

IP Awareness and Enforcement: Modular Based Actions for SMEs

Promoting the benefits of greater knowledge and effective management of IP in European SMEs & Intermediaries

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IPeuropAware

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”Promoting the benefits of greater knowledge and effective management of IP in European SMEs & intermediaries” - IPeuropAware’s conclusion paper

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→ www.ipeuropaware.eu

Introduction

This paper presents the results of a major European initiative co-funded by the Competitiveness and Innovation Programme (CIP) of the European Commission: “IPeuropAware - IP Awareness and Enforcement: Modular Based Actions for SMEs”, carried out by almost 30 national Intellectual Property (IP) offices and international organizations whose aim is to improve the protection, management and enforcement of intellectual property rights (IPR) in European SMEs. The project, funded by DG ENTR of the European Commission and managed by the Executive Agency for the Competitiveness and Innovation (EACI), is coordinated by the University of Alicante (Spain).





IPeuropAware has benefited from the knowledge and experience of a large pool of international experts and practitioners in the field of intellectual property, leading to the most far-reaching and comprehensive programme ever undertaken in Europe to improve SMEs’ knowledge and effective use of intellectual property.

Like physical assets, intellectual property assets must be acquired and maintained, accounted for, valued, monitored closely, and managed carefully in order to extract their full value. However, before this can be done, SMEs must first acknowledge the value of intellectual property and begin to see it as a valuable business asset. It is through this “journey” that SMEs need to be supported and guided.

The aim of this publication is to present a set of practical instruments developed in the project that can be used directly by SMEs or by those organizations that work on a daily basis with SMEs and wish to assist them in their “journey” to IP awareness. It is therefore the desire of IPeuropAware partners not only to share their endeavors and achievements with policy makers and with the whole IPR community, but first and foremost to put at SMEs and intermediaries’ disposal the knowledge and the tools that have been conceived to contribute to the safeguarding and management of intellectual property rights in European SMEs.

The remaining of the document is structured as follows: *Section 1* recalls the current global economic scenario in which the imperative need for innovation has turned intellectual property into a central issue and where the only “winners” will be those enterprises working actively, proactively and strategically with their Intellectual Property. This section also highlights the fact that in spite of its importance, many SMEs in Europe still do not fully exploit the existing possibilities for protecting their IP assets. Along with the well-known reasons why many SMEs are slow to protect their intellectual property assets (i.e. insufficient information on the relevance of IP in day-to-day business, high costs associated with obtaining and enforcing IP rights, perceptions that the IP system is esoteric, too cumbersome and time-consuming), the most recent studies carried out at European level also reveal new issues to take into consideration (e.g. dispersed/fragmented information on IP issues throughout Europe, lack of a “standardized” helpdesk, limited knowledge of intermediaries on IP issues), where action is urgently needed. *Section 2* describes in detail the IPeuropAware initiative, whose main goal is to assist entrepreneurs, SME-support institutions and national governments in increasing awareness and use of the IP system among SMEs across the European Union. This goal can only be achieved with a sound, comprehensive and well-structured set of targeted actions which embrace activities of different nature ranging from state-of-the-art and SMEs’ needs analyses, training/coaching schemes, design of IP-related support services, to cooperation and networking among national IP offices and other organizations in support of innovation and intellectual property.

IPeuropAware’s main activities have been therefore developed under three capacity-building action lines, which are fully described in *Section 3*. Each capacity-building action line is made up of a set of specific actions targeted to SMEs and/or intermediaries with the purpose to help them better assist final beneficiaries (i.e. SMEs) by rapidly and effectively disseminating information, new practices and tools. In particular the three action lines described in section 3 are the following:

(1) Skills development & enhancement of professionalism, equipping individuals (in SMEs and intermediary organizations) with the understanding, skills and access to intellectual property information, knowledge and training that enables them to perform effectively.

(2) Operational tools & service development, providing a set of tools and services that can be easily used by SMEs and intermediaries and which help them gain an understanding of and properly manage intellectual property.

(3) Cooperation improvement, developing synergies, collaboration schemes, experience sharing and networking among the main actors involved in IP (national IP offices, Enterprise Europe Network (EEN), enforcement authorities, etc). Finally, *Section 4* presents a summary of the project’s major achievements and its added value in terms of the contribution to strengthening the European dimension of the IP key issue by proposing a networking and cooperation approach to the existing gaps and challenges; by promoting harmonisation and standardisation among the offered services by national IP offices; by rationalising and systematising the existing tools, knowledge and services in the IP field and by “testing” in a practical way how the conceived approach and services package can really benefit SMEs in Europe. The paper concludes highlighting the next steps that should be taken and the support that is needed from governments and institutions in order to continue the process towards an efficient management of intellectual property rights in Europe.

Executive Summary

"Almost everyone in society is a user and potential creator of intellectual property. Its protection, through a system of national and international rules called intellectual property rights, is necessary to provide incentives and financing for innovation and creation, which in turn lead to economic, cultural and social progress. Protection for intellectual property also encourages the production and dissemination of knowledge and a wide range of quality goods and services. (…) Intellectual property protection contributes to economic growth by stimulating innovation, cultural diversity and technical development as part of a larger policy framework"[1].

This quote summarizes in a clear and concise manner the main concepts behind Intellectual Property which, due to the current developments in a globalized economy where competitiveness depends on features no longer related to price, has become a crucial tool for enterprises (specially SMEs) competing in the international marketplace.

There is a general agreement/consensus on the fact that intellectual property assets must be carefully managed in order to extract their full value. However, before this can be done, SMEs must first acknowledge the value of intellectual property and begin to see it as a valuable business asset. This awareness raising process can be seen as a "journey" that starts with SMEs having a limited knowledge of intellectual property issues and ends up when intellectual property is fully integrated into the SME's business strategy. It is therefore in this "journey" that SMEs need to be supported and guided.

The IPeuropAware approach

The IPeuropAware initiative has been developed to assist SMEs (and those organizations that work on a daily basis with SMEs) in their "journey" to IP awareness and management. It endeavors to turn "IPR novice/beginner" SMEs into "IPR-active" enterprises, by improving IP protection, IP strategy and enforcement of Europe's SMEs. These objectives can only be achieved with a sound, comprehensive and well-structured set of targeted actions which embrace activities of different nature ranging from state-of-the-art and SMEs' needs analyses, training/coaching schemes, design of IP-related support services, to cooperation and networking among national IP offices and other organizations in support of innovation and intellectual property. The main activities of IPeuropAware have been developed under three capacity-building action lines:

1. Skills development & enhancement of professionalism, equipping individuals (in SMEs and intermediary organizations) with the understanding, skills and access to intellectual property information, knowledge and training that enables them to perform effectively.
2. Operational tools & service development, providing a set of tools and services that can be easily used by SMEs and intermediaries and which help them gain an understanding of and properly manage intellectual property.
3. Cooperation improvement, developing synergies, collaboration schemes, experience sharing and networking among the main actors involved in IP (national IP offices, EEN, enforcement authorities, etc).

Outcomes and major achievements

Each capacity-building action is made up of a set of specific actions targeted to SMEs and/or intermediaries with the purpose to help them better assist final beneficiaries (i.e. SMEs) by rapidly and effectively disseminating information, new practices and tools.

[1] From Intellectual Property: source of innovation, creativity, growth and progress. Published by the ICC, www.iccbo.org , August 2005

Under the capacity-building action regarding *SKILLS DEVELOPMENT & PROFESSIONALISM ENHANCEMENT*, the specific actions are the following:

- Pilot actions to SMEs:
  - carried out in 20 European countries, involving 20 national IP offices and 219 SMEs
  - 72 new IP services & tools have been implemented by the national IP offices (of which 59% implemented in a "sustainable"/definitive manner) and
  - 72 IP services & tools have been tested with SMEs
- Pilot actions to Intermediaries
  - 67 IP tools have been transferred to intermediaries
- Sectoral Awareness Seminars on IP issues and counterfeiting for textiles & clothing, footwear, leather and furniture
  - 14 seminars organized involving more than 400 participants
- Training to national IP offices on enforcement issues
  - 4 training sessions, 40 enforcement ambassadors, and around 250 IP officials trained by the enforcement ambassadors
- IPR Enforcement and Awareness Seminars
  - 39 seminars organized in 15 countries with more than 2.200 participants (43% SMEs)

The capacity-building action on *OPERATIONAL TOOLS DEVELOPMENT*, comprises the following:

- Creation of a web portal to fit the needs of SMEs in the field of IPR (www.innovaccess.eu)
- Creation of an IP Tool-Box, with more than 60 tools
- Harmonisation and establishment of a common set of standards for National IP Office Helpdesks
- Creation of a Signposting Directory, providing extensive contact information of IP actors
- Creation of a FAQ database on Enforcement issues
- Production of several publications on IP-related issues
- Maintenance and up-date of the IPR helpdesk (www.ipr-helpdesk.org)

Finally, the *COOPERATION IMPROVEMENT* building-action gathers a series of Cooperation & Networking activities with strategic key stakeholders creating links with intermediaries (at national and EU level), with national IP office helpdesks and with IPR enforcement agencies.

Concluding remarks

What has been the added value of IPeuropAware? Has it made a difference in the way to raise awareness of IP in European SMEs? The initiative has indeed contributed to strengthen the European dimension of the IP key issue, proposing a networking and cooperation approach to the existing gaps and challenges. By creating links and promoting harmonisation and standardisation among the offered services by national IP offices, IPeuropAware has reinforced the European Union efforts to define common solutions and joint paths to a critical aspect affecting SMEs in all Member States. An attempt has also been made to intervene in a context where many other initiatives and measures have been taken so far in the same field, to rationalise and systematise the existing tools, knowledge and services. Furthermore, a first step has also been taken to put in action the conceived approach and services package and explore how it can really benefit SMEs in Europe.

Next steps

At this stage, the process cannot be considered concluded. IPeuropAware has been mainly a pilot action to test the ability of the national IP office network to produce tangible services for European SMEs; now that this process has been started it needs to be continued and developed further. A new set of initiatives and actions is required to render the network fully operational in the services package delivery, in the completion of the transfer process towards intermediaries and in spreading the work accomplished so far towards a wider target of beneficiary SMEs.
Needless to say that, in order to realize its full potential, the IPeuropAware system and approach needs to be supported by adequate policies and efficient institutions. This should rely on a strong commitment by governments, active support both at national and EU level, as well as adequate financial support as key elements to effectively manage intellectual property rights in Europe.

