



The Importance of IP in the Aquaculture Sector

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What is Intellectual Property?

The value of any business comes from its property, or “assets”.

Property

Livestock

Inventory

Equipment

Machinery

Buildings

Intellectual Property

Innovations

Product Design

Knowhow

Brands

Content

How to Protect Intellectual Property

To secure the value in intellectual property, you need to be able to stop your competitors from using your IP.

Different types of intellectual property require protection in different ways.

Intellectual Property		
Innovations	→	Patents
Product Design	→	Design Rights
Knowhow	→	Trade Secrets
Brands	→	Trade Marks
Content	→	Copyright

Patents

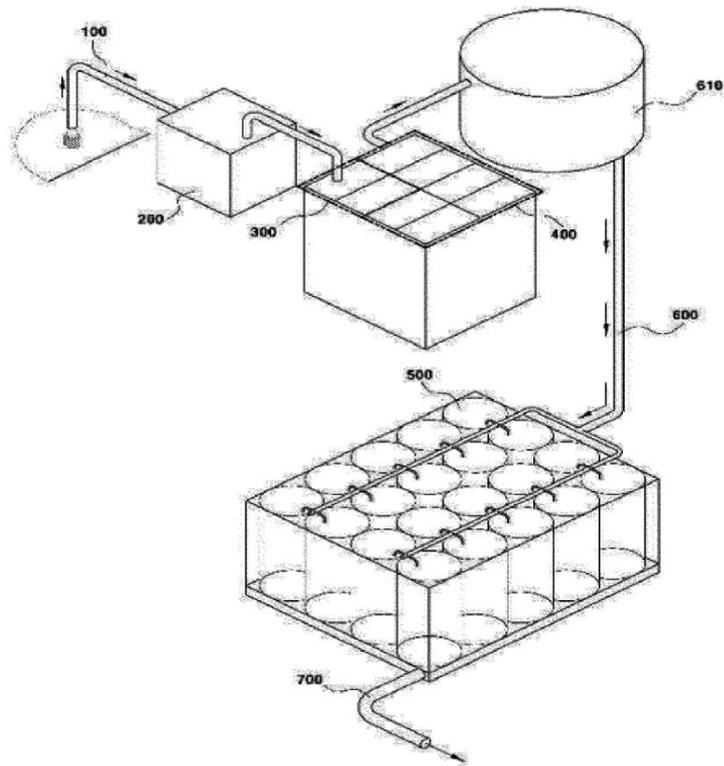
Protect new **technical** innovations, such as new physical products or processes.

The owner of a patent can **stop others using the invention** defined in the patent

A patent can usually be maintained for up to **20 years**.

A patent must be **applied for**.

The invention must be **confidential** when you file the patent application.



Design Rights

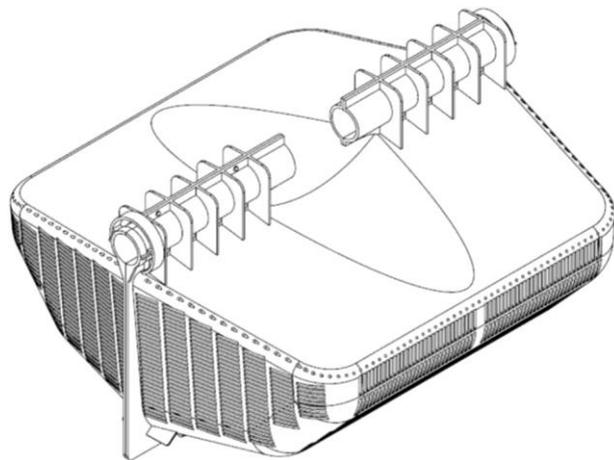
Protect the **appearance** of products.

The owner of design rights can **stop other** from using a product that looks similar to the protected design.

Some short-term protection against copying may be generated automatically.

The strongest protection requires an application to **register** the design.

