

Importance of Intellectual Property in SMEs

The 20th International Congress

LACPA

November 25 2015 | Phoenicia Hotel, Beirut, Lebanon

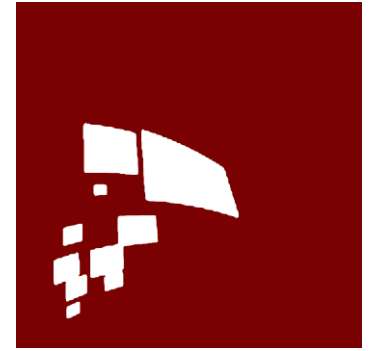


SADER & ASSOCIATES
ADVOCATES & LEGAL CONSULTANTS

Rany SADER

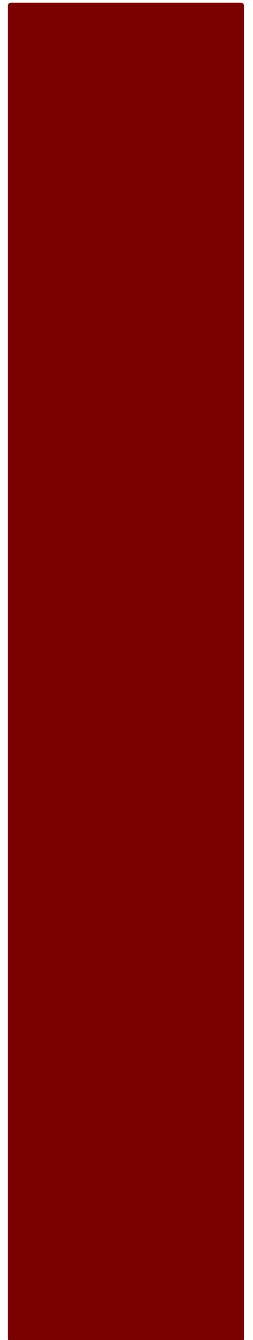
Attorney at law - IPR Specialist

Presentation Plan

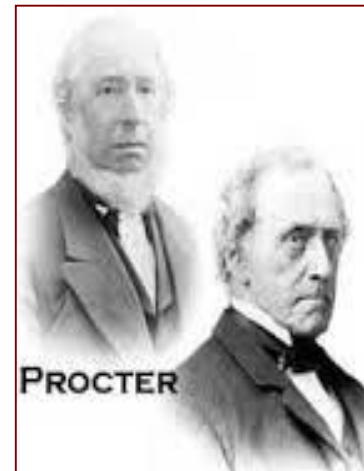
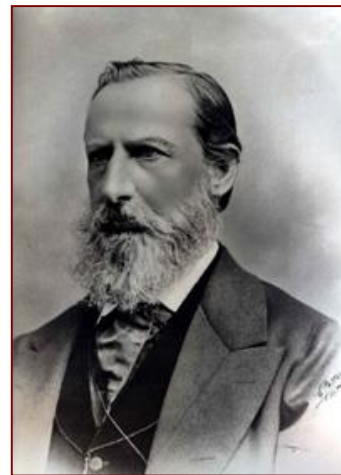
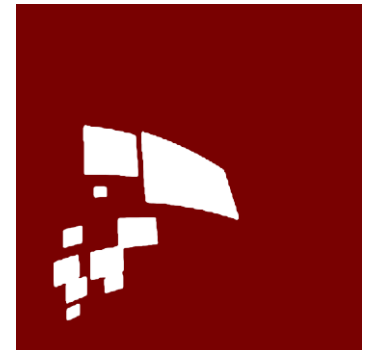
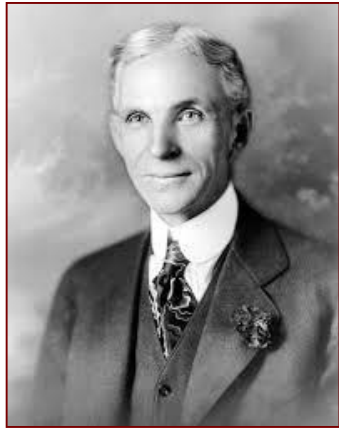


- Q1: What is Intellectual Property?
- Q2: Impact of IP on the Economy
- Q3: What should SMEs Owners Do? Auditors role?
- Q4: Any question you might have?