1. Intellectual property:

A tool to secure successful business management processes in innovative SMEs

Innovation has become one of the most important drivers of sustainable growth for businesses and of economic prosperity for society as a whole. Globalisation and technological progress are reshaping the world economy. In Europe, traditional comparative advantages for advanced economies have mostly vanished and innovation is increasingly becoming the sole response to the challenge of globalisation.

It is this imperative need for innovation that has turned Intellectual Property into a central issue. Firms must continuously improve their products and services if they wish to maintain or capture new market shares and remain competitive. They often invest large amounts of money in R&D and in marketing and advertising, but these investments will not be undertaken unless businesses are in a position to recover their expenditures. Appropriate and effective protection of intellectual property gives innovative businesses a powerful incentive to invest and contributes to economic growth.

"Intellectual property is an increasingly important asset that must be continually nurtured, protected and stimulated to grow [2]".

Intellectual property protection has become a fundamental component of the "toolkit" required for a coherent and successful innovation policy strategy leading to economic growth. Conversely, the illegal use of intellectual property results in economic and social costs, which are detrimental to economic growth. Piracy and counterfeiting are responsible for large losses of employment opportunities as well as substantial losses of tax revenues[3] and lead to serious distortions in the marketplace. What is more, counterfeiting is no longer concentrated on luxury items but threatens every industry sector.

Intellectual property theft restrains innovation and deters honest local entrepreneurs from investing in product and market development.

Businesses are less likely to transfer advanced technology, or invest in production or R&D facilities in countries where they are likely to have their products copied or their technology stolen. This particularly affects knowledge intensive industries - where intellectual property plays a key role- which are the cornerstone of the economic strategies of many EU countries.
A strong IPR regime has both economic and social positive effects, creating a stable environment in which to make investment decisions. It provides a clear basis for joint ventures, licensing and other forms of business cooperation and it can contribute to the development of new, pioneering business models. In order to realize its full potential, the intellectual property system has to be supported by adequate policies and efficient institutions.

Strong commitment by governments as well as public awareness and active support (both at national and EU level), are key elements to effectively manage intellectual property rights.

[2] Source: Adapted from Intellectual Property: source of innovation, creativity, growth and progress. Published by the International Chamber of Commerce, www.iccbo.org , August 2005

[3] Although the extent of counterfeiting and piracy is still difficult to determine with accuracy, a study on the Economic Impact of Counterfeiting and Piracy by the OECD in 2007 , suggested that internationally traded counterfeited or pirated products in 2005 could have been worth up to USD 200 billion. This is equivalent to 2% of world trade. Furthermore, this figure does not include counterfeit and pirated products that are produced and consumed domestically, or non-tangible pirated digital products being distributed via the Internet. If these items were added, the total magnitude of counterfeiting and piracy worldwide could well be several hundred billion dollars more. The OECD study also shows that counterfeit and pirated products are being produced and consumed in virtually all economies and that, in recent years, there has been an alarming expansion of the types of products being infringed.

1.1 Protecting, managing and enforcing IP:

a key enabling factor for SMEs' competitiveness and growth

Successful actors in the knowledge-based economy will therefore be those enterprises working actively, offensively and strategically with their intellectual property and in this scenario the registration of IPR is just the first step in a process that requires the management and enforcement of IPR to be complete.

The defensive usage of rights where IP is used to protect knowledge needs to be expanded to include also the more strategic view where the SMEs focus on how to get the most out of their IP and IPR and on finding the best ways to get access to knowledge and innovative solutions.

SMEs should consider how to best use the intellectual property system to their own benefit. Box 1 lists some of the opportunities that intellectual property offers to SMEs.

Box 1: Intellectual Property for the benefit of SMEs

IP ENHANCES THE MARKET VALUE AND THE COMPETITIVENESS OF SMES

The value of IP is often not adequately appreciated and its potential for providing opportunities for future profit is widely underestimated. The strategic use of IP assets can substantially enhance the competitiveness of SMEs for a number of reasons:
(a) IP may generate an income for the SME through the licensing, sale, or commercialization of the IP-protected products or services that may significantly improve an enterprise's market share or raise its profit margins
(b) IP rights can enhance the value or worth of the SME in the eyes of investors and financing institutions
(c) in the event of a sale, merger or acquisition, IP assets may significantly raise the value of the SME

IP AS AN INVESTMENT

Markets value a company on the basis of its assets, its current business operations and expectations of future profits. The latter may be considerably affected by the acquisition of key patents. Similarly, a trademark with a good reputation among consumers may also enhance a company's current value and may contribute to making the company's products and services more attractive to consumers. Therefore, investment in developing a good IP portfolio is much more than a defensive act against potential competitors; it is a way of increasing the company's market value and improving future profitability. The crucial point about legal protection of intellectual property is that it makes intangible assets "a bit more tangible" by turning them into valuable exclusive assets that can often be traded in the market place.

(Adapted from: T.V. HUNG: "SMEs and supply chains", UNESCAP, July 2007)

In spite of its importance, many SMEs in Europe still do not fully exploit the existing possibilities for protecting their intellectual property. Insufficient information on the relevance of IP in day-to-day business, high costs associated with obtaining and enforcing IP rights, perceptions that the IP system is esoteric, too cumbersome and time-consuming are some of the reasons why numerous SMEs are slow to protect their intellectual property assets.

Several studies[4] have been recently carried out to find out the real situation in Europe regarding intellectual property, its protection and enforcement. The main issues/problems identified and the areas where there is still room for improvement are summarised in the table below:

Table 1 Main issues and the areas of improvement

Main issues/problems	Areas of improvement
Lack of information for SMEs on IP issues / low awareness of IP	At the basic level of providing information about IP rights, there is a good level of information provision from Europe's national IP offices, but the provision of strategic-level IP information and services need to be increased if Europe is to keep up with global trends. Improvements may come from two fronts: - At policy level: national strategies for SME awareness and support on IP rights usage and enforcement at EU and local levels, bringing together the main existing institutions and services should be developed - At operational level: user-friendly, centralized and easily-accessible information and assistance about IP should be made available to SMEs. This could be done through the development of a dedicated web portal, creation of specific support material and tools, dissemination actions such as awareness raising seminars, workshops, training, coaching sessions and the like.
Lack of a « standardized » helpdesk service throughout Europe, involving national IP offices	Since IP helpdesks are the first contact point for SMEs when seeking information about IP rights, it is necessary to set-up of a network of national contact points (helpdesks) for European SMEs and their advisors providing first-line support in IP and enforcement issues in a homogeneous and standardized manner, with a common set of minimum performance standards ensuring high-quality delivery as a first step towards the improvement of the awareness levels of IP in SMEs.
Disperse information on IP service providers	To fulfil this gap, policy action calls for an increased cooperation between national IP offices and SMEs intermediaries promoting sustainable collaborations with business intermediaries, in particular partners of the Enterprise Europe Network and all relevant local actors (Innovation agencies, Chamber of Commerce, SMEs associations). Also although most national IP offices provide a good level of response to the most common enquiries, guidance on enforcement issues and in the area of informal IP protection still have room for improvement.
Limited knowledge/ skills of intermediaries on IPR issues	SMEs might lack information on IPR issues due to the inadequate preparation of intermediaries, who are very often the first contact point of an SME. It would be therefore necessary to develop policy actions aimed at ensuring that intermediaries are well trained and have the right knowledge/information to provide a first advice or to signpost the right experts able to answer the SME's questions on IP and enforcement issues.

[4] "Planning local actions for Intellectual Property Awareness and Enforcement Services", IPeuropAware working paper, 2009; "Supply and Demand of Intellectual Property Rights Services for SMEs: A Gap Analysis", IPeuropAware working paper, June 2009; "Benchmarking national and regional support services for SMEs in the field of intellectual and industrial property (2007), KMU Forschung Austria; "Effects of counterfeiting on EU SMEs" (2007), Technopolis for DG Enterprise and Industry



Along these lines, there is a general agreement on the need for a base intellectual property strategy incorporating major intermediaries for Europe, including awareness raising activities and highlighting the advantages and benefits of the intellectual property system, in particular for SMEs.

There is an increasing emphasis in the policy debate on the need for good business support services that can offer guidance and assistance, especially to SMEs, to enable them to find a way through the complex issues of effective IP management.

To cater for these needs and help SMEs fully utilize their IP assets in their business activities, the European Commission has co-funded a 3-year programme "IPeuropAware" to assist entrepreneurs, SME-support institutions and national governments in increasing awareness and use of the IP system among SMEs across the European Union. The following section describes in detail the initiative and its solutions to address the current challenges.

