regular intervals might reveal similar registered IP from competitors.

Your clients should first evaluate an **Alternative Dispute Resolution mechanisms (ADR)**. This is a procedure that brings parties together

with the objective to resolve disputes out-of-court. It's a rather simple, fast and relatively inexpensive way for resolution of conflicts. There are many kinds of ADR: negotiation, mediation, conciliation, neutral evaluation, expert determination, arbitration.

If ADR is not an option for your clients, they can try the traditional enforcement routes: administrative actions, civil litigation, and criminal proceedings. Not all of them are available in every country and for every kind of right.

Checklist

- ✓ Be sure that your clients register the appropriate IP rights that their companies wish to protect.
- ✓ If they plan to market their products in other countries, investigate registering their IP in those countries and contact the correspondent IP Helpdesk for help.
- ✓ Stay vigilant regarding renewal deadlines and ensure all necessary fees are paid in due time. Failure to maintain IP can result in its abandonment or loss of legal protection.
- ✓ They should regularly monitor their IP for any unauthorized use or infringement. Establish procedures to monitor trade fairs, online sellers, and any other areas where infringing products might be sold or marketed.
- ✓ If your client suspects that certain goods infringe their IPRs, they can:
- ✓ Register with the IP Enforcement Portal of the EUIPO, which puts you in direct communication with the relevant authorities.
- ✓ Request the competent national customs department to detain these goods.

- ✓ To do so, follow the instruction [here](#).
- ✓ In case of IPR infringement SMEs can defend their rights and take action by contacting the competent national court and IP office. It is always recommended that the SME contacts a lawyer specialized in IP.

Useful links

- 🔗 [Europe Blog of the EU IP helpdesk website - News about infringement cases](#)
- 🔗 [European IP Helpdesk - IP Enforcement: Asserting Your Rights](#)
- 🔗 [European IP Helpdesk - Your Guide to IP Management in International Business](#)
- 🔗 [European IP Helpdesk factsheet - Alternative dispute resolution \(ADR\)](#)
- 🔗 [Latinamerica IP SME Helpdesk - Alternative dispute resolution](#)
- 🔗 [China IP SME Helpdesk - Enforcement of Intellectual Property Rights in China](#)
- 🔗 [Southeast-Asia IP SME Helpdesk - Enforcement](#)
- 🔗 [Guide to IP enforcement in India](#)
- 🔗 [European Commission - Counterfeit, piracy and other IPR violations - Defend your rights](#)
- 🔗 [IP Enforcement Portal of the European Union Intellectual Property Office](#)
- 🔗 [Cybercrimes and Trade Secret Protection](#)
- 🔗 [Patent enforcement in Europe](#)
- 🔗 [Patent Litigation in Europe](#)

1.4 European Commission (EC) IP support services

1.4.1 European IP Helpdesk

The [European IP Helpdesk](#) is a first-line IP service providing free-of-charge support to help European SMEs and beneficiaries of EU-funded research projects manage their IP in the context of transnational business or EU research and innovation programs

Offered services and target groups:

- Training & Awareness raising events
- Helpline in different languages (English, Spanish, French, German, Italian and Polish).
- Resources library
- European IP Helpdesk Ambassadors Scheme:
A group of EEN experts on IP, tech transfer and innovation that provide basic IP training and information to EEN colleagues.
- Target groups are: Current and potential beneficiaries of EU-funded projects, researchers, EU SMEs engaged in cross-border business activities and intermediaries providing innovation support services for SMEs and researchers.

1.4.2 International IP SME Helpdesks

These services support SMEs from the EU to both protect and enforce their IP rights in/or relating to [China](#), [Latin-America](#), [South-East Asia](#), [India](#) and [Africa](#).

Offered services and target groups:

- Training & Awareness raising events
- Helpline on legal advice is delivered.
- Resources library
- Target groups are: SMEs based in the EU and in Single Market Programme (SMP) countries that are doing business with or in the target markets

1.4.3 Horizon Results Booster

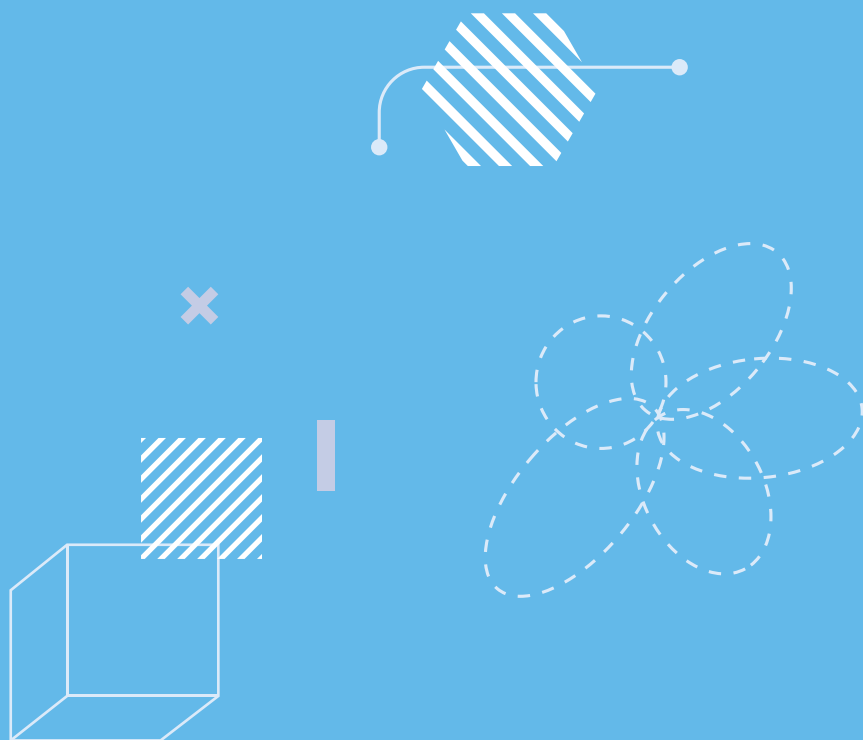
The [Horizon Results Booster](#) is an initiative of the EC which supports projects eager to go beyond their Dissemination and Exploitation (D&E) obligations - steering research towards strong societal impact and concretizing the value of R&I activity for societal challenges.

