



IP Rights for Beginners



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European Intellectual Property Aspects

Trademarks



Trademarks are crucial for protecting the distinctive identity of a business, product, or service. In Europe, the European Union Intellectual Property Office (EUIPO) handles trademark registrations, offering protection across EU member states.

Patents

The European Patent Office (EPO) governs the grant of European patents, providing inventors with the opportunity to protect their inventions in multiple European countries through a single application.

Importance for SMEs

Brand Protection

Trademarks are vital for SMEs to establish and protect their brand identity.



Innovation Protection

Patents safeguard innovations, offering inventors a competitive edge by preventing others from using, making, or selling their patented inventions.

Market Positioning

Intellectual property enhances the market position of SMEs by conveying professionalism, reliability, and uniqueness to consumers.

Impact on Funding Rounds:

Asset Value

Having a robust IP portfolio, including trademarks and patents, enhances the overall value of a business.



Risk Mitigation

A strong IP position can mitigate risks associated with competitors copying products or services, thereby making the business more attractive to investors.

Licensing Opportunities

Intellectual property can be monetized through licensing agreements, providing additional revenue streams for SMEs and increasing attractiveness to investors.



What do IP rights entail?

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EU Trademarks

The EU Trademark (EUTM), formerly known as the Community Trademark, allows businesses to register a trademark that is valid across all European Union member states.

EU Patents

The European Patent, granted by the European Patent Office (EPO), allows inventors to protect their inventions in multiple European countries with a single application.

These rights provide creators, inventors, and businesses with legal tools to safeguard their intangible assets, promote economic growth, and contribute to a level playing field in the market.

EU Copyright

Copyright protection arises automatically when a work is created, and it covers a wide range of creative expressions, including literary, artistic, and musical works.

Registered Community Design (RCD)

The RCD offers protection for the appearance of a product, including its shape, colour, and ornamentation, within the European Union. It provides exclusive rights to prevent unauthorized use of the registered design.

Geographical Indications (GIs)

GIs identify products as originating from a specific geographical area, with qualities, reputation, or characteristics that are essentially attributable to that place of origin.

EU Trade Secrets

While not a registration-based system, the EU has introduced a directive on the protection of undisclosed know-how and business information (trade secrets).

A startups step-by-step IP journey

-  **Step 1: Conduct IP Audit and Identify Assets**
Review existing products, services, and innovations
-  **Step 2: Determine IP Strategy**
Maximize IP protection globally to safeguard innovation and brand integrity.
-  **Step 3: Prioritize IP Filings**
Identify key innovations and determine priority for filing.
-  **Step 4: File for Protection**
Collaborate with IP experts for filings; keep meticulous records.
-  **Step 5: Implement IP Policies**
Enact internal policies to protect IP, educate employees, and safeguard trade secrets.
-  **Step 6: Monitor and Enforce**
Monitor market; address infringements promptly with legal action or letters.
-  **Step 7: Document Innovation Process**
Create a comprehensive innovation log, documenting key decisions and milestones.
-  **Step 8: Implement IP Policies**
Enact internal policies to protect IP, educate employees, and safeguard trade secrets.
-  **Step 9: Educate Employees**
Promote IP awareness through ongoing employee training and cultural emphasis.
-  **Step 10: Leverage IP in Business Strategy**
Leverage IP assets strategically in marketing and negotiations for competitive advantage.
-  **Step 11: Review and Update**
Periodically review and update IP strategy to align with business goals and market changes.
-  **Step 12: Seek Legal Advice**
Regularly consult IP attorneys for legal advice on IP law changes and operations.

Project Submission Process

Crowdfunding platforms often require project creators to provide detailed information about their projects.

Project Guidelines

Platforms usually have guidelines and terms of service that address issues related to intellectual property.

Educational Resources

This may include guidance on navigating intellectual property issues, understanding copyright and trademark laws, and the importance of protecting their own IP.

Project Verification

Crowdfunding platforms may implement a verification process to ensure that projects adhere to legal and ethical standards.

Do crowdfunding platforms know about IP?

Legal Compliance

Platforms are likely to have legal teams or consultants who ensure that the platform itself complies with relevant laws, including those related to intellectual property.

Communication with Project Creators

Crowdfunding platforms often communicate directly with project creators. They may advise creators on best practices, legal considerations, and potential pitfalls related to intellectual property.

Project Success Stories

Platforms may highlight successful projects that have effectively navigated IP challenges. These success stories can serve as examples for other creators,

Risk Mitigation Strategies

To maintain the credibility and reputation of their platforms, crowdfunding platforms have strategies in place to mitigate the risk of IP-related disputes.

Terms of Use for Backers

Crowdfunding platforms often have terms of use for backers as well. These terms may include information about intellectual property rights related to rewards or products offered by project creators.