



ევროკავშირი  
საქართველოსთვის  
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# IPPD Role Play

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## What is an IPPD?

An introduction to IP and a broad overview of an SMEs IP and wider intangible assets, aiming to:

- Identify the company's IP and intangible assets
- Identify risks related to its IP or use of third party IP
- Introduce the company to the value and strategic aspect of IP
- Provide a summary of key IP Management actions identified as part of audit
- Provide follow up support/signposting to help implementation of IP management actions

## What IPPD is not?

IPPD is not:

- **Legal advice** – experts should not give advice but provide information to assist the SME to make informed decisions
- **Commercialisation** advice – questions in relation to its business plan and IP can assist to identify risks/opportunities
- Formal IP Searches and Analysis, drafting or filing of IP applications or legal contracts

A follow up session (Post interview/report) can help to determine whether report summary and recommendations have been understood. This may lead to signposting to further support or funding to implement IP management recommendations

## Role Play

Two Groups

1 Breakout Room – ‘Fly By Night’ (Ian – Facilitator; Liam/Nick - SME)

2 Main Room – ‘Chocolate Heaven’ (Martin – SME; Alison - Facilitator)

Aims of exercise:

- Read case study
- Nominate group representative to present outcomes of SME and Interview
- Interview SME
- Identify IP/IA, Risks, Opportunities, Summarise IP Management Actions
- Present outcomes to group

## Role Play - structure

### 1. Identify IP and Intangible assets

These 6 Inngot Goldseam headings provide a good starting point for creating an intangible asset register, if desired, as part of an IPPD.

<b>1</b>	<b>Registered IP rights</b>	<i>Patents, trade marks and designs, at any stage of the application process.</i>
<b>2</b>	<b>Copyright</b>	<i>Creative and artistic assets, software code, process maps, notebooks, marketing materials, websites and more.</i>
<b>3</b>	<b>Contracts</b>	<i>Commitments that support income or operations. Mainly external, but some internal contracts are also important (e.g. employment contracts).</i>
<b>4</b>	<b>Internal resources</b>	<i>Trade secrets, confidential information, specialist and technical know-how, proprietary processes, and other assets unique to you.</i>
<b>5</b>	<b>External relationships</b>	<i>Non-contractual assets such as customer databases, supply chain partnerships, networks and social media presence.</i>
<b>6</b>	<b>Approvals and endorsements</b>	<i>Awards, permissions to trade, quality certification and other assets; not unique, but provide access to markets or boost customer confidence.</i>

### 2. Identify Risks:

- What risks does SME face? (eg ownership?)

### 3. Opportunities

- What assets could be better protected?

### 4. Management:

- How could the IP assets be exploited better?

delete what does not apply in the table below:

Identified IP and IP- relevant assets registration recommendations	IP related actions recommendations	IP risks recommendations	Business strategy recommendations
<ul style="list-style-type: none"> <li>* Trade marks</li> <li>* Designs</li> <li>* Patents</li> <li>* Utility models</li> <li>* Trade secrets (NDA)</li> <li>* Copyright</li> <li>* Domain names</li> <li>* Geographical Indications</li> <li>* Topographies of Integrated circuits</li> <li>* Plant variety</li> </ul>	<ul style="list-style-type: none"> <li>* Integration of IP searches into the IP management processes</li> <li>* Financing methods for IP protection</li> <li>* IP based business (monetization): licensing, selling, franchising, cobranding</li> <li>* IP Internationalization (geographical scope)</li> <li>* Consultation to IP advisers</li> </ul>	<ul style="list-style-type: none"> <li>*Third party IPR's (infringement of others)</li> <li>*Enforcement (infringements of one's own rights)</li> <li>*Ownership of IPRs in contracts</li> <li>*Loss of benefits due to lack of protection</li> </ul>	<ul style="list-style-type: none"> <li>*IP integrated business models</li> <li>*Organisational methods (internal and external)</li> <li>*Internationalization strategy</li> <li>* Financing strategy</li> <li>* R&amp;D strategy</li> <li>*Marketing and branding strategies</li> <li>*Market and customer access recommendations</li> </ul>