2. IPeuropAware:

Boosting IP management in innovative SMEs

Box 2 IPeuropAware in a nutshell

Intellectual Property Awareness and Enforcement: Modular Based Actions for SMEs (IPeuropAware),

is a Europe-wide initiative co-funded by the Competitiveness and Innovation Programme (CIP) of the European Commission (DG Enterprise and Industry) with the overall objective of raising awareness of IPR issues among SMEs and providing usable and useful tools for intermediaries. The project also aimed to implement new and improved services within key partner organisations, such as national IP offices. It is the most far-reaching and comprehensive initiative ever undertaken in Europe to improve businesses' knowledge and effective use of intellectual property rights. Although the initiative targets SMEs as the final beneficiaries, many actions have also been directed to SMEs intermediaries (including both SMEs' support organizations -chambers of commerce, regional innovation/development agencies, networks in support of business and innovation agencies, SMEs associations, etc.- as well as actors involved in IP such as national IP offices, enforcement authorities) with the purpose of improving their support to SMEs. With a total budget of €7.7 million and duration of 3 years (2007 – 2010), the project has been implemented by a consortium of 19 national IP offices and related institutions and was coordinated by the University of Alicante. The promoters of the initiative are distributed all over the EU ensuring a good coverage, as shown below:

University of Alicante – project Coordinator

19 National IP offices:
Austrian Patent Office
Patent Office of Republic of Bulgaria
Industrial Property Office of the Czech Republic
Danish Patent and Trademark Office
National Board of Patents and Registration of Finland
Institut National de la Propriete Industrielle (FR)
German Patent and Trade Mark Office
Hellenic Industrial Property Organisation
Hungarian Patent Office
Direzione Generale per la lotta alla Contraffazione-Ufficio Italiano Brevetti E Marchi (IT)
Ministry of the Economy and Foreign Trade
Intellectual Property Office (LUX)
Industrial Property Registrations Directorate
Commerce Division (MT)
Patent Office of the Republic of Poland
Portuguese Institute of Industrial Property
State Office for Inventions and Trademarks (RO)
Oficina Española de Patentes y Marcas (ES)
Swedish Patent and Registration Office
Turkish Patent Institute
The Intellectual Property Office (UK)



And other organisations:
Centre de Recherche Public Henri Tudor
Estonian Patent Library
Institut Europeen Entreprise et Propriete Intellectuelle
Politecnico di Torino
Chamber of Commerce of Venice
Luxinnovation GIE
Fundacio Privada CETEMMSA
European apparel and textile organization - EURATEX

In the current context, as illustrated in section 1, the "big" challenge for European SMEs is to become "IPR-active" enterprises, meaning that they not only acknowledge the value and protect their IP but also start using it as a valuable business asset. To assist companies in this demanding task, the European Commission has funded the IPeuropAware project with the main objective of raising awareness and knowledge of IPR for SMEs, helping them to "get the best value" out of their intellectual property.

The overall goal of IPeuropAware is to raise awareness and knowledge of IPR among SMEs and to support them in building capacity to treat IPR as a strategic asset. This requires developing new IPR support services and making an effort to better inform SMEs and raise the interest of the business managers, as well as effectively transferring knowledge on the more advanced disciplines within the strategic use of IPR, such as explaining the importance of intangible assets as a potential competitive edge in the future, or assisting SMEs in finding partners for licensing or sale of their innovations.

With this in mind, the general goal of the project has been translated into several "strategic" objectives aimed at accompanying and guiding SMEs in their "journey" to IP awareness and management.

The "SMEs' IP journey" starts with a "basic" level of IP knowledge and understanding (also called "protective" or "defensive") and ends up when an "advanced" level (also called "pro-active", "offensive" or "strategic") is reached. At this level, the company is fully aware of the need to integrate IP in its innovation strategies and business planning.

The SME can make distinctive stops on this journey (see figure 1) in which it receives appropriate assistance to:

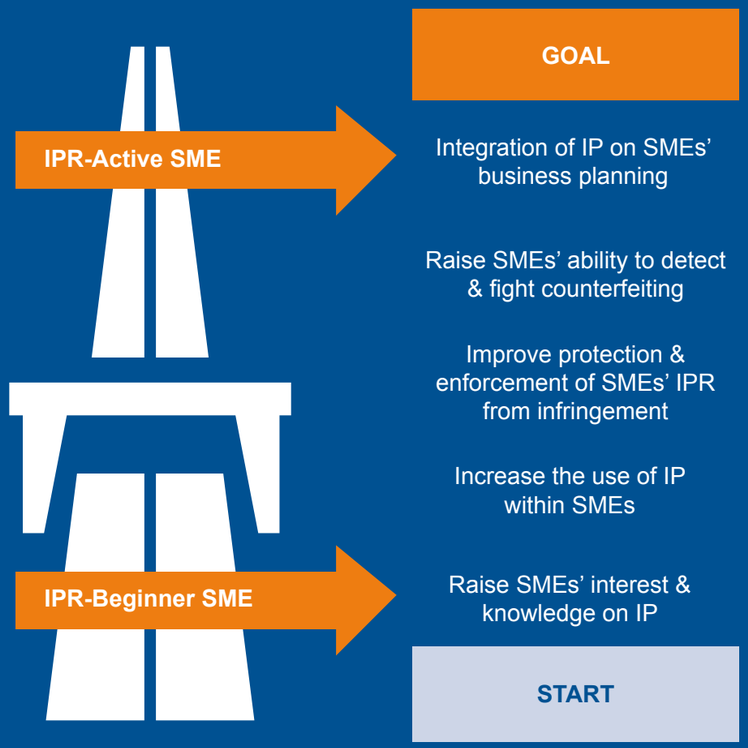
- raise the company's interest and knowledge about IP issues
- foster the use of IP
- improve protection and enforcement of the SMEs' IP rights from infringement
- raise the ability of companies to detect and fight counterfeiting
- integrate IP in the company's innovation strategies and business planning

In this sense, the efforts and assistance of IPeuropAware go in the direction of turning "IPR novice/beginner" SMEs into "IPR-active" enterprises, by improving IP protection, IP strategy and enforcement of Europe's SMEs.

The project has focused on innovative SMEs in all sectors, and one module in particular was devoted to the textiles and clothing, leather, footwear and furniture industries since SMEs in these sectors are facing major counterfeiting and piracy problems[5]. This action sought to provide specific assistance for these identified problem areas. Moreover, it is also an objective of the project to promote and support the use of IPR in international R&D and technology transfer activities, providing an IPR support service via the IPR Helpdesk to actual and potential beneficiaries of CIP and Research Framework Programme actions, therefore not only to high-tech SMEs but also to Public Research Organizations (universities, research centres).

[5] Enterprises in several industrial sectors have either insufficient information on their rights and the means of protecting intellectual property, or they lack financial resources to defend their rights. The fashion and design industries in particular face specific problems linked to: a) significant copying of designs and models in addition to brands and trade marks, b) the magnitude of existing international competition, and c) the rapid seasonal replacement of products.

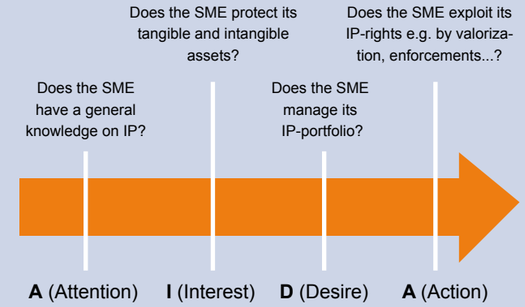
Figure 1 “The journey to IP awareness & management”



Box 3 Methodological approach

A “NEW” USE OF AN “OLD” METHOD: USING THE AIDA FRAMEWORK TO IDENTIFY THE MATURITY LEVEL OF AN SME WITH RESPECT TO ITS IP PRACTICE

In order to transform “IPR novice/beginner” SMEs into “IPR-active” enterprises it is necessary to assess the companies’ understanding of intellectual property issues and to be able to quantify their maturity level with respect to their IP practices and knowledge. To this end, IPeuropAware has developed an analytical framework drawing on the AIDA methodology[6] which has been successfully adapted to better understand SMEs’ knowledge of intellectual property and to allow for the identification of the SME’s “IP-status”. The idea behind this framework is to attach to each of the four levels of AIDA one particular type of IP practice. Each type of IP-practice following the AIDA scale is categorised following an increasing level of IP-integration into the enterprise:



A (Attention): The SME is aware of IP

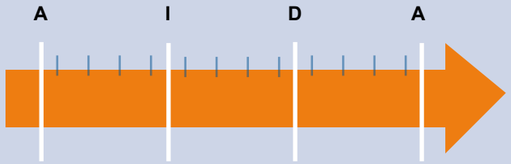
I (Interest): The SME is protecting IP on a more or less regular and systematic basis

D (Desire): The SME possesses an IP portfolio of a certain size and is managing its IP-rights

A (Action): The SME is exploiting its IP rights, by e.g. valorising its rights or by enforcing

In the adapted AIDA framework the four levels are: Level 1 – Awareness; Level 2 – Protection; Level 3 – Management; Level 4 – Exploitation.

The information provided through the AIDA methodology has been of paramount importance throughout the project both to analyze the supply and the demand of support services related to intellectual property in general terms as well as to define individual SME’s “IP diagnosis” followed by action plans with the objective to improve the practices and use of intellectual property of several European SMEs.



A - Knowledge			
General knowledge om IP	Confidence in IP	Information	Protection and confidentiality
I - Protection			
IP rights	Use of other IP tools	Intangible assets	Confidentiality
D - Management			
Administrative management	Operational management	Intangible assets	Third parties rights
A - Exploitation			
Strategy	Commercialization	Defense of IPR	Information monitoring

[6] AIDA stands for: Attention Interest Desire Action. See the document: “Supply and Demand of Intellectual Property Rights Services for SMEs: A Gap Analysis”, IPeuropAware working paper, June 2009, for a description of the methodology.

2.1 From theory into practice:

Translating IP strategic objectives into capacity-building actions

The initiative's ambitious objectives can only be achieved with a sound, comprehensive and well-structured set of targeted actions which embrace activities of different nature ranging from state-of-the-art and SMEs' needs analyses, training/coaching schemes, design of IP-related support services, to cooperation and networking among national IP offices and other organizations in support of innovation and intellectual property. The main activities of IPeuropAware have been gathered under the umbrella of what we may denominate "capacity-building actions".

In literature, the term "capacity building" has been defined in general terms as the "process of developing and strengthening the skills, instincts, abilities, processes and resources that organizations and communities need to survive, adapt, and thrive in the fast-changing world[7]."Rewording the general definition and adapting it to the IPeuropAware case:

IPeuropAware's capacity-building actions are oriented towards the development and strengthening of knowledge, skills, abilities, processes and resources that SMEs and intermediary organizations need to manage IP efficiently in order to survive, adapt and thrive in the fast-changing world.

IPeuropAware has developed capacity building actions on three fronts:

1. **Skills development & enhancement of professionalism,** equipping individuals (in SMEs and intermediary organizations) with the understanding, skills and access to intellectual property information, knowledge and training that enables them to perform effectively.
2. **Operational tools & service development,** providing a set of tools and services that can be easily used by SMEs and intermediaries and which help them gain an understanding of and properly manage intellectual property.
3. **Cooperation improvement,** developing synergies, collaboration schemes, experience sharing and networking among the main actors involved in IP (national IP offices, EEN, enforcement authorities, etc).