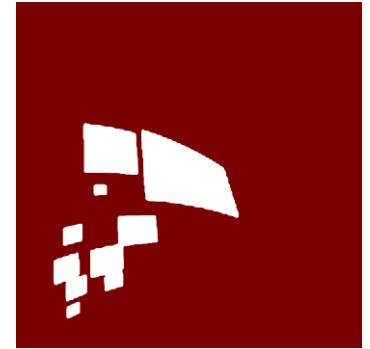
Q1: What is Intellectual
Property?



Who are those Gentlemen?!?



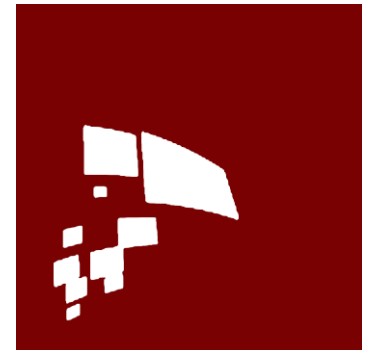
Do you know those Brands?!?



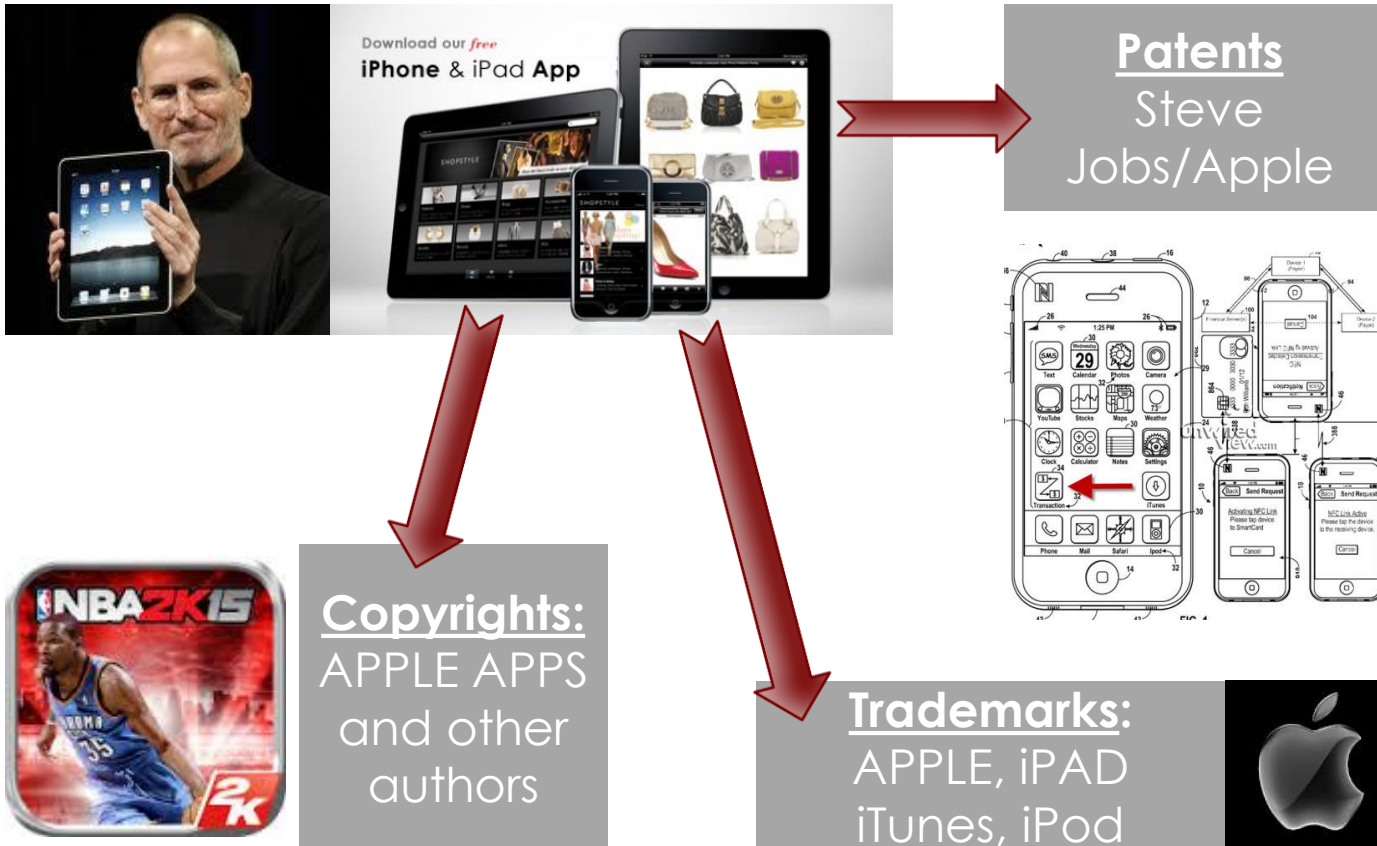
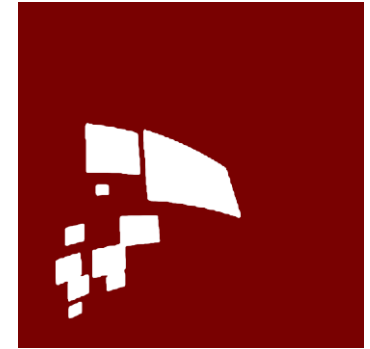
Lebanese Trademarks & Trade names