**Welcome Back!**

**Breakout Rooms**  
**- See you in 1 hour!**

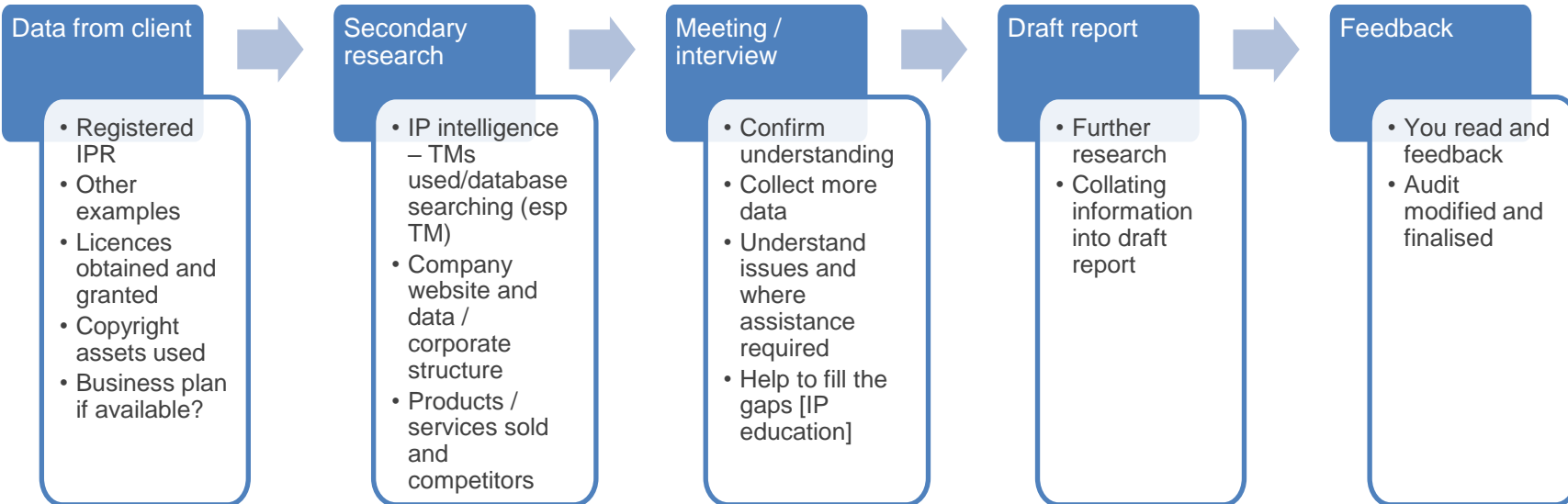
**Welcome Back!**

# Group presentation



- Overview of key points from interview (Sakpatenti representative)
- Discussion/Key takeaways
- Questions?

## TYPICAL IP Scan/IP Audit 'JOURNEY'



## Do some of these match outputs from the role play today?

### Trade marks often not registered, lacking in scope or cover an outdated subset of appropriate goods and services

- Even marks that are in use, driving revenue and vital to the company, are often poorly or inadequately protected
- Branding guidelines (to ensure consistent use of brand elements) are often absent

### Patenting not always considered

- Searches not likely to be thorough (or understood!)
- Software companies often incorrectly assume that patent protection is not available to them (or if so, that it is straightforward and harmonised)

### Trade secrets often poorly managed

- Lack of knowledge of trade secrets and ability to prevent their use if properly managed: often no clear understanding of secrets owned
- Know-how often not captured. Many things considered 'know-how' may actually be trade secrets

### Designs very rarely registered, even if relevant

- Lack of understanding or appreciation in the SME community

### Basic knowledge of copyright often missing

- Ownership issues: stock photos often used without appropriate licensing, IP is not assigned from contractors
- © statement often missing or misused
- Record-keeping and copyright management poor

### Contracts and domains

- Lack of understanding of key terms/appropriate royalties (e.g. in licensing)
- Employment contracts often lack standard IP clauses
- Frequently domains are registered to director, designer or web hosting company and not client company

### Companies often encounter issues as they grow and internationalise

- As companies export, IP position becomes worse, with little or no protection in key territories
- Risk of distributors registering company trade marks overseas
- Insufficient barriers to entry for competitors

### Companies often interested in IP value

- To support negotiations or investment

**Welcome Back!**

**Thank you**