[7] Source: Ann Philbin, "Capacity Building in Social Justice Organizations" Ford Foundation, 1996. For organizations, capacity building may relate to almost any aspect of their work: improved governance, leadership, mission and strategy, administration, partnerships and collaboration, evaluation, marketing, product development, positioning, planning, etc. For individuals, capacity building may relate to leadership development, advocacy skills, training, technical skills, organizing skills, and other areas of personal and professional development.

Figure 2 IPeuropAware capacity-building actions



The capacity-building actions are targeted both to SMEs and to intermediaries[8], with the purpose to help them better assist final beneficiaries (i.e. SMEs) by rapidly and effectively disseminating information, new practices and tools. The specific implemented actions are shown in the table below:

[8] The term "intermediaries" refers here to SME's support organizations (organizations that work with SMEs on a daily basis, e.g. Chambers of Commerce, Networks in Support of Business and Innovation, Innovation agencies, Regional development agencies, SMEs associations) as well as to actors involved in IP such as national IP offices, enforcement authorities.

Table 2 Specific actions and target groups

Capacity-building actions	TARGET GROUPS	
	SMEs	Intermediaries
SKILLS DEVELOPMENT & PROFESSIONALISM ENHANCEMENT		
Pilot actions to SMEs	✔	
Pilot actions to Intermediaries		✔
Sectoral Awareness Seminars on IP issues and counterfeiting (for textiles & clothing, footwear, leather and furniture)	✔	✔
Training to national IP offices on enforcement issues		✔
IPR Enforcement and Awareness Seminars	✔	✔
OPERATIONAL TOOLS DEVELOPMENT		
Web portal InnovAccess	✔	✔
IP Tool-Box	✔	✔
National IP Office Helpdesks	✔	✔
Signposting Directory	✔	✔
FAQ on Enforcement	✔	✔
Publications on IP-related issues	✔	✔
IPR helpdesk	✔	✔
COOPERATION IMPROVEMENT		
Cooperation & Networking		✔

To design and implement these actions IPeuropAware has counted with the valuable contributions provided throughout the project by three Advisory Groups made up of professionals and practitioners with long expertise and experience in the field of IP and innovation. The role of the Advisory Groups has been to provide practical advice and support, with the intention of helping the consortium at different stages of the project. The combination of members' own knowledge and expertise together with instructive discussions, active debates and continuous exchanges of opinions among the experts have contributed to create and put into operation a set of tools to support SMEs and intermediaries, some of which will be made available to SMEs and intermediaries after the project ends. A detailed description of each action is presented in the next section.

Box 4 IPeuropAware Advisory Groups

IPeuropAware has involved more than 65 experts and international organizations that have provided invaluable contributions and professional support throughout the initiative. Three Advisory Groups - each with distinct mandates and tasks- have been involved in the project:

- *The Advisory Board*, a think-tank made of 24 professional "observers" with the objective to provide strategic direction and unbiased judgement to the project;
- *The Enforcement Expert Group*, an operative and specialist task-force consisting of 12 experts highly committed to the topic of enforcement of intellectual property;
- *The Advisory Committee* made of 29 skilled practitioners and sector experts with the mandate to provide sector-specific information, contacts with SMEs and guidance to support the project consortium in the development of sectoral guides.

THE ADVISORY BOARD

The role of the Advisory Board has been to provide sound advice and strategic direction to the project. The Advisory Board is a think-tank that consists of national IP offices (those offices that decided not to join the action as partners, but still remain interested and support the initiative), international organisations such as OHIM, EPO Academy and WIPO-SMEs, and external experts. The Advisory Board has been regularly informed and updated on the progress of the initiative and on its achievements and its members have been invited to attend the seminars organised within the project. The Advisory Board members have provided advice, guidance and constructive contributions have been given on several occasions, in particular during the design and evaluation of several tools for SMEs (the web portal InnovAccess and the IP Toolbox for SMEs). Besides that, the role of the Board as a dissemination platform for the results deriving from the project has been highly appreciated and shall continue to be exploited after project end.

THE ENFORCEMENT EXPERT GROUP

The Enforcement Expert Group (EEG) of IPeuropAware has worked as a specialist, highly operative "task-force" created to provide guidance and assistance to the project in the field of intellectual property enforcement. The group has been deliberately kept small in size to guarantee efficiency and flexibility in carrying out the tasks assigned. The EEG consists of national IP offices, private advisers, business organizations as well as enforcement agencies that have played a fundamental role in: (a) providing practical recommendations in the field of enforcement; (b) discussing and agreeing on the content of enforcement services for national IP offices' helpdesks as well as acting as the reference group for the development of new enforcement support services; and (c) supporting and conducting the training of national IP offices on IPR enforcement issues as well as monitoring and evaluating their performance.

THE ADVISORY COMMITTEE

The Advisory Committee was created to provide assistance and relevant information on four industrial sectors that are currently facing major counterfeiting and piracy problems (textiles and clothing, leather, footwear and furniture). Representatives of these sectors have taken part in the Advisory Committee, playing a crucial role as first-hand info-providers of key sectoral information regarding the structure, composition, players and particularities of each sector. This information has been included in the sectoral guides produced by the project to promote awareness on IP protection among SMEs and to inform them about the risks of counterfeiting. The experts of the Advisory Committee have been directly involved in the design of the guides, validating the content and its usefulness to ensure that the guides meet the needs and expectancies of the final beneficiaries, the SMEs.

3. The outcome of the capacity-building actions:

A set of tools and services for the benefit of SMEs and Intermediaries

Capacity-building action No.1:

Skills development and professionalism enhancement

3.1.1 Pilot actions to SMEs

The objective of the pilot actions carried out within IPeuropAware has been two fold: On the one hand, the pilot actions aimed to implement "new" IP-related tools and services[9] in national IP offices, therefore enlarging and enriching their service offer. On the other hand, the pilot actions have been used to test these tools directly with SMEs representatives during a limited period of time. The idea to establish direct contacts between the local national IP offices and the SMEs has been extremely useful not only to get the SMEs' attention, raise their interest and increase their understanding of IPR and/or enforcement issues, but also to provide a personalised answer to specific questions, helping SMEs to take the right decisions with respect to IPR and enforcement in their businesses.

A key element of the pilot actions has been the use of the AIDA framework adapted to IP[10] in order to identify the maturity level of the SME with respect of its IP practices - AIDA IP Diagnosis - (see also Box 3) and, on the basis of that level, recommend a tailored service/tool/activity to be tested directly within the firm in order to improve its knowledge and/or use of IP. Through the pilot actions IPeuropAware has been able to test how to best help SMEs transform into "IPR-active" enterprises. In practical terms, each pilot action has been a valuable opportunity to directly interact with the SME so as to:

- Evaluate the SME's practices and use of Intellectual Property
- Make the SME familiar with the AIDA IP Diagnosis method and with the reporting of the results (positioning, gaps)
- Jointly define an action plan to improve the SME's practices and use of IP
- Suggest a tool(s) to be tested during the pilot action
- Obtain direct feedback (satisfaction, acceptability) of the tested tool from the SME
- Evaluate/assess eventual modifications/changes of the tool (if necessary)

This exercise, carried out in 20 European countries, involving 20 national IP offices and 219 SMEs[11] has produced interesting results that can be used to improve the offer of IP-related services and tools to European SMEs.

[9] The IP-related services can take a variety of different formats, e.g. a tool, a method, a service or a training-activity. The "novelty" issue must not be intended in general/absolute terms but it depends on each particular case. A tool is "new" to a national IP office if the office is using/implementing it for the first time.

[10] Petit C., Dubois C., Harand A., & Quazzotti S. (2010). "A new, innovative and marketable IP diagnosis to evaluate, qualify and find insights for the development of SMEs IP practices and use, based on the AIDA approach". World Patent Information. doi:10.1016/j.wpi.2010.03.001

[11] Out of the 219 SMEs, 192 SMEs have reported their actions

→ Enhance your business potential, link with the IPeuropAware network







- 72[12] new IP services and tools have been implemented in the national IP offices
- 59%[13] of these services has been implemented in a "sustainable"/definitive manner (meaning that the national IP office has incorporated the service into its service offer on a permanent basis and will continue offering it after the project ends)
- 72[14] IP services and tools have been tested with the SMEs

The most "successful" tools (in terms of number of national IP offices that have implemented them and are using them "sustainably") are the following[15]:

1. AIDA interview
2. AIDA light online questionnaire
3. IP Panorama
4. Innovator guide - Consider licensing
5. LIIP guide

The feedback obtained from the pilot actions, both from national IP offices (who have introduced new services) and from SMEs (who have tested them) has been very positive. The majority of SMEs, which are the final beneficiaries of the tools, have appreciated this initiative.

3.1.2 Pilot actions to Intermediaries

The aim of the pilot actions addressed to intermediaries has been to transfer the IP tools and the necessary knowledge and know-how to allow them to apply the tools in SMEs. Since, in many cases, intermediaries provide basic direct answers to SMEs seeking IP advice or information on enforcement issues, it is of paramount importance to help these intermediaries increase their own knowledge on the IP-system, and provide them with specific material (the IP toolbox) along with advice to make effective use of such material.

Direct meetings have been organised at national level with local intermediaries to facilitate the transfer of the tools and to enable them to develop - based on such tools - new services for SMEs. This "novel" way of establishing collaboration schemes with intermediaries for the implementation of IP support services to SMEs has been greatly appreciated by both national IP offices and intermediaries.

The total number of tools transferred to intermediaries amounts to 67[16].