The Horizon Results Booster offers 3 types of services:

- Portfolio Dissemination & Exploitation Strategy
- Tailor made support services to develop a business plan
- Assistance, coaching and mentoring for go-to-market activities

The services are available for all ongoing and closed projects or project groups under any area of FP7, H2020 or Horizon Europe.

2. IP and innovation support



Support on innovation issues falls within advisory services and more precisely concerns the provision of innovation (management) capacity building services for SMEs when a need is detected as part of the client journey.

In this section of the guide you will find some tips to keep in mind (during the assessment phase in order to highlight IP weaknesses and raise the level of client awareness) for technology transfer actions, and for accessing European innovation and development funds during a capacity building process.

Before proceeding with the innovation process, it is crucial to conduct a thorough search of existing patents and IPRs related to your client's idea. This search will help them determine if their innovation is novel and whether any existing patents or trademarks may pose obstacles or limitations.

2.1 Identifying & evaluating intellectual property assets

Guidance on incentives and funding opportunities for the economic enhancement of IP; assistance in managing/protecting intangible assets in the internationalization process and/or in the context of technology transfer agreements.

(See point [1 IP and advisory support](#) for additional information)

Checklist

- Conduct a comprehensive search for patents (patent landscaping, FTO, competitors, potential partners, etc), trademarks and designs.
- Make an inventory of the existing IP: patents, trademarks, designs and a list of (undocumented) knowhow there is within the company.
- Check if there is a policy in place to identify, capture and

protect the company's IP in all its forms.

- ✓ Check that precautionary measures are taken in the exchange of information: implementing non-disclosure agreements (NDAs) with third parties can help protect your IP by legally binding them to maintain confidentiality.
- ✓ Check what is the company's policy towards employees, trainees and suppliers.
- ✓ Check the internationalization goals, the countries where market entry is intended, and the needs for own international IPRs and FTO in these countries. It is vital to understand and comply with IP laws and regulations in different countries.
- ✓ Check if IP has a role in the business strategy of your client's company.
- ✓ Advise your client to regularly monitor the market and industry to ensure that no one is infringing upon their IPRs.

Useful links

- [IP management and resources](#)
- [Non-Disclosure Agreement](#)
- [UK IPO Non-Disclosure agreements](#)
- [Business clinics \(free 1-on-1 mentoring sessions\)](#)
- [Discover the EPO innovation case studies](#)

2.2 Assisting clients in assessing their IP during technology/knowledge transfer

Knowledge and technology transfer encompasses all activities that underpin the transfer of a range of intangible and tangible assets (including knowledge, technology, skills, manufacturing methods, production samples, products and services) from the realm of scientific research to the market. Trademark licensing also holds significant relevance for businesses as it enables them to leverage their established brand identity for strategic growth and revenue generation.

It is a process resulting from collaboration between academia and industry and involving other actors in the chain such as incubators, IP experts and venture capitalists.

From this perspective, IP makes technology transfer safer and more efficient, thus facilitating the exploitation of innovation by existing or newly established companies (spin-offs and start-ups). The role of IP is important through all phases of technology transfer whether technology is transferred or received.

Remember, the transfer of IPR can have legal and financial implications, so it is important for your clients to seek advice from an IP attorney or specialist who can guide them through the process and ensure compliance with applicable laws and regulations.

Checklist

- ✓ Clearly identify the IP assets being transferred. Your client should specify the exact scope and nature of the IPR including any limitations or exclusions.
- ✓ Advise your client to assess ownership and rights: confirm that the company has full ownership and authority to transfer the IPRs. Determine if any third-party consents or approvals are necessary for the transfer.

- ✓ Advise the company to draft a comprehensive agreement that clearly outlines the terms and conditions of the transfer, specifying any limitations, such as territorial restrictions or time duration.
- ✓ Consider IP valuation, especially if monetary consideration is involved. This will help establish a fair and reasonable value for the transfer.
- ✓ Execute proper documentation and registration: depending on the jurisdiction and type of IP, your clients should consider filing the appropriate documentation with the relevant IP office or authority to reflect the change in ownership and ensure the transfer is legally recognized.
- ✓ Notify relevant parties: your client should communicate the transfer of IPRs to relevant parties, such as employees, licensees, or business partners who may be affected by the transfer.

Useful links

- 🔗 [IP in Business: Licensing, IP Commercialisation, IP Protection, Technology Transfer](#)
- 🔗 [Commercialising IP: Assignment Agreements Special](#)
- 🔗 [Commercialising IP: Licence Agreements](#)
- 🔗 [European IP Helpdesk, LESI and EPO Joint Special Issue of "les Nouvelles" on successful technology transfer, June 2022](#)
- 🔗 [EPO's Technology Transfer Case Studies & Podcasts](#)
- 🔗 [Key Ingredients in a Licence](#)
- 🔗 [MoU Memorandum of Understanding](#)
- 🔗 [Models of Intellectual Property \(IP\) Related Contracts for Universities and Publicly-Funded Research Institutions](#)

2.3 Assisting client during a SME Capacity Building Process

High-end and tailored advice to help start-ups and scale-ups grow and innovate internationally with a focus on (re)definition of business models, relationships with investors, access to different sources of funding including EU funds, provision of coaching and mentoring, Open Innovation approach.