INTELLECTUAL PROPERTY!?!

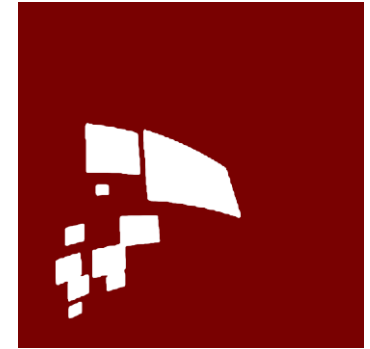


Intellectual Property: A Complex World



Intellectual Property

Main Business Assets



Intellectual Property Assets

Intellectual Property Rights

Industrial Property

Trademark

Industrial Design

Patent

Copyright

Soft IP

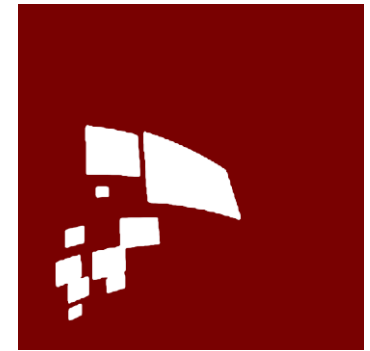
Trade Secret

Know How

Confidential
Information

Intellectual Property Copyrights?

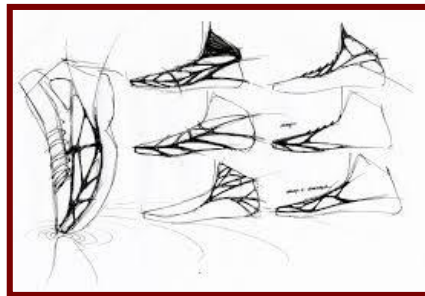
- Books
- Poems
- Theses
- Plays
- Movies
- Dances
- Musical compositions
- Audio recordings
- Paintings
- Websites
- Drawings
- Sculptures
- Photographs
- Software
- Radio
- Television broadcasts
- Unregistered Industrial designs
- Graphