

EXECUTIVE SUMMARY

WORKING WITH IP IN YOUR BUSINESS

SMEs Webinar Series: Session 4

1. This webinar is the final of a four part series focused on how SMEs and use of intellectual property (IP) for their business. Building up on the foundations laid by the preceding three webinars that focused on the fundamentals of IP, IP Audits and Due Diligence, and Access to IP, the focus of this fourth webinar is on practical aspects of working with IP in your business.
2. The session recaps on the different sources of IP in business. This includes company names, brands or trademarks, customer lists, processes, drawings, patents, trade secrets, industrial designs, utility models. The session will also discuss differences between registered rights and rights in pending applications. Often SMEs use the sign ® even for a trademark that has not been duly registered or imply that a product is protected by a patent and consequently make threats of infringement – the experts will discuss the implications of these practices, including the concept of an international patent.
3. Often SMEs outsource some of their development and work. The experts will also discuss ownership of intellectual property developed by employees as well as external parties commissioned to undertake work (including software development or photographs, etc.), and in particular what measures should be taken to secure intellectual property for the business and avoid costly disputes. There are some clauses in employment contract that some laws deem to be invalid, such as ownership of an invention developed by an employee after leaving the employ of a company. These will be discussed with reference to how to ensure certainty for the SME and parties related to it whether employees or contractors / service providers.
4. Some of the questions that will be dealt with in this webinar include the following:
 - a. Is assignment always have to be in writing or could assignment of intellectual property be oral or by conduct?
 - b. What measures can SME take to protect IP developed or owned by the business?
 - c. Are confidentiality and non-disclosure agreement (NDAs) worth the effort?
 - d. What should one watch out for in these NDAs?
 - e. What instances are not suitable to use patenting as a strategy for IP protection and rather use trade secrets?
 - f. What benefits does one have from registering a trade mark as opposed to relying on common law rights based on use?
 - g. When should one make use of a patent attorney or seek expert advice?
 - h. Where should one seek protection for their IP and what are the major drivers for this decision?
5. The experts will also briefly discuss issues of infringement and what to do should you find your IP being infringed by a third party.

6. The experts will also discuss strategies of accessing third party IP for competitiveness of your business; and also how to better manage IP in your business, including revisiting issues of IP audits.
7. The webinar concludes with a fire side chat with an SME founder about the concepts covered in this webinar series, how they have dealt with IP issues, and the founder asking for advice from the experts.
8. There are no power point presentations for this closing webinar session.

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