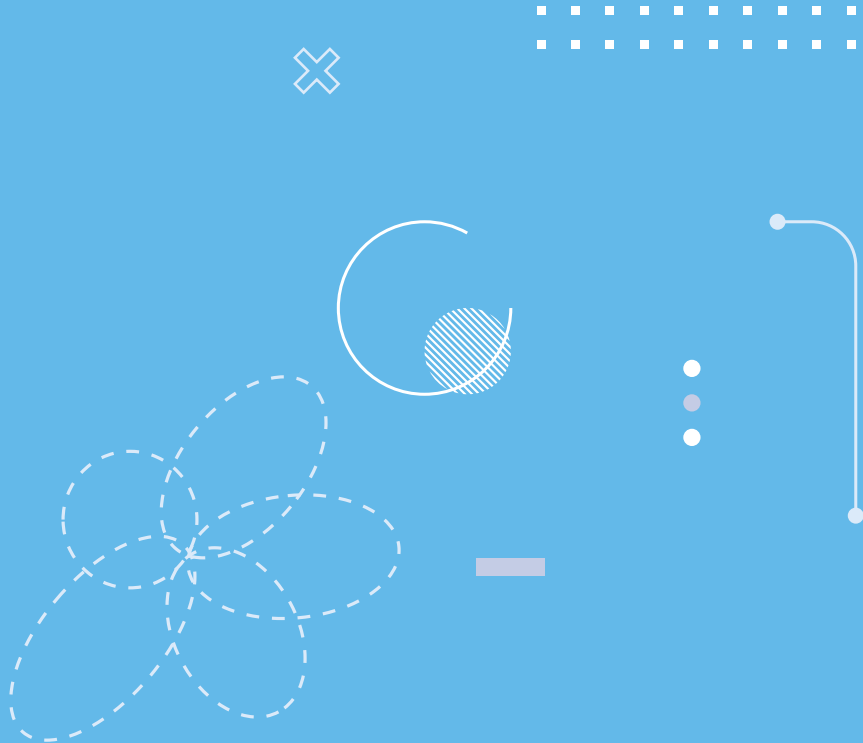
Checklist

- ✓ Consider IP as an essential strategic asset especially with investors and national/EU innovation funding agencies - for example, Horizon Europe, Eureka/Eurostars, national/regional funding agencies
- ✓ Explain the role of IP during the life cycle of a product/service
- ✓ Ask your client to evaluate the registration of IPR such as trademarks, designs, domains etc; and protection of valuable knowhow/trade secrets
- ✓ Ask your client to consider the role of IP in Open Innovation activities - collaboration for example in Innovation Pillar of Horizon Europe; Eurostars etc.
- ✓ Check the availability of the background of IP before your client joins a consortium
- ✓ Check all documents your client needs to prepare in order to apply for an EU project especially in case of collaborative research

Useful links

- 🔗 [IP in EU-funded Projects](#)
- 🔗 [Knowledge Valorisation in R&I Collaborations Special](#)

3. IP and international partnerships



A core element of the EEN client journey is to help companies grow internationally. The main activities of the EEN for business, technology and R&D partnering are:

- internationalisation advisory services
- partnering opportunities database (POD)
- brokerage events and company/trade mission, trade fairs
- collaborative R&D&I projects

Partnering agreements may arise from all of these services and IP and IPR must be considered: from the first meeting, to collaboration and negotiations.

Before venturing into foreign markets, it is vital that your clients protect their IP assets such as patents, knowhow, trademarks or designs that are at the core of their company. IP incentivises innovation and will become particularly relevant to them as they internationalise their businesses. The loss of business, revenue, reputation and competitive advantage caused by IP infringement would affect them both in their original and in their export markets, while an inadequate protection of their creations would definitely jeopardise their businesses.

However, proper market analysis and adopting a suitable IP strategy will ease their access to finance helping them to increase their revenues and overall visibility.

3.1 Identifying and evaluating intellectual property assets

Identifying the intangible assets of the company and protecting the IP assets is important for the company before entering into new markets. Plus, it is of utter importance to develop a tailored IP approach, depending on each company's sector, the market positioning, size, and stage of development. These issues will determine the final IP value.

The geographical scope of IPRs must be considered and it is important that any market growth strategy look for any conflict with other pre-existing rights. Performing a freedom to operate analysis is basic, not only for patents, but also for trademarks or designs. (See also point 1 IP and advisory support)

3.2 Internationalisation advisory services

Before entering into new markets is vital to develop a tailored IP strategy to avoid loss of business, revenue or reputation caused by IP infringement – by the client itself or by others. This includes the following core activities:

- Identifying intellectual property assets of the company
- IP Due Diligence: Due Diligence refers to a set of actions (identification, monitoring, risk assessment) directed towards gathering as much information as possible on the value and risks associated to a company's intangible assets - the company's IP.
- Know your competitors – market analysis: IP is a territorial right, so the geographical scope must be considered when going international including a FTO analysis. Especially when the client plans to launch a new product. An FTO-analysis should be performed by IP-professionals. IP search can also be used as a tool to know the competitors.
- IP cost / benefit analysis ([see chapter 1 IP and advisory support](#))
- IP valuation ([see chapter 1 IP and advisory support](#))
- IP audit ([see chapter 1 IP and advisory support](#))
- IP exploitation and commercialisation: licencing, franchising, selling, etc. Commercialisation, concerning IP, is the process of bringing IP to the market in view of future profits and business growth. There are several possibilities to commercialise IP: licencing, franchising, selling, spin-offs, joint ventures, etc.