Registered protection may last up to **25 years**.



Trade Marks

Protect **brand identifiers**, such as company names, product names and logos.

Best protection comes from obtaining a **registered trade mark**.

Allows the owner to stop unauthorized use of the same or similar marks.

Registered trade marks may last **indefinitely**.



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Copyright

Is of limited commercial use outside of creative industries.

Protects text, photos, graphics, website content, software code...

Arises automatically - no registration required (in most countries).



Trade Secrets

Sometimes, the best way to protect your intellectual property is to keep it secret.

Need to be careful:

- Often impossible to keep details of a product or service secret.
- Employees can take knowledge gained through experience with them if they leave.
- Can the secrets be reverse engineered by third parties?
- Need to take steps to keep the information secret.

If suitable, lasts as long as the secret can be kept.



Need for an IP strategy

Intellectual Property

Patents

Design rights

Trade Secrets

Trade marks

Copyright

The intellectual property framework provides the tools needed to secure value in a business, but the tools need to be used correctly.

Remember that even if you don't make best use of the IP framework, your competitors might.

An IP strategy is how you exploit these tools for the benefit of your business and mitigate the risk posed by third party IP.

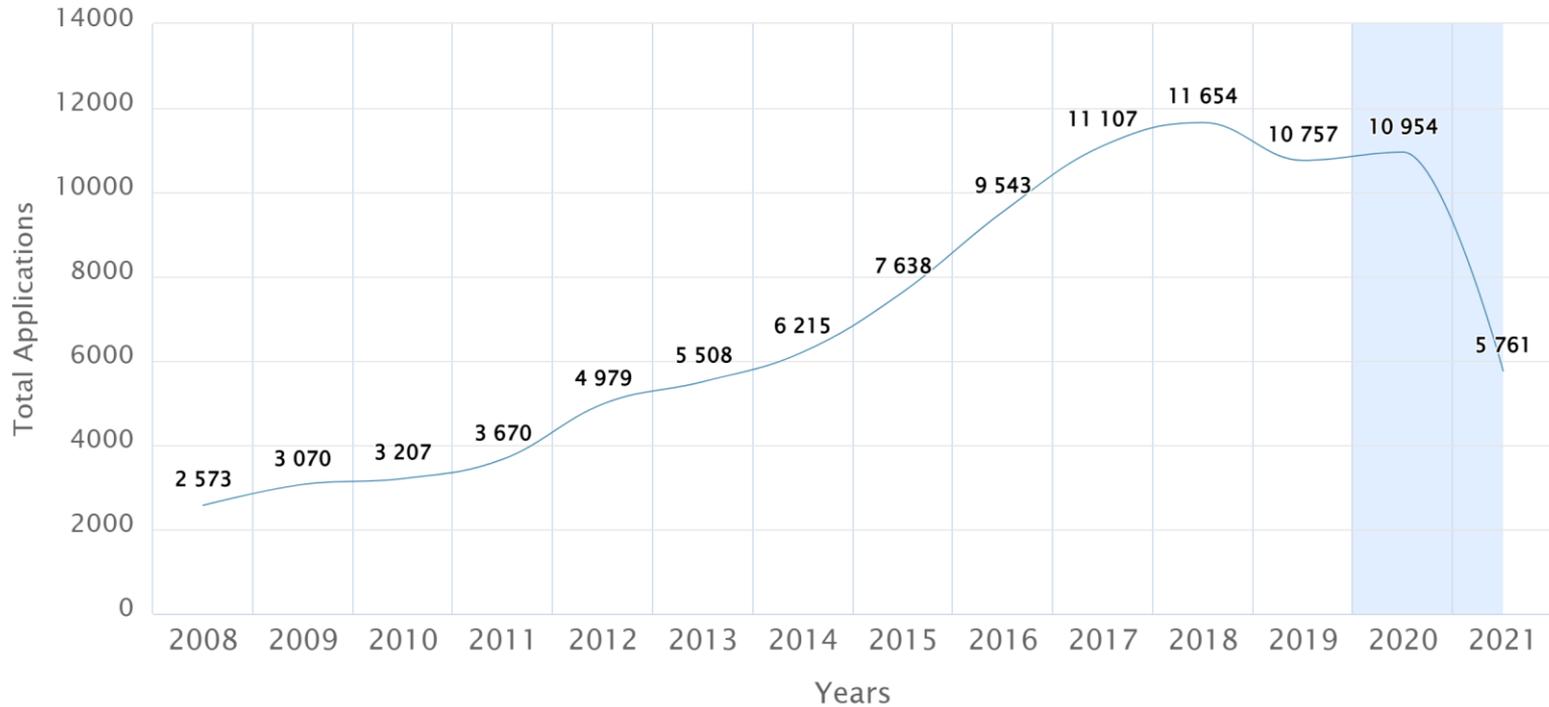
What is IP strategy?

