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ANWALTSSOZIETÄT

# IPRs – A Major Business Tool -Patents and Trade Secrets-

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# What is IP – Why do we need IPRs?

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## Intellectual Property / Immaterial Goods

- No „physical entity“ („idea“)
- Realizable / easy to copy/multiply
- Value when multiplied? (rises/falls)
- Aggregate Value added (by whom?)
- Amendments possible
- control?

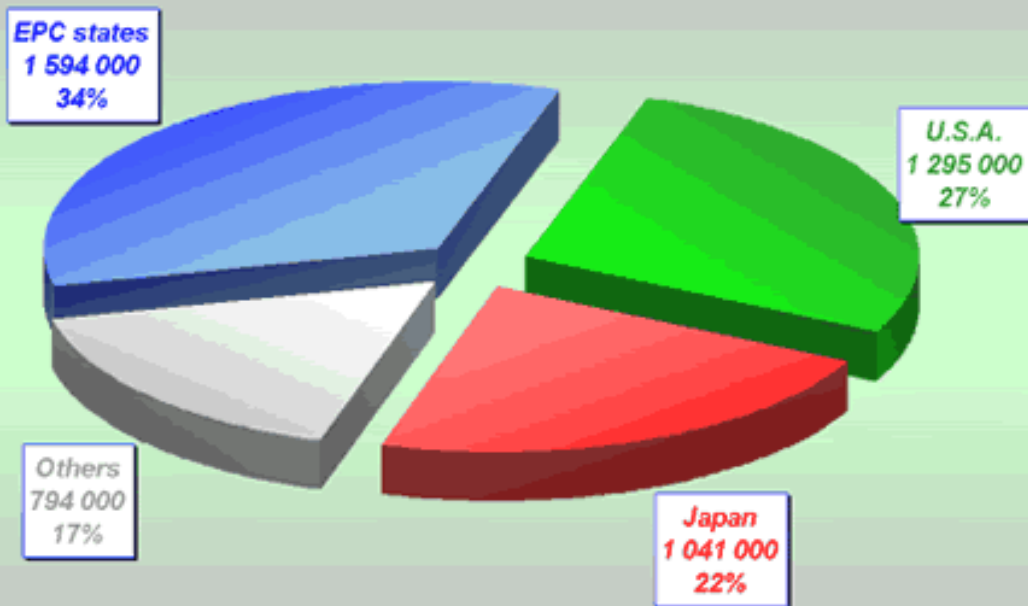
# Registered IPRs

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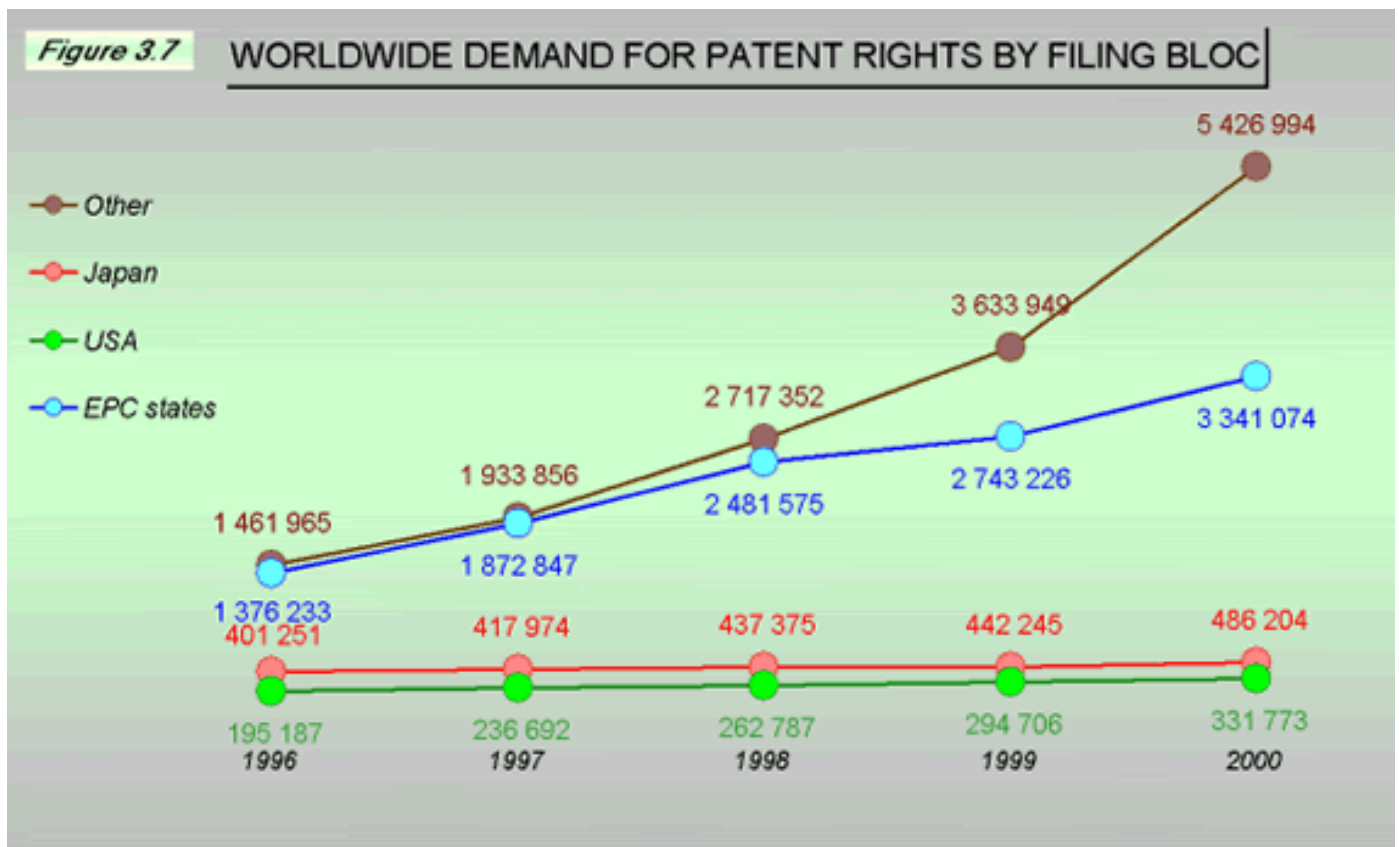
- Technical IPRs
  - **Patents**
  - Utility models
  - Topographic designs
  - (*Plant varieties*)
- Non-technical IPRs
  - Registered Trademarks
  - **Designs**