3.3 POD – cooperation profiles

IP is also an important issue when filing profiles for the POD with your client. Therefore, it can be useful for EEN Advisors to have a basic level of IP knowledge and the awareness of some IP related issues:

a. Before filing a profile:

- Is the timing right to issue a profile?
- Does the company already have identified its IP assets?
- IP Due Diligence?
- FTO – analysis, etc. (see chapter 4.1.2)

- How much information may be disclosed in the POD?
- Novelty: most of the IP rights requires novelty to be registered and therefore are not allowed to be known to the public before:
- Has the product/process/service/technology etc. been disclosed before?
 - a.If no:** Has the client considered protecting his/her product/ service/ technology etc. by way of registered IP right BEFORE disclosing? If no – why? If yes – what is the current stage and how the EEN can help at this moment regarding IP protection?
 - b.If yes:** Has the client filed for a registered right to protect his/her intangible assets (e.g., patent, trademark, design)? If so, what is the status?

b. Filing a profile:

- It is recommended to indicate if applicable, the status of the IPR of the technology, product or service.
- Type of cooperation and partner sought.
- IPR can make the client more interesting for a cooperation.
- Thinking of different possibilities for IP exploitation and commercialisation as cooperation type: licencing, franchising, selling, etc.

c. Profile dissemination:

- Once entered into the POD, EEN profiles are in the public domain and searchable on the internet. Confidential client information should not be disclosed without permission. Be aware that any publication may invalidate a future registered IP right, because of the novelty claim.
- Make sure your client does not infringe somebody's else rights on another market: FTO
- Does your client need help during the negotiations?
- Is a non-disclosure-agreement (NDA) necessary before starting the negotiations?
- Use model agreement templates.
- Use the European IP Helpdesk Helpline to get a first check for IP clauses in contracts.

3.4 Brokerage events and company missions

International brokerage events and company missions are core tools for the Network to help clients to find new business partners. Nevertheless, EEN Advisors should considerate some IP issue when bringing their clients to matchmaking events.

Generally, participation requires companies to publicly show their profiles on the event's website or at the venue. Regardless of the format of such events, there are some risks associated with IP that all participants should be aware of. When your client discloses his/her ideas without any kind of protection they may certainly increase the risk of losing them.

To successfully build up a business relationship and start a cooperation will also depend on what happens after the brokerage event. Follow-up of IP and awareness is therefore essential.

Tip: Involve the European and the International IP SME Helpdesks as partners in your matchmakings, so clients can book meetings with them.

a. Before the brokerage event:

- Support your clients to review their profile for their technology, product, service, etc., as well as any publication or presentation they intend to take with them to ensure they do not disclose any confidential information.
- Remind your clients of the importance of not discussing sensitive information at the event.
- Since novelty is a requirement for obtaining protection for certain intellectual property rights such as patents, utility models and designs, it is important to file the application for registration before any early disclosure.
- Intellectual property rights are territorial and therefore remind your clients to consider seeking protection in the country where they are looking to expand their business.

Tip: Clients should mark their written material with copyright notices to make others aware of the rights.

b. At the brokerage event:

- Remind your clients to only share the information they have previously decided to disclose.
- In the initial meetings at a brokerage event or company mission, it is advisable not to share any confidential information at this point, even under a confidential agreement.
- Your clients should focus on what are the invention and its benefits, instead of what makes it novel.
- Since brokerage events are often associated with trade fairs or exhibitions, your clients are likely to meet potential infringers. If this is the case, they should use the event to collect as much evidence as they can (e.g., take photos, collect business cards and brochures). This material could be very useful later in case you need to enforce your rights (see next chapter).
- At the brokerage events and trade fairs companies can also check if their invention is really novel and innovative, maybe there are already similar solutions presented at the event and this will be the information for them to avoid future infringements and protections costs.

c. After the brokerage event:

- During the negotiations for partnership agreements following the contacts your clients have made during the event, remind them, that it is very important to have in place confidentiality agreements, which establish the conditions under which they will disclose sensitive information in confidence.
- If your client decides to start partnerships in a new country, remind them to consider IP in the planning: market analysis, FTO, etc.
- Sensibilise your clients to seek protection in the export territory if not already done while developing their business plan.

Source: Intellectual Property at Brokerage Events (European IPR Helpdesk)

3.5 Trade fairs

Since brokerage events are often organised on international trade fairs, and EEN Advisors may help their clients to exhibit on common booths or on their own, some IP issues should help to prepare their clients to make these activities a success.

a. Before the trade fair:

- Remind your clients to take an active role in the preservation and defense of their intangible assets, by identifying and protecting the IP in the goods and materials that they take to the exhibition.
- Support your client to identify his/her key IP assets and maybe to register the rights in their home country, the country where the exhibition takes place and in those countries in which they will sell the product, as soon as possible – IPR are territorial rights
- Companies should avoid infringing the rights of others, by performing freedom-to-operate searches before the trade fair.
- Remind your client to review all promotional material that they take to the event and to remind their employees of the importance of keeping confidentiality.
- Remind your client to identify potential infringers even before the trade fair begins by researching exhibitor lists, conducting internet searches, etc. and take preventive measures.
- Support your companies to prepare documentation showing the ownership of IP rights and their validity.
- Companies can also apply for border seizure by the customs authority, if appropriate

b. At the trade fair:

- Companies should not disclose confidential information and have their registration documents, enforcement orders, etc. with them.
- Companies can request an Exhibition Priority Certificate for novelty.
- Remind your client to collect evidence of suspected infringing goods, such as catalogues, brochures, test orders and photos.
- Companies may obtain specialist advice and check available measures against infringers, such as arbitration or mediation, criminal charges, civil claims, injunctions, declarations to cease and desist, seizures of goods by respective authorities, enforcement of legal titles.

c. After the trade fair:

- Remind your clients to be proactive and continue taking the appropriate legal enforcement measures against the infringements identified at the trade fair.

- Remind your clients to keep enforcing their IP rights, since enforcement is an on-going activity and is not limited to trade fairs.

