

Commission launches strategy to drive innovation from the laboratory to the marketplace

A new strategy to strengthen the industrial property rights for Europe has been published by the Commission. It sets out to support inventors in making informed choices on the protection of their industrial property rights and calls for robust enforcement against counterfeiting and piracy.

The Commission has adopted a Communication on a new industrial property rights strategy for Europe. Together with the creation of a Community patent and integrated patent jurisdiction, the Communication outlines a number of actions as the keystone to maintaining a high quality industrial property rights system for the EU in the 21st century.

The Communication also aims to ensure that industrial property rights in Europe are of high quality and that they are accessible to all innovators, particularly small and medium-sized enterprises (SMEs).



Industrial property rights include rights such as patents, trade marks, industrial designs, plant variety rights, geographical indications etc. It is an important branch

of 'IPR' (intellectual property rights) the other being copyright and neighbouring rights which covers creations of the mind such as literary and artistic works such as films or books as well as sound recordings and performances.

Why EU action

A strong and balanced IPR system is a driving force for promoting innovation

and improving competitiveness. In the 2008-2010 cycle of the renewed Lisbon strategy for growth and jobs, the investment in knowledge and innovation is one of the four priority areas for focused actions.

In order for Europe to respond to the challenges of the global economy, a strategy on industrial property rights is needed to ensure a high-quality, affordable, consistent and balanced system.

European businesses need strong industrial property rights to maintain their competitive advantage in the global market place through product innovation.

Scope of the Communication

The Communication sets out a coherent framework for different categories of industrial property rights.

The subjects dealt with include:

- the quality of industrial property rights;
- support for small and medium-sized enterprises;
- the fight against counterfeiting and piracy.

These are covered in relation to action in the EU and the international dimension with third countries.

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Along with the urgent adoption of the Community patent proposal and the creation of an integrated EU-wide jurisdiction for patents, the actions proposed in the Communication set out to ensure that Europe will have a high quality industrial property rights system in the years to come.

High quality rights

Europe has to have high-quality industrial property rights. Such rights, that only offer rewards to inventions that meet the legal requirements, are essential to a well-functioning system, along with user-friendly access on information on these rights to business and society.

To this end, the Commission will undertake studies on patent quality and on the overall functioning of the trademark systems in the EU.

This would also include the Community trademark, which the Office for Harmonisation of the Internal Market has been successfully registering for over 10 years.

Exploitation of rights

It is important to facilitate the exploitation by SMEs of industrial property rights.

The Communication has outlined measures to facilitate access to industrial property rights and dispute resolution procedures, and to improve awareness among SMEs of the management of industrial property as an integral element within an overall business plan.

Enforcement

Effective enforcement on the ground against counterfeiting and piracy is essential. This problem is reaching alarming levels with damaging effects to job creation in Europe and the health and safety of consumers.

In addition to improving coordination between key enforcement actors at a national level, the Commission will work towards effective cooperation between Member States in intelligence gather-

ing and rapid information exchange on counterfeit and pirated goods.

Furthermore, the Commission will help facilitate agreements involving both the public and private sector to crack down on blatant violations of intellectual property rights.

Charlie McCreevy, Commissioner for Internal Market and Services said: "This strategy will offer a springboard for European companies to compete in the global economy.

"Not only will it help inventors across Europe to protect their ideas with strong industrial property rights, but it will also provide a catalyst for cutting-edge inventions from companies of all sizes to become successful in the market.

"In addition, the Communication reinforces once more the point that the EU will strike hard at counterfeiting and piracy."

Conference on 'Industrial Property Rights in the Internal Market'

In its recent Communications, the Commission has set out its vision for improving the patent system in Europe and for revitalising the debate on this issue. Patents are indeed a driving force for promoting innovation, growth and competitiveness, but the single market for patents remains incomplete.

To debate the best future direction a Conference on Industrial Property Rights is being organised in Strasbourg, 16 -17 October 2008, by DG Internal Market and Services in collaboration with the French Presidency of the EU.

The three main topics to be tackled by the Conference will be: a Jurisdiction for European and Community Patents, the Community Patent, and Counterfeiting. The third of these topics will be discussed from different aspects such as the economic stakes and implications for competitiveness and innovation, the consequences for the health and safety of citizens, and cross-border cooperation to strengthen enforcement of Industrial Property Rights.

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