[12] 60 are reported

[13] 55 % are reported

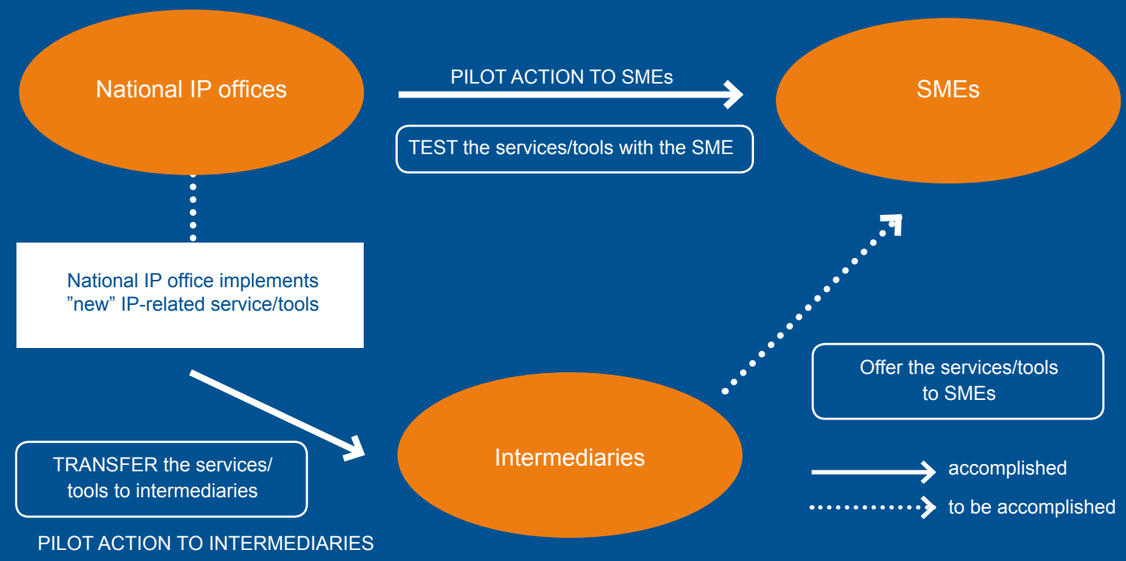
[14] 60 are reported

[15] A brief description of each tool is presented in Annex.

[16] 57 are reported

The figure below illustrates the pilot actions to SMEs and to Intermediaries

Figure 3 IPeuropAware Pilot Actions



3.1.3 Sectoral Awareness Seminars on IP issues and counterfeiting in cooperation with Enterprise Europe Network

The Sectoral IP Awareness Seminars cater for the needs of a number of industrial sectors, namely textiles and clothing, leather, footwear and furniture, that face major counterfeiting and piracy problems. Firms in these sectors have either insufficient information on their rights and the means of protecting intellectual property, or they lack financial resources to defend their rights. These industries face specific problems linked to: a) significant copying of designs and models in addition to brands and trade marks; b) the magnitude of existing international competition; and c) the rapid seasonal replacement of products. The predominance of SMEs in these industrial sectors requires support measures targeted to their particular needs.

IPeuropAware has, together with Enterprise Europe Network, organised 14 sectoral awareness seminars[17] involving more than 400 participants to promote awareness on IPR protection and to educate SMEs on the risks that counterfeiting poses and on the existing means and procedures to combat it. These awareness seminars are linked with the promotion of the IPR Sectoral Guides developed by the project (see also page 31: Publications on IP-related issues "Intellectual Property: A business tool for SMEs"). The overall objectives of these events are to make local SMEs aware of the fact that such Guides have been produced to fulfil their needs and to help them find their way in the IPR world, to raise awareness about IPR and importance of its protection for the target sectors (textiles & clothing, footwear, leather and furniture), make them aware of threats and risks of counterfeiting and copying of their products and

[17] Seminars have been organised in Bulgaria, Czech Republic, France, Germany, Greece, Hungary, Lithuania, Italy, Poland, Portugal, Romania, Spain, United Kingdom and one final international event in Brussels.

also to inform about existing possibilities to prevent counterfeiting-problems as well as to face them when they have occurred.

The seminars have been "hands-on" and highly interactive with the audience thanks to the presence of:

- customs & police representatives delivering practical presentations describing their job
- SME-representatives, presenting examples of real cases that have encountered and/or solved counterfeiting problems, or infringed third party IP-rights
- local experts in the field of IPR protection, counterfeiting and enforcement. delivering practical presentations introducing the SMEs into the "real" IPR world
- representatives of the IPR China Helpdesk
- animated round-table/panel discussions with Q&A sessions

3.1.4 Training to National IP Offices on enforcement issues

Training to national IP offices on the main pillars of IPeuropAware to help SMEs in the field of IPR enforcement. A knowledge gap has been identified for SMEs in the field of enforcement, in terms of being both the infringed and the infringing party. SMEs need more information and support on such issues, particularly in order to understand where their actions may be infringing and how to act on infringing parties. On this basis, educational training has been provided with a view to increasing knowledge and competencies in supporting SMEs in relation to enforcement, in particular focused on the infringement issue.

The "train the trainers" activity has been carried out with the dedicated support and guidance of a group of experts specialized on IP enforcement issues (the Enforcement Expert Group). The experts have helped design training modules directed to national IP offices and intermediaries with the objective of building the participants' capacity to develop the most suitable enforcement support services in their home organisations. The training sessions were co-organised with enforcement agencies and were based on the recommendations from the report "Creating Effective IPR Enforcement Support for SMEs" (see also table 3, page 30). As a result, more than 40 participants also called "enforcement ambassadors" have benefited from 4 training sessions organised in different European countries (Italy, UK, Czech Republic, France[18]). The "enforcement ambassadors" have now trained around 250 of their national IP office colleagues in 17 countries[19] in their newly acquired knowledge, including how to interact with enforcement agencies.

These sessions have proved very useful for national IP offices and have been evaluated positively[20].

They have allowed participants to:

- Deepen the knowledge on IP enforcement and infringement issues and the corresponding enforcement support services
- Address obstacles in developing IP enforcement services for SMEs
- Share the difficulties for engaging and promoting the enforcement of IPR
- Brainstorm on challenges for SMEs in enforcing IPR as well as on national IP offices' solutions for SMEs' enforcement of IPR
- Participate actively and interact with peers
- Share contact details and establish networks for future collaboration and exchange of ideas

The "train the trainers" activity can be considered a success due to two factors; one is related with the method: Based on a needs assessment, it involved participants actively during the training, and successfully created ownership of the IPR enforcement service agenda among participants with a simple tool: the activity plan (i.e. a form provided to participants in which participants define themselves when and how they would disseminate the acquired knowledge to their colleagues). This setup has been very successful in committing the trainees to drive change. The second success factor relates to the output and the positive evaluation received. In addition, the valuable network that has been created among trainers and trainees (the "enforcement ambassadors of IPeuropAware") can be used for further developing pan-European capacity building in national IP offices and intermediaries in the area of IPR enforcement support.

3.1.5 IPR Enforcement and Awareness Seminars in cooperation with Enterprise Europe Network

A total of 39 IPR Enforcement and Awareness Seminars under the title "Counterfeiting and Enforcement of IP-rights" have been co-organised with Enterprise Europe Network partners in 15 European countries[21] with the objective of making local SMEs aware of the threats and risks of counterfeiting. The goal of these seminars has also been to inform SMEs about the existing possibilities to prevent counterfeiting problems as well as how to face them once they have occurred. The seminars have been attended by more than 2.300 participants of which, 43% were SMEs.

The seminars have counted with the presence of both local and international experts in the field of enforcement (experts from customs, police, specialised lawyers etc) and with practical examples, real-life cases of SMEs that have encountered and/or solved counterfeiting problems, or that have infringed third party IP-rights. The success of these events lies in their "tailored"/"customised" approach since each of the seminars has been organised with the intention to address country-specific needs, taking into account the each of the current national strategies with respect to enforcement of IP-rights and fighting against counterfeiting and piracy.

[18] Training sessions : 2-4 February 2010 (Prague); 2-4 March 2010 (London); 16-18 March 2010 (Paris) and 22-24 June 2010 (Venice)

[19] Austria, Bulgaria, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, Malta, Portugal, Romania, Spain, Sweden

[20] In an internal survey carried out within the project, 92% of the respondents to the questionnaire stated that the training for trainers on enforcement was either "very useful" or "useful".

[21] Bulgaria, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Italy, Luxembourg, Malta, Poland, Spain, Sweden, United Kingdom

Capacity-building action No.2:

Operational Tools development

3.2.1 Web portal InnovAccess

InnovAccess
www.innovaccess.eu

DESCRIPTION

InnovAccess has been designed to fit the needs of an SME in the field of IPR.

The service offers the following:
- Basic information on IPR demonstrating why IPR is relevant for innovative SMEs, how to protect innovations or creations and what the costs are for IPR.
- Specific information on procedures and services from 30 countries in Europe.
- Practical guides and tools for finding the best mode of protection and for calculating costs.
- An event and best practice section providing the latest developments on IPR issues in Europe.
-

This trans-national website is organised in 5 major areas. Along with a general area on IP matters and a country-specific area, there is also a dedicated area for enforcement issues (containing case studies, an inventory of enforcement support measures and national FAQs on enforcement –see 3.2.5 page 29), an area containing practical guides (see also publications & signposting directory below) and an area with tools meant for delivering services to SMEs (see also IP Toolbox below)

MADE BY…	MADE FOR…	WHY USE IT?
✔ IPeuropAware partners ✔ National IP offices in Europe not being partners in IPeuropAware ✔ the European Patent Office ✔ the World Intellectual Property Organisation ✔ the Office for Harmonisation in the Internal Market ✔ Enforcement experts	✔ SMEs	→ The information is simple and user-friendly and is equally important for an SME looking for information on IPR for the first time, or for those aiming to broaden their market to other countries in Europe and searching for different alternatives to protect their products or services. → Tested by IP experts & practitioners

3.2.2 IP Toolbox

IP TOOLBOX
www.innovaccess.eu/iptoolbox

DESCRIPTION

- The IP Toolbox of Intellectual Property contains a rich set of materials inherent IP awareness, enforcement, protection, management and exploitation.
- It has been built with the aim to collect IP-related service tools and training material which has been realized in order to disseminate IP knowledge, to train interested people or to promote SMEs' activities in the IP field.
- It is accessibly for IPeuropAware partners and for intermediaries via registration with their national IP office.
- There are currently approximately 60 tools available

MADE BY…	MADE FOR…	WHY USE IT?
✔ IPeuropAware partners ✔ Other international bodies (EPO and WIPO) ✔ National intermediaries	✔ SMEs ✔ National IP offices ✔ Intermediaries	→ Designed according to the needs of SMEs → Easy access & user-friendly interface (tested by IP experts & practitioners) → Guarantee that the services target SMEs → Very useful for national IP offices or intermediaries who, after having determined the knowledge level of an SME, can pick up a tool from the toolbox that will support the provision of a service aiming at improving the ability to protect, manage or enforce the SME's IPR

3.2.3 National IP Office Helpdesks

NATIONAL IP OFFICE HELPDESKS

DESCRIPTION

IPeuropAware has introduced a new set of minimum performance standards for 20 national IP office Helpdesks[22], which are the first point of contact for most SMEs and their advisers when seeking information about IP matters. Each national IP office helpdesk has been assessed and has a plan for implementing IP Helpdesk standards. After the assessment of the quality and scope of services of all twenty offices, areas for improvement have been identified on national level as well as a 'road map' (Service Implementation Plan) for implementing the agreed standards step by step. As part of these plans, new common targets for SME Helpdesk support have been defined.