Source: Intellectual Property at Trade Fairs (European IPR Helpdesk)

3.6 Collaborative R&D&I projects

Effective management of IP in collaborative projects is of paramount importance as it ensures the protection of innovative ideas, facilitates collaborative knowledge sharing among project partners, enables the commercialization of research outcomes, ensures legal compliance with EU regulations, and contributes to the creation of a sustainable research ecosystem that attracts talent and investment.

Beneficiaries in a collaborative Horizon R&I project must make best use of all relevant knowledge and IP to maximise the benefits from the collaboration, and to develop and successfully commercialise innovations that enhance competitiveness and growth. Effective management of the various IP issues that will arise at the different stages of a project is therefore crucial; particularly of those results which are developed collaboratively, and jointly owned. The framework to organise and manage these innovation processes collaboratively among all partners, must be considered a dynamic and flexible steering process taking into account the varying IP challenges along the project's lifecycle.

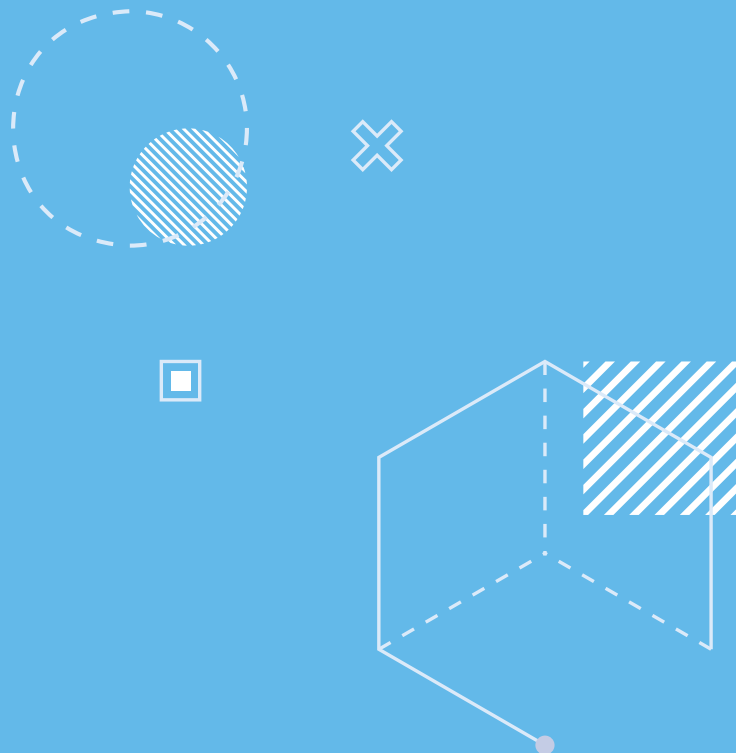
The European Commission has established rules concerning ownership, protection, access rights, dissemination and exploitation of project results, which establish guiding principles for IP management in Horizon Europe. IP rules are mainly defined in the Grant Agreement (GA) and the Consortium Agreement (CA). The Grant Agreement contains "default rules" applicable to IP management, which will be further specified by project consortia in the CA, while the GA takes precedence.

As an EEN consultant, please inform your clients about the IP rules applying in EU-funded projects, and advise them to execute an NDA when looking for partners, and properly define their background/access rights before signing the CA in collaborative projects.

Useful links

- [Commercialising Intellectual Property: Licence agreements](#)
- [Assignment of IP](#)
- [European IP Helpdesk Bulletin No. 4 / October 2021: Horizon Europe](#)
- [Your guide to intellectual property management in Horizon Europe](#)
- [Successful valorisation of knowledge and research results in Horizon Europe](#)
- [Your guide to IP in Europe](#)
- [Your guide to IP and contracts](#)
- [Video recording: How to protect your Intellectual Property Rights at trade fairs internationally?](#)
- [Patlib](#)

4. IPR service within the EEN service “Sustainability Support”



4.1 Legal requirements

4.1.1 IP compliance

Internationally operating companies are in particular need of good IP compliance management. The management has to organise and run a company in accordance with the legal provisions. In addition to identifying and securing one's own corporate IP, this also includes establishing appropriate responsibilities, guidelines and control mechanisms internally with regard to IP. For example, regulations are needed to ensure that the legal provisions for employee inventions are observed in the company. There should be a reporting system for inventions that can be patented or registered as utility models (whether possible in that country), or for technical improvement proposals, combined with corresponding remuneration regulations.

Furthermore, the company must be organised in such a way that copyright infringements by employees are avoided. The employer has a duty of care in this respect. He must not only organise the operational processes - especially the use of the intranet and internet - but also fulfil supervisory duties towards his employees. If the duties are not fulfilled, copyright infringements by employees lead to the joint responsibility of the company and, if applicable, also of the management.

Finally, do not forget giving advice to SMEs on how to protect a trade secret, creating a multi-layered approach (identification, legal and physical measures, employee training etc) that helps safeguard trade secrets from unauthorized disclosure and maintain a competitive advantage.

Checklist

- Is there a regulation that ensures compliance with the legal provisions for employee inventions in the company?
- Is there a policy on confidential information?
- Is the IP an employee invention? If so, has it been claimed or released?

- ✓ Are there measures in your company to avoid copyright infringements (especially when using the intranet and internet)?

Useful links

- 🔗 [Inventorship, Authorship and Ownership](#)
- 🔗 [Copyright Essentials](#)

4.1.2 Freedom-to-Operate guidance

Another essential area of IP compliance is the avoidance of IP infringements. In particular, companies are obliged to check whether their products infringe third-party IPRs before manufacturing and distributing them. The management must initiate the necessary checks or organise business operations in such a way as to ensure that the duty is fulfilled by employees responsible for this. In doing so, it cannot escape responsibility by merely referring to the internal distribution of responsibilities. According to case law, a managing director who, according to the internal allocation of responsibilities, is not responsible for the production and/or distribution of the infringing products is also liable. As soon as he has knowledge of the infringement, he must do everything actually and legally possible to prevent such infringement of industrial property rights in the future.