# Patents in Force

**Figure 2.1** PATENTS IN FORCE WORLD WIDE IN 2000



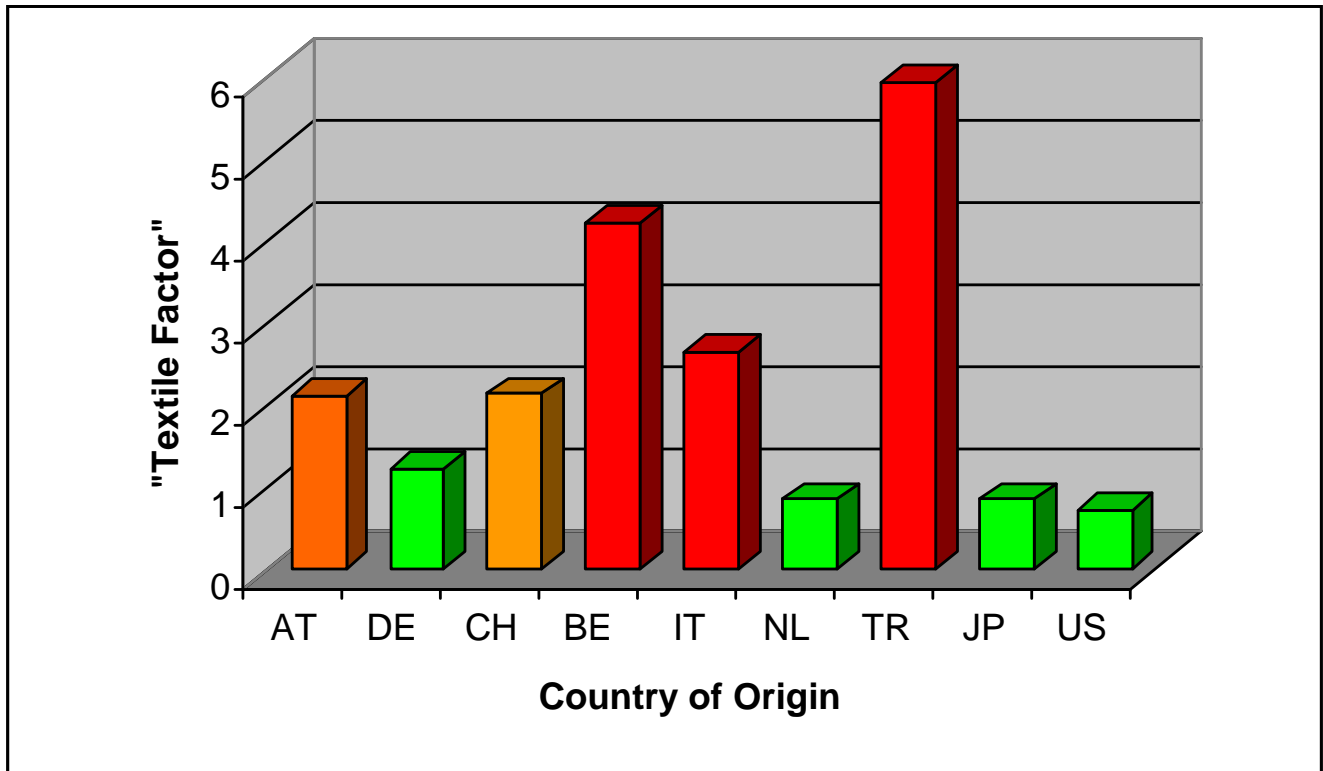
# Worldwide Patent Activities



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# „Textile EP-Activies” 2002

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# Advantages of IPRs (Patents)

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- Protection of own business
  - Control of own Technology (Start Ups, SMEs)
  - Freedom to market (!!)
  - Access to external Technology
  - *Currency*: “technology”
- Licensing (and Technology Transfer TT)
- Medium term goals

# IPR – Generating Process

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- State of Art / Problems / Searches
- R&D, Manufacturing, Ideas, ...
- „Finalization“ of an invention?
- Confidentiality Agreements / no publication/use
- Early Filing of 1<sup>st</sup> application
  - delay of further costs (foreign filings, EP, PCT,...)?
- **First protect, then make business!**  
(or “Trade Secret” ?)



# Patent or Trade Secret ?

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- Can invention be kept secret for “absolute reasons“?
- Can invention be kept secret for “relative reasons“?
  - Persons involved internally
  - External cooperation
  - Secrecy agreement
  - “Secret“ publication

# Further Questions ?

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