They include:

- Provision of services related to various IP rights
- Information on IP examination and registration procedures
- Responding to enquiries with information such as fact sheets
- Providing access to databases, including the IP register
- Guidance in using databases and e-services
- Signposting to other service providers and specialists in IPR issues
- Information on enforcement issues
- Making customers aware of informal intellectual property (IP) protection options.

Moreover, all national IP offices agree that actions for monitoring and measuring performance should safeguard the implementing process and foster customer satisfaction, such as:

- Regular customer surveys
- Procedures for handling customer complaints
- Service level agreement
- Accessibility

MADE BY…	MADE FOR…	WHY USE IT?
✔ IPeuropAware partners	✔ SMEs ✔ Intermediaries ✔ Researches, academics	→ user-friendly & easy access → agreed common set of standard services leading to significant improvement in service provision

[22] Austria, Bulgaria, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, Malta, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom

3.2.4 Signposting Directory

SIGNPOSTING DIRECTORY
www.innovaccess.eu

DESCRIPTION

- A comprehensive, easily accessible directory of sources of information about intellectual property throughout Europe. In addition to the national IP offices in the 20 European states involved, the IP Signposting Directory lists many other types of organisation that can provide SMEs with information about IP, including: training/education institutions, national IP bodies, IP agents, IP lawyers, organisations offering guidance for financial assistance, organisations offering guidance for valorisation, organisations combating counterfeiting, etc.
- Available to SMEs and to intermediaries through InnovAccess website to facilitate the provision of information to SMEs. Those intermediaries that are either not able to or prefer not to offer a basic query service to SMEs, can use the "Signposting Directory" which provides all necessary contact information of IP actors.

MADE BY…	MADE FOR…	WHY USE IT?
✔ IPeuropAware partners	✔ SMEs ✔ Business advisors ✔ commercial & financial specialists who need specific information about IP organisations in other European countries ✔ Researchers, academics and government officials who want to improve their understanding of how businesses are served by IP information sources across Europe.	→ comprehensive - listing all sources of IP information throughout Europe

3.2.5 FAQ Database on enforcement issues

FAQ ON ENFORCEMENT
www.innovaccess.eu

DESCRIPTION

This tool is linked with 3.2.3 "National IP Office Helpdesks" since, on the basis of the identified weaknesses in the field of enforcement, 19 national helpdesks[23] have integrated their national enforcement FAQs in one comprehensive database available on the InnovAccess website.

MADE BY…	MADE FOR…	WHY USE IT?
✔ IPeuropAware partners	✔ the national IP offices themselves ✔ SMEs ✔ Intermediaries	→ It provides country specific information on enforcement issues for SMEs and for the exchange between national IP offices helpdesks. → It has been compiled and structured with the aim to increase the quality and quantity of helpdesk services.

[23] Austria, Bulgaria, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, Malta, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom

3.2.6 Publications on IP-related issues

A number of publications have been produced within the lifetime of the initiative. The table below presents several publications for consultation addressing specific IP topics and targeted to a wide audience such as policy makers, national IP offices, IP practitioners, SMEs and SMEs' support organizations.

Table 3: Publications on IP-related issues

Title & year of the publication	Content	Target audience	Why is it interesting? (Why should you read it?)
Creating Effective IPR Enforcement Support for SMEs. (April 2010)	• This document is primarily addressed to the national IP offices across Europe and to other business support organisations that assist SMEs in the management and enforcement of intellectual property. • It determines those areas where support can be most effectively provided to SMEs in the enforcement of their IPR (expressing consensus among the national IP office network members of the IP-europAware project on the nature of core IP enforcement and related services that should be offered to SMEs). • It maps out and describes in detail the different enforcement services that can be provided and also what is needed to ensure that the services are put in place satisfactorily.	✔ European national IP offices ✔ SME-support organizations (Intermediaries) ✔ Policy makers ✔ IP Practitioners	→ This document can be used to assess how far the services of a national IP office currently meet SME needs and, consequently to determine how existing services can be further developed or improved. → Helps the national IP offices understand how to work with other business support organisations to provide added value services → Gathers the experience of many national IP office staff and other experts across Europe and stimulates reflection on how to move on based on past achievements
Supply and Demand of Intellectual Property Rights Services for Small and Medium-sized Enterprises: A Gap Analysis. (June 2009)	• This study identifies gaps between the support services supplied to SMEs on IPR and the demand in a European context. It is carried out in three steps: a) mapping existing support services, b) identifying SMEs demand for services through a European wide survey and c) analysing the gaps between the support services provided and the gaps identified.	✔ National IP offices ✔ Policy makers ✔ IP Practitioners ✔ Organizations involved in the promotion & enforcement of IPR	→ Far-reaching & comprehensive study. → New research based on interviews with hundreds of SMEs in different sectors, across Europe. → Interesting findings and conclusions[24]
Intellectual property, a business tool for SMEs (2009) A guide for the furniture industry A guide for the textile & clothing industry A guide for the leather industry A guide for the footwear industry	• The 4 sectoral guides intend to foster the awareness and enforcement of IPR by SMEs. The Guides explain in an understandable way what IPRs mean for SMEs, how to use it and find out more about it. • Each guide contains a section dedicated to provide practical advice on how to set an IP strategy, national (EU) & international (e.g. US, China, India, Russia) fact-sheets as well as practical case studies.	✔ SMEs & intermediaries active in the textiles & clothing, leather, footwear and furniture industries ✔ National IP offices ✔ Enforcement agencies and other intermediaries ✔ Other stakeholders active in the IPR field	→ Guides designed to get SMEs' attention and to stimulate them to change their behaviour and perception of IPR enforcement. Practical, first hand sectoral information, easy to read format. → They can be used as a tool to change SMEs' negative perception of IPR enforcement. → They cover 13 countries[25] and are available in the languages of these countries
Planning local actions for Intellectual Property Awareness and Enforcement Services (2009)	• The study identifies and evaluates the participating Member States' innovation strategies with special regard to the IP awareness level and enforcement practices of SMEs.	✔ Policy makers ✔ National IP offices ✔ IP practitioners	→ Contributes to service improvement since the existing services of national IP offices in 20 EU countries are analysed and new awareness raising and enforcement related services are recommended (e.g. advice for inventors, internet enforcement, IP academies & masterclasses) → Interesting & varied "menu" of services to choose from[26]

[24] The main conclusion of the analysis is that SMEs with the relatively lowest awareness on IPR have the highest need for support services. Paradoxically, the greatest supply of support services are also targeted at these IPR "beginners" among the SMEs. Findings also reveal that: at the basic level of providing information about IP rights, the need for confidentiality and which IP rights may be most appropriate, there is already a good level of information provision from European public or semi-public actors. However, as international statistics show that applications to register IP rights are lower among SMEs in Europe than they are in North America and Japan, national IP offices need to do more to encourage greater use of IP rights. At a more strategic level, although directors and managers feel that they are well-informed about using IP strategically, there is little supply of information and services from public or semi-public institutions in Europe. The provision of strategic-level IP information and services may need to be increased if Europe is to keep up with global trends.

[25] Bulgaria, Czech Republic, France, Germany, Greece, Hungary, Italy, Lithuania, Poland, Portugal, Romania, Spain and the UK.

[26] The awareness raising and enforcement services have been grouped in 8 categories: 1. Helpdesk, initial information, signposting (e.g. IPR-Helpdesk, provision of guides & brochures, problem diagnosis, hot-line facility); 2.Tailored information provision (e.g. self-appraisal & self-diagnosis tools, event preparation guides, contact info, key docs & templates); 3.Dedicated services (e.g. intellectual asset audit, IP valutation, IPR risk assessment, prior-art search); 4.Professional advice (e.g. intellectual asset management, litigation-risk analysis, legal advice); 5.Training (for SMEs, for enforcement authorities, for business support org. staff); 6.Awareness raising (e.g campaigns, seminars & training); 7..Access & coordination; 8.Quality & evaluation

3.2.7 IPR Help-Desk

IPR HELP-DESK
www.ipr-helpdesk.org

DESCRIPTION

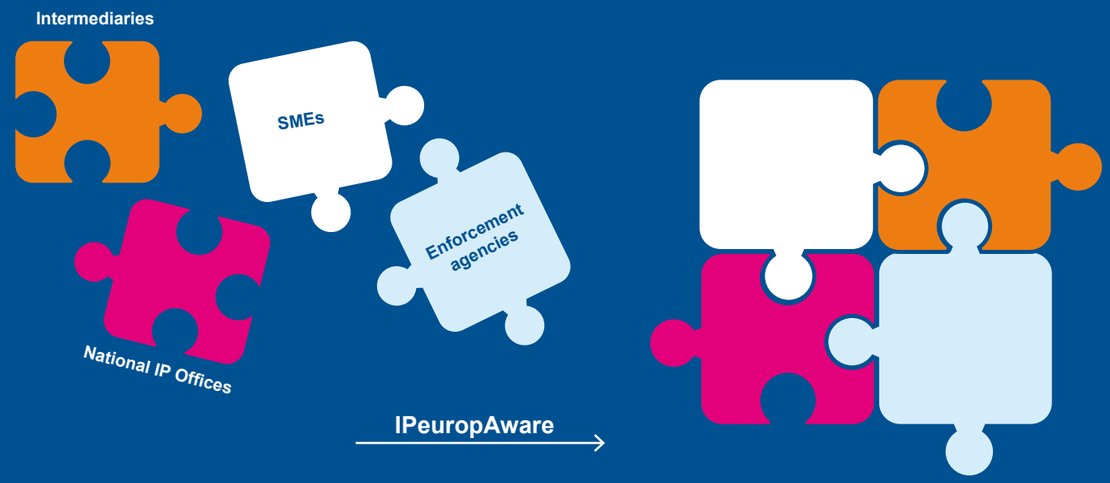
IPR-Helpdesk offers support on IPR issues within the EU-funded projects. The support gives guidance on how to manage IPR issues for best results in EU projects, financed by FP7 and CIP.