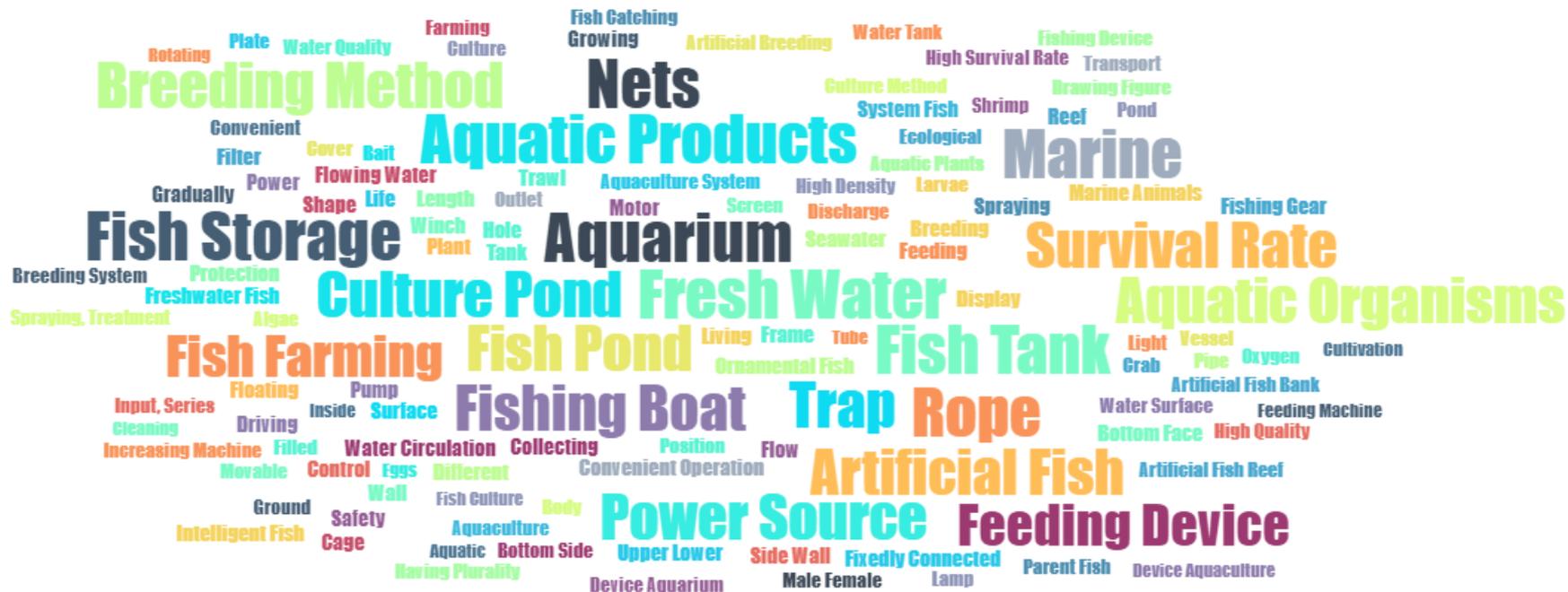
- ✗ Is not simply about filing patent applications or registering a trade mark
- ✗ Its not about sticking your head in the sand when it comes to third party IP
- ✓ It's about intelligent use of the IP framework as a whole
- ✓ An ongoing plan to develop and capture your IP
- ✓ A plan for managing risk relating to third party IP
- ✓ The best way forward will depend on your business, your competitors, the IP environment