This also applies to IP-related contractual provisions. If, for example, a guarantee is given in a distribution contract that the product to be delivered is „free from third party rights“, the managing director is personally liable if the guarantee is invalidated because the product infringes third party patents, designs or trademarks. This is because case law assumes that all questions of product and product range design are decided at the managing director level. The infringement of IPRs is also punishable by law.

Checklist

- ✓ Have the characteristic features of the product or service been determined?
- ✓ Has a patent/trademark/design search been carried out on the state of the art in order to exclude an infringement of third-party rights?
- ✓ What is used in this or a similar way by your competitors?
- ✓ Which features of the product or service are problematic/critical with regard to third-party patents/rights?

Useful links

- 🔗 [Freedom-to-Operate Toolkit](#)
- 🔗 [IP and Business: Launching a New Product: Freedom-to-Operate](#)
- 🔗 [Freedom-to-Operate: Everything You Need to Know](#)

4.1.3 Compliance with international standards

With the „ecological“ taxonomy regulation (taxonomy for short), the EC wants to define which economic activities will be classified as ecologically sustainable in the future. This is intended to create the basis for channelling capital into sustainable investments, i.e. into these economic activities classified as ecologically, economically and socially sustainable.

The EU taxonomy is a classification system for economic activities that are classified as „sustainable“ according to science-based criteria. For this purpose, the taxonomy first defines common sustainability goals to be achieved in the EU. Currently, the EU taxonomy comprises the 6 environmental goals: „climate change mitigation“, „adaptation to climate change“, „sustainable use and protection of water and marine resources“, „transition to a circular economy“, „pollution prevention and control“ and „protection and restoration of biodiversity and ecosystems“. These goals may be expanded over time to include new goals; for example, the development of social goals is currently under discussion.

Checklist

- ✓ The innovation/innovation project makes a significant contribution to at least one of six environmental objectives.
- ✓ The innovation/innovation project does not lead to a significant impairment of an environmental objective.
- ✓ The implementation/application of the innovation/innovation project also complies with certain minimum social standards (these include the United Nations Guiding Principles on Business and Human Rights or the International Bill of Human Rights).

Useful links

- [EU Taxonomy Navigator](#)
- [Standards and Patents](#)
- [Standards and Intellectual Property](#)

4.2 Digitalisation & resilience

4.2.1 Trademarks, copyright, design valuation

a. Trademarks

Trademarks belong to the category of IPRs. Strictly speaking, trademark law is neither a protection for aesthetic creations nor a protection of ideas for technical solutions. The aim of trademark law is to distinguish between products of different manufacturers and to protect against confusion. There are different types of trademarks, such as word mark, figurative mark, word-picture mark, sound mark, shape mark, colour mark (the list is not exhaustive). Trade mark law protects the design only indirectly. Neither novelty nor a creative level of creation are necessary. But there are also disadvantages: Firstly, protection is limited to the goods and services designated in the trademark register, and secondly, for a trademark that has not been used for more than 5 years, anyone can apply for its cancellation for the unused goods and services.

b. Copyright

Copyright gives the owner the exclusive right to use a work - with some exceptions. When a person creates an original work that is recorded on a physical medium (e.g. audiovisual works: TV programmes, series, films and online videos; written works: lectures, articles, books and musical compositions; video games and computer software, and many more), that person automatically holds the copyright in that work.

c. Design

Design protection, on the other hand, protects the two- or three-dimensional appearance of a whole product or a part thereof. The appearance results in particular from the features of the lines, contours, colours, shape, surface structure, materials of the product itself or its ornamentation. Examples of designs: appearance of vehicles, furniture, clothing, textile patterns or graphic symbols. A product is any industrial or handicraft item. Includes packaging, equipment and graphic symbols. Individual parts that are assembled into a complex product can also be products within the meaning of the Design Act.

Checklist (to be verified with the client)

Trademarks

- Could an expressive logo or an effective company name become a unique selling point in your sector?
- Are you planning a supra-regional company development?
- Are you planning licensing and franchising activities?
- Are product name, design, logo and colour part of the concept and an essential component of the USP (Unique Selling Proposition)?
- What type of brand should be protected?
- Has research already been done on existing brands?

Copyright

- Has it been checked whether it is a copyright work?
- Has the work been published under a free licence?
- If it is a copyright work; has permission to use it been obtained from the author?
- For what purposes is the copyright work used (exceptions apply e.g. for: Teaching and science (especially the right to quote)?

Design

- Which appearance is to be protected with design protection?
- Has it already been checked whether the appearances can be protected with design protection?
- Has a prior art search been carried out?
- Are illustrations of sufficient quality available?
- Are the name of the designer and his place of residence known?
- Can an existing design be renewed?
- Is there the possibility of filing a priority application (6 months from first filing)?
- In which countries should design protection be obtained?
- Are licensing agreements envisaged?

Useful links

- [!\[\]\(d27edc55493507da2f9b8c7a52b3b96f_img.jpg\) Your Guide to IP in Europe](#)
- [!\[\]\(9bf7a72a60a57323fa980b9b0338593f_img.jpg\) Trademarks Special](#)
- [!\[\]\(4b60241e906ef61007ada3e521a0c6a3_img.jpg\) Copyright Special](#)
- [!\[\]\(5c2af0230acb459edf1f07c643964277_img.jpg\) Design Searching](#)
- [!\[\]\(5830b3ccd9bca4967fbf16381746f93d_img.jpg\) Free EU trade marks search](#)
- [!\[\]\(880cb2800aa1f40e4b440b7f1a01127d_img.jpg\) Free EU Registered designs search](#)
- [!\[\]\(4c565db309ced8029acfc225598fc1e6_img.jpg\) New Directive on Copyright and Related Rights in the Digital Single Market](#)

4.2.2 Protection of digital IP rights

In the course of digitalisation, the use of software to optimise work processes is increasing rapidly. Even in modern daily life, hardly any area can do without software - whether in the office as an office application, on a mobile phone, as gaming software or for controlling machines in production. And the trend is rising.

It is no wonder that software protection (depending on the jurisdiction, explore legal options like patents, copyrights, and trade secrets) has become as important to manufacturers as the technology of their products. Software development and marketing are challenging and extremely costly. The threat posed by copying, reverse engineering and manipulation of software solutions to companies is existentially threatening for software manufacturers. For this reason, these companies are increasingly investing in software protection for applications, machines and control systems. The larger the share of software in value creation, the more important software protection becomes. This is the only way to protect applications from industrial espionage.

Additionally, IPR can arise in various aspects of a webpage or social media content: Be it - in respect of the logo used, the text/images that appear, the interface design, typography, domain name, databases included or the coding which determines the way the website is laid out and formatted. Some of this may have been created by the company but some of the content may have been created by others. Particularly, if your client is using an agency, pay careful attention to the property clauses.

It's important for individuals and businesses to be aware of IP considerations when creating and sharing content on webpages or social media platforms to ensure they respect the rights of others and protect their own IP. Laws and regulations regarding IP can vary by jurisdiction, so seeking legal advice when necessary is advisable.

Checklist

- What type of software is it?
- Is the software part of a technical solution (e.g. control and/or monitoring software of a technical solution)?
- Is the software to be licensed for a fee or is it an open source solution?
- Has it been checked that the software solution does not violate the rights of third parties?
- Have security measures been taken to protect the software from software piracy and counterfeiting (e.g. copy protection, dongle variants, etc.)?
- Has the company register the domain name and other IPR before launching a webpage?
- If you your client is using an agency, pay careful attention to the property clauses.
- Does the company own rights over images/photographs included in the webpage/social media?
- Have the copyright notice and copyright policy been included in the company's homepage?

Useful links

- [!\[\]\(8d139a66f540002704b5c70b7fe6cc7a_img.jpg\) Domain Names and Cybersquatting](#)
- [!\[\]\(c209541a4bc5f45e44bd7791f9477320_img.jpg\) IP in Websites](#)
- [!\[\]\(8fd54d112e752061b5361c5bdf346185_img.jpg\) IP Management and Digitisation Special](#)
- [!\[\]\(3525fd0bd3680f905a850c70520e38c7_img.jpg\) Cybersecurity Special](#)
- [!\[\]\(3c3fba180f5a473bd1cb3c114e029235_img.jpg\) IP Special: Intellectual Property and Social Media](#)

4.2.3 Technology Scan/ Monitoring

In many companies today, technologies are an important factor in the provision of products, services or production processes. Since they are usually associated with certain opportunities or risks, technologies can have a significant influence on the success of companies. If a new, previously unknown area of technology is to be considered, technology research is a frequently chosen starting point.

The technology search can be the starting point for building up extensive know-how about the IP situation in a new technical field. Subsequent competitor monitoring and an FTO analysis in the case of a finished product usually build on this knowledge. The technology search also enables the early identification of suitable subject areas for new inventions. Furthermore, it helps adapt technology development and planning in the company to new technological challenges and to align the technology strategy.

Checklist (to be verified with the client)

- Which technologies are necessary to realise an application?
- Have relevant technology and application fields already been identified?
- Existing competences and technological possibilities in the company to implement the required functionalities of a future application (e.g. of products, processes and services)?
- Were technological, societal, ecological, economic and social trends influencing the use of technology in the relevant field of application identified?
- Has the technology proposal been assessed in terms of its feasibility in terms of property rights, technology and business management?

- Does the company have a corresponding technology and patent strategy for the implementation of the technology project?

Useful links

- [!\[\]\(223f1a84e0bc2cacb9c165f716817dcc_img.jpg\) Your Guide to IP Management in International Business](#)

4.3 Sustainability technologies

4.3.1 Sustainable IP development

Corporate growth requires competitive advantage. In the manufacturing industry, these are often based on new or innovative technologies. But as soon as the competition has caught up with similar solutions, the competitive advantages have disappeared again - this is often the starting signal for a price war, ever shorter development and product cycles. Even at first glance, it becomes clear that such a strategy alone is not a solid basis for sustainable growth. In the context of sustainable corporate growth, in fact, long-term periods are considered.

The use of resources - primarily energy, material, personnel, time and financial resources - must be well-planned and efficient. It is precisely in this context that the benefits of IPRs increase. The issue of sustainability is of global importance. The 2030 Agenda adopted by the global community in New York in 2015 includes 17 goals for sustainable development - the Sustainable Development Goals (SDGs). There is a consensus that intelligent innovations, modern infrastructures and an efficient industry are necessary to realise sustainable economic growth, sustainable production and other important sustainability goals.

At the political level, it is assumed that a shift to resource-efficient, low-emission and climate-friendly production will create new innovative products and processes that serve sustainable development. The

importance of sustainability is also recognised by patent offices. Interestingly, the European Patent Office introduced its own classification for sustainable technologies a few years ago (Classification:Y02/Y04)

Checklist

- Does the innovation/innovation project make a significant contribution to at least one of 17 environmental goals (SDGs)?
- Does the innovation/innovation project lead to a significant impairment of one of the 17 environmental goals?
- Does the implementation/application of the innovation/innovation project also comply with certain minimum social standards (these include the United Nations Guiding Principles on Business and Human Rights or the International Bill of Human Rights)?
- Can the impact of the implementation of the innovation/innovation project be measured by technical assessment criteria (this is to check whether it contributes significantly to an environmental objective or significantly impairs an environmental objective)?