Helpline and website services:

- The free of charge Helpline is accessible by e-mail and provides a first line assistance, with a special focus on Community diffusion and protection rules and issues relating to IPR in European research projects.
- The website provides documents and training modules with comprehensive information regarding the different aspects of IPR management in European research projects.
- The news and event section, and the publication of the IPR Bulletin provide the latest development on IPR issues for European research policies.
- The IPR-Helpdesk offers training upon request, intended to ensure awareness and knowledge of IPR issues such as: (IPR issues under FP7 and CIP, specific issues concerning consortium agreements, issues concerning technology transfer in the project exploitation phase)

MADE BY…	MADE FOR…	WHY USE IT?
✔ IPeuropAware partners	✔ All participants to FP7 & CIP programmes (SMEs, research centres, Universities)	→ user-friendly & easy access → renewed & updated web-site

Figure 4 Cooperation and networking among key stakeholders



IPeuropAware: Strengthening the links among IP-related actors for the benefit of SMEs.

Capacity-building action No.3:

Cooperation improvement

3.3.1 Cooperation & Networking

IPeuropAware, through a coordinated and dedicated effort, has created the grounds to develop networking and strategic cooperation with different key stakeholders and at various levels:

- ✔ Links with intermediaries
  - at national
  - at European level
- ✔ Links with national IP office helpdesks
- ✔ Links with IPR enforcement agencies

By strengthening the relationships with these actors IPeuropAware has stimulated and enhanced European-wide cooperation in the IP field. As a matter of fact, without a cooperative and coherent approach with different actors both at national and EU level, the development of IPR support services is unlikely to happen and this action represents the starting point in the creation of a solid collaborative framework that will need to be further developed and reinforced.

Links with intermediaries

By closely liaising with intermediaries both at national and EU level, the links between the project partners and these intermediaries have been strengthened. Close cooperation with well trained intermediaries in IP will effectively assist national IP offices with their awareness raising and delivering of IP advice for SMEs.

The cooperation scheme established with intermediaries has resulted in:

- Intermediaries providing tools for the IP Toolbox (for more information on the IP Toolbox, see page 27)
- The participation of IPeuropAware in several annual conferences for the Enterprise Europe Network (EEN) and the PATLIB network
- The provision of training to the IP Working Group of the Enterprise Europe Network (EEN)
- Around 40 seminars jointly organised by national IP offices and intermediaries (EEN)
- The creation of a publicly available signposting directory (for more information on the directory, see page 29) identifying major players in the field of IP in all countries participating in IPeuropAware.

At European level, IPeuropAware has provided the European networks of intermediaries such as Enterprise Europe Network and PATLIB centres with information and hands-on results from the project, which has been appreciated by the intermediaries. The participation to European conferences, meetings and trainings has also allowed reaching intermediaries in new countries and expanding the breadth of the project.

At national level, IPeuropAware has not only strengthened the existing relations with intermediaries, but in some countries, it has also developed new collaboration schemes with intermediaries for the implementation of IP support services to SMEs.



Links with National IP Office Helpdesks

The national IP office helpdesks play an important role as an interface between national IP offices and SMEs in the field of IP since they often are the first contact point for SMEs in IP matters. IPeuropAware has actively encouraged trans-national collaboration and the exchange of experiences between the helpdesks.

This has resulted in:

- An agreement of all partners on a Common Set of Standard Services for SME helpdesk support, which will facilitate the exchange of information and good practices among the helpdesks and lead to a harmonisation of the level of helpdesk services.
- The integration of 19 national enforcement FAQs in one database with specific information on enforcement issues for the exchange within the helpdesks.
- The identification (and formalization) of the main goals and future co-operation fields of the network of national IP office helpdesks.
- The main goals of future cooperation between national IP office helpdesks are:
  - » To better safeguard intangible values produced by European SMEs by improving their capacities within the area of enforcement
  - » To enhance the competitiveness of European SMEs by improving and customising national IP office helpdesk services
  - » To better meet SMEs demands in the field of IPR
  - » To enhance the quality of national IP office helpdesks
  - » To exchange good practices and learn from each other
  - » To create synergy effects where possible

The main fields of cooperation between national IP office helpdesks are the following:

- Exchange of experience, good practices and information
- Enhancement of knowledge management systems
- Joint trainings for helpdesk staff
- Harmonization of helpdesk services
- Monitoring of SMEs' needs concerning IPR helpdesk services
- Collaboration with trans-national, national and local intermediaries
- Joint promotion and marketing

Links with IPR enforcement agencies

Enforcement agencies are public authorities which enforce IPR legislation and have the power to investigate IPR infringements and search the premises of a suspected infringer as well as seize goods suspected of infringements. Enforcement agencies include police, prosecutors, customs and administrative enforcement agencies. IPeuropAware's collaboration with enforcement agencies has resulted in the development of concrete tools as well as in an increased human and organisational capacity in addressing the issue in relation to SMEs. In particular, the outcomes of the cooperation can be summarized in:

- The elaboration of country reports titled: Planning Local Actions for Intellectual Property Awareness and Enforcement Services.
- An agreement on a common set of standard services, including enforcement services, implementation of new or enhanced enforcement services within the scope of national IP office helpdesk services
- A FAQ database on enforcement questions, including links to national enforcement agencies
- The creation of the Enforcement Expert Group, which brought together national IP offices, WIPO, customs, Europol, prosecutors, business associations and private advisers to discuss services for SMEs in the area of IPR enforcement and to give their recommendations on national IP office involvement in IPR enforcement
- The elaboration of the report: "Creating Effective IPR Enforcement Support for SMEs", which contains a categorised overview of the ideal supply of IPR enforcement services in a country
- The organisation of train-the-trainers sessions which resulted in almost 40 enforcement ambassadors educated and around 250 national IP office staff trained by those enforcement ambassadors
- Contacts with enforcement agencies enhanced through organisation of enforcement and awareness seminars.
- The elaboration of guides elaborated for the textiles and clothing, furniture, footwear and leather sectors titled: "Intellectual Property, a business tool for SMEs".

Finally, IPeuropAware has also established three Advisory Groups consisting of persons of notable reputation and practical experience in the field of Intellectual Property Rights, Innovation and SMEs and it has identified and monitored organisations (EPO EPN, EPO Academy, OHIM WIPO) and projects (ip4inno, China help-desk) running similar activities establishing contacts and synergies.

4. Concluding remarks

The need for a European intellectual property strategy to raise awareness of IPR among SMEs and to support them in building capacity to treat IPR as a strategic asset has been the underlying motivation guiding the efforts and the actions of IPeuropAware partners during the past three years.

Now that the initiative has come to an end, the question that comes up naturally is: Has the project reached its objectives? Has the IPeuropAware initiative brought an added value in assisting SMEs in their "journey" to IP awareness and management? Are the tools and knowledge made available the most suitable to allow SMEs to appropriately safeguard and manage intellectual property rights?

In order to give an answer to these questions, it is necessary to go one step back and recall the main challenges identified in the first section of this paper that jeopardise the use of IP by European SMEs, namely lack of information for SMEs on IP issues/low awareness of IP; lack of a "standardized" IP helpdesk service, involving national IP offices, throughout Europe; dispersed/fragmented information on IP service providers; and limited knowledge of intermediaries on IP issues (see table 1 page 10). They represent a check-list against which the major achievements of IPeuropAware can be measured and assessed.

Table 4 Main IP challenges to be addressed and IPeuropAware's solutions

Main IP challenges	IPeuropAware's achievements in a nutshell
Lack of information for SMEs on IP issues / low awareness of IP	► *InnovAccess* (www.innovaccess.eu), the common European Web site on IP for SMEs with general IP information, interactive IP guides, specific information from 30 countries, information from international organisations like EPO, OHIM and WIPO, comparative cost tool, national FAQs on enforcement, and Signposting Directory. → Results from an enquiry carried out to national IP offices[27] during the project reveal that all respondents believe that InnovAccess is "very useful" or "useful" for national SMEs and their intermediaries and 86% of the respondents are willing to continue updating the national data beyond project duration. ► *IP Tool-Box*, containing more than 60 tools (brochures, links to databases, manuals, training material, etc) for SMEs and intermediaries. The IP toolbox includes practical guidance on developing products and services, as well as how to make a service active. → During the project 37 tools have been disseminated. → Results from the enquiry to national IP offices reveal that 79% of the respondents find the content of the Toolbox attractive enough to be used beyond the project. ► More than 290 *Awareness Actions i*nvolving more than 3.000 participants. These actions include: ✔ "IP awareness and enforcement seminars": 40 seminars involving more than 2.200 participants ✔ "Pilot actions": 240 pilot actions based on 37 selected tools adapted for the use within innovative public services ✔ "Sectoral seminars on IP and counterfeiting": 14 seminars involving more than 400 participants

[27] The enquiry has been carried out during December 2010 to the 20 national IP offices, partners of IPeuropAware