Benefits of a good IP strategy

- Increase market share by blocking competitors from offering the same products and services.
- Turn ideas into money-making assets – IP rights can be licensed to create new revenue streams.
- Increase business valuation.
- Appeal more to investors.
- Prevent unwanted surprises from third party IP.

Patent Applications Filed Per Year Relating to Aquaculture

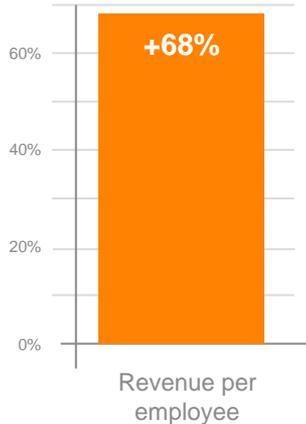




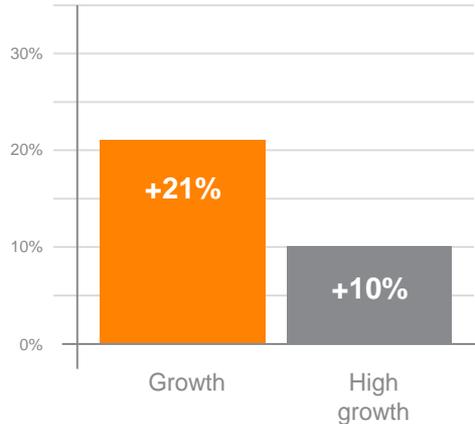
Why is an IP strategy important?

SMEs with an IP strategy are likely to have higher revenues and experience higher growth.

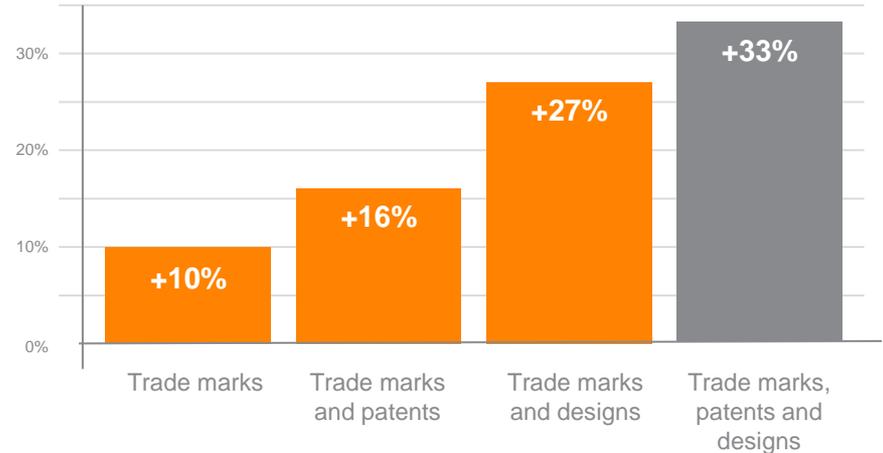
Increase in SME revenue with prior IPR use



Increase in odds of growth with prior IPR use



Increase in odds of growth with prior use of an IPR bundle



What steps can you take to develop an IP strategy?

- Identify existing or potential IP assets, how they map to your products and services and how they support your business plan.
- Put in place a system for capturing new IP as it is developed by your business.
- Analyse your competitors' existing IP to identify any protection they have in place.

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