Useful links

- [IP in the Field of Renewable Energies](#)
- [Intellectual property and the environment](#)
- [Climate Change and Intellectual Property](#)

4.3.2 Sustainable Business Model

Sustainable business models can overcome the misapprehension of considering sustainability as a mere cost factor instead of an attractive value proposition. New and, above all, sustainable business models are the decisive lever for tapping the potential for sustainable business. Here, the aspect of sustainability is either at the centre of the value proposition or it follows from the value creation structure. In no case does sustainability lead to less value creation.

On the contrary, it can create new value; even if the measure of growth may be different. This is because sustainability is the central driver of a structural change: parallel to the digital transformation, a „sustainability transformation“ of today’s business models into new, future-proof approaches is necessary. The focus here is on the natural environment and the conservation of natural resources and ecosystems. Without social and economic sustainability, however, ecological sustainability cannot be achieved.

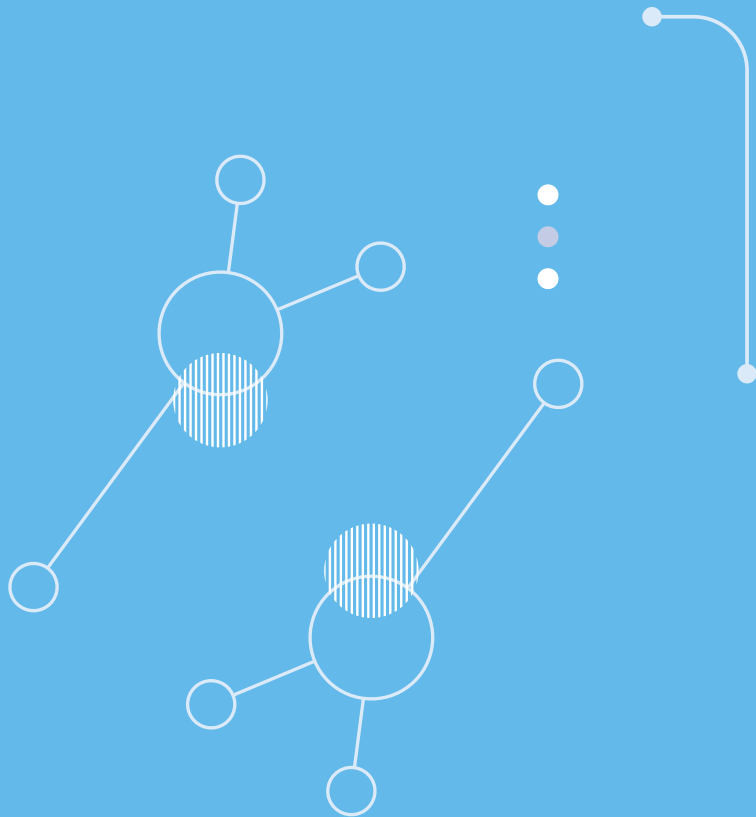
Checklist

- Has the business model been assessed/audited in terms of efficiency and resource conservation?
- Does resource recovery play an important role in your business model?
- Does the business model regularly collect sustainability-related data and communicate it transparently within your company?
- How important is CO2-neutral production in the context of your business activities?
- Do you use smart, adaptable products with regard to a use-oriented individual product design through software and digital services instead of complex, variant-rich hardware?

Useful links

- [🔗 Sustainable Development Goals and Intellectual Property](#)
- [🔗 Patents paving the way to a more sustainable future](#)
- [🔗 Green tech in focus](#)

5. Conclusions



The content of this guide is the result of a collaboration between a group of EEN staff members with extensive experience in the field of intellectual property. The final outcome seeks to be relevant, practical and useful, but the most important thing it is not the guide itself, but this group of experts and their efforts to make IP more visible within the EEN.

No attempt was made to write this guide from scratch. Instead, a lot of valuable material on IP, coming from the EPO, the EUIPO and from the different IP Helpdesks has been used. The main purpose was to use this existing expertise to create a practical document, adapted to the daily EEN activity. At the same time, it shall encourage and invite any colleague interested in IP to reach out to their nearest IP expert, working in their local language and glad to collaborate.

All these experts share one common belief in their job: using IP properly leads to good results, not only for our EEN clients. To keep it short, if you are using IP you will be able to offer a better service. Taking IP into account will generate more impact and we all know what more impact means: more achievements and more reporting activity.

In any case, not all EEN consultants should deal with IP matters on a mandatory basis, since it is not that easy to learn and the cases are always different. This guide tries to offer a series of practical tips easy to apply, but if reading this guide creates any interest, it is a good time to use the benefits of the „hub and spoke“ methodology and seek the collaboration and support of the IP experts inside the EEN.

In any case, we must remember that the advice offered, being useful from awareness-raising to strategic use and successful exploitation, does by no means replace the services of a patent attorney whose participation is even mandatory for certain representation and translation procedures. Being well aware of the necessary steps and their benefits will allow you to obtain better results.

We hope this guide is only the starting point for a fruitful, increased collaboration among EEN colleagues on IP matters.

Contact:

Meet the European IP Helpdesk Ambassadors (EEN IP experts)
[European IP Helpdesk Ambassadors](#) team

Meet the Single Market-Intellectual Property subgroup at [EEN Connect](#)

European IP Helpdesk Disclaimer

The European IP Helpdesk provides free-of-charge first-line support on IP-related issues aiming to help current and potential beneficiaries of EU-funded projects, as well as EU SMEs, manage their Intellectual Property assets.

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