Table 4 Main IP challenges to be addressed and IPeuropAware's solutions

Main IP challenges	IPeuropAware's achievements in a nutshell
Lack of a « standardized » helpdesk service throughout Europe, involving national IP offices	► Creation of a *common set of standard services for national IP office helpdesks* ► *Quantitative & qualitative improvement of the service offer within national IP offices* (improving existing services and adopting new ones): → 74 new services have been implemented. → An analysis[28] reveals that 50% of the national IP office partners improved their services related to enforcement issues. ► *Strengthened relations and increased networking among national IP offices* → All respondents are either "satisfied" (53%) or "very satisfied" (47%) with the relations developed in the national IP office network. 80% of the respondents are interested in taking part in a continuation of the network. → The activities that respondents rate as most attractive and most important are: Exchange of experience, good practices and information (100%), harmonisation of support services (73%), joint training for national IP office staff (67%) and stronger links between national IP office helpdesks (67%). As one respondent put it: *"Now the network is more operational, developing services together to be put on InnovAccess, joint training in enforcement. The network is building capacities with SME perspective."*
Disperse information on IP service providers	► *Increased cooperation between national IP offices and SMEs intermediaries*, promoting sustainable collaborations with the members of the Enterprise Europe Network in support of Business and Innovation and all relevant local actors (Innovation agencies, Chamber of Commerce, SMEs associations). → In some countries (e.g. Germany, Italy), new collaboration schemes with intermediaries have been developed for the implementation of IP support services to SMEs. → 40 seminars jointly organised by national IP offices and intermediaries (EEN). → 93% of the respondents to the enquiry said that they will continue collaborating with intermediaries for the organisation of events, (71%) for providing services to SMEs and 57% will engage in other types of collaboration. → All respondents found the cooperation with Enterprise Europe Network "very useful" or "useful". One respondent stated that: "By cooperating with EEN partners, the access to SMEs was highly improved". ► *Increased role of national IP offices in enforcement issues* → National IP office partners nominated around 40 Enforcement Ambassadors, who went through training of trainers to develop IPR enforcement support services. These ambassadors have now trained around 250 of their colleagues in 17 countries.

[28] The analysis has been carried out in 2010 and is based on the national "Service Implementation Plans" of the national IP offices, partners of IPeuropAware

Table 4 Main IP challenges to be addressed and IPeuropAware's solutions

Main IP challenges	IPeuropAware's achievements in a nutshell
Limited knowledge/ skills of intermediaries on IPR issues	► Improvement of the knowledge and skills of intermediaries through publications, training and pilot actions to ensure that intermediaries are well trained and have the right knowledge/information to provide advice or to signpost the right experts able to answer the SME's questions on IP and enforcement issues. Some comments received from the pilot actions to intermediaries (in which IP tools were transferred to them): → IPR sectoral Guides: "Extremely useful manual" ; "Useful understanding about IP legislation and general information on several countries"; "Tips and check lists very much appreciated"; "National sheets very useful" → AIDA interview: "very useful in the increase of SMEs awareness on IPR and on its importance" → TT and R&D Models Agreements: "they were considered a great tool for SMEs, universities and inventors, in order to help them protect their Intellectual Property. This is an area where there is a lack of knowledge in general in the SMEs, and they are very useful and very welcome". → Sectoral bulletin of design: "Extremely useful for designers" & "The possibility of receiving in the email this bulletin without having to be constantly searching the entries for new applications is extremely useful and provides convenience and security"

The outcomes and the tangible results of this pan-European initiative reveal that IPeuropAware has in fact contributed to raise awareness and knowledge of IPR among European SMEs and intermediaries.

Envisaged future / Next steps

It is clear that the initiative has contributed to strengthen the European dimension of the IP key issue, proposing a networking and cooperation approach to the existing gaps and challenges. By creating links and promoting harmonisation and standardisation among the offered services by national IP offices, IPeuropAware has reinforced the European Union efforts to define common solutions and joint paths to a critical aspect affecting SMEs in all Member States. An attempt has also been made to intervene in a context where many other initiatives and measures have been taken so far in the same field, to rationalise and systematise the existing tools, knowledge and services. A first step has also been taken to put in action the conceived approach and services package and explore how it can really benefit SMEs in Europe.

However, at this stage, the process cannot be considered concluded. IPeuropAware has been mainly a pilot action to test the ability of the national IP office network to produce tangible services for European SMEs; now that this process has been started it needs to be continued and developed further. A new set of initiatives and actions is required to render the network fully operational in the services package delivery, in the completion of the transfer process towards intermediaries and in spreading the work accomplished so far towards a wider target of beneficiary SMEs.

This process, as also remarked by the interviewed national IP offices, cannot be left at the single national IP office autonomous initiative, but should be again promoted and coordinated by one (or more grouped) entities having a clear mandate with specific objectives and tangible outputs to be achieved for the whole implementation of the IPeuropAware system in the different Member States.

Needless to say that, in order to realize its full potential, the IPeuropAware system and approach needs to be supported by adequate policies and efficient institutions (national IP offices should dispose of adequate human and financial resources to accomplish the envisaged work and be part of the cooperation system). This should relay on a strong commitment by governments, active support both at national and EU level, as well as adequate financial support as key elements to effectively manage intellectual property rights in Europe.

A route for further development of IP would be to build on the national IP office network and on IPeuropAware achievements as the basis for further activities to strengthen and continue developing IP services for SMEs. The network of national IP offices of IPeuropAware has expressed their willingness to continue their work in the future, and have formalised their intention in a Letter of Intent that states the main goals and activities for the future.







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"Planning local actions for IP awareness and enforcement services" (2009)

"Creating Effective IPR Enforcement Support for SMEs" (April 2010)

"Intellectual Property, a business tool for SMEs":

- A guide for the Furniture Industry
- A guide for the textile & clothing industry
- A guide for the leather industry
- A guide for the footwear industry

Assessment Report Summary

Summary of Service Implementation Plans

Doing Business with IP: Towards improved IP support services for European SMEs - A sustainability report of the IPeuropAware initiative

Websites

World Intellectual Property Organisation www.wipo.int

IPeuropAware public website www.ipeuropaware.eu

IPR Helpdesk www.ipr-helpdesk.org

InnovAccess www.innovaccess.eu

ANNEX

Top 5 IP Tools successfully implemented by National IP Offices

1. AIDA interview

The AIDA interview, developed within the IPeuropAware project by Public Research Henri Tudor / Technology Watch Centre Luxembourg, is a specific adaptation of the original AIDA-methodology to the topic of Intellectual Property, where the AIDA-level quantifies the maturity-level of an SME, with respect to its IP-practices and/or knowledge on IP. The AIDA-method is used: (i) to evaluate the level of IP-awareness and/or IP-practices of an SME; (ii) to qualify/quantify the level of IP-awareness and/or IP-practices to be reached after the pilot-action; (iii) in the framework of the IPeuropAware project, to choose the right tool from the toolbox, to apply in enterprise, to enhance its IP-practice.

A questionnaire (AIDA-grid) has been specifically developed to assess the level of IP-practices of an SME and to allow the identification of the starting AIDA-level (before the pilot-action). An AIDA-target level to be reached by the intervention during the pilot-action will be defined. This target-level is set together with the SME manager and will depend on the SME's strategy and specific needs. The IP expert should provide advice to the SME manager in order to determine the best suitable objective for the company.

2. AIDA light online questionnaire

This tool, developed within the IPeuropAware project by Public Research Henri Tudor / Technology Watch Centre Luxembourg, is an online questionnaire, composed of 36 questions related to IP, designed for enterprises to evaluate their level of IP practice on the AIDA scale (patents, copyrights, trademarks, designs, know-how, trade secrets). The AIDA light online questionnaire is used: (i) to evaluate and visualize the level of IP-awareness of an SME in a simple way and (ii) to enable a possibility of direct contact with the AIDA light provider (national IP office, intermediary…).

3. IP Panorama

IP Panorama is an e-learning tool jointly developed by the Korean Intellectual Property Office (KIPO), the Korea Invention Promotion Association (KIPA), and the World Intellectual Property Organization (WIPO) under a project entitled 'The Joint Development of E-learning Content' from 2004 to 2007. It has been designed to help SMEs utilize and manage Intellectual Property in their business strategy. IP Panorama deals with Intellectual Property issues from a business perspective, especially focusing on the situation of SMEs. The tool relies on a brand new instructional design strategy based on 'storytelling' along with educational technology. The learning content of each module has been designed with a practical story regarding intellectual property. It is informative as well as interesting.

4. Innovator guide - Consider licensing

This tool, developed by the Intellectual Assets Centre in Scotland (UK), is included in a series of booklets designed to provide basic information to assist innovators. This booklet - Consider Licensing - provides an overview of the licensing process. It deals with the appraisal of ideas, the selection of partners, the composition of a License Agreement and the consideration of licensing as part of an overall innovation strategy.

5. LIIP guide

This tool, developed in the framework of the LIIP-project[29], is a Good Practice Guide for Intellectual Property, especially targeted to SMEs managers, researchers and independent inventors seeking pragmatic help for dealing with Intellectual Property issues. The guide incorporates 10 recommendations (description of the different forms of IP, guidelines on which IP to chose, how to enforce IP…), illustrated by selected case studies showing the benefits of an efficient integration of IP in companies' strategies as well as the risks of remaining ignorant of IP rights. It also offers a clear view of the benefits of protecting innovation, of getting an insight on the technological information through IP titles and of the competitive advantage given to an SME by a better use of Intellectual Property.
The LIIP guide is accompanied by a CR-ROM presenting: an electronic version of the Good Practice Guide; country-specific IP information covering laws and regulations for several countries (Luxembourg, Greece, Ireland, Italy and Spain); case studies illustrating the benefits and costs of good and bad IP-practices and an interactive IP-audit tool allowing an SME to evaluate its IP-practices. The IP-audit uses a set of targeted questions to assess company's IP practices and then automatically generates an evaluation-report providing an insight into any weak points.

The guide, both as a hardcopy and in electronic form, is available in English, French, Greek, Italian and Spanish.

[29] Project coordinated by Public Research Henri Tudor/Technology Watch Centre Luxembourg, and co-funded by the European Commission.

www.ipeuropaware.eu

THE CHALLENGE OF IPEUROPAWARE, THE PAN-EUROPEAN INITIATIVE (OF THE EUROPEAN COMMISSION), IN THE FIELD OF INTELLECTUAL PROPERTY

The IPeuropAware project is managed by the European Commission's Executive Agency for Competitiveness and Innovation (EACI) in close cooperation with the European Commission's Enterprise & Industry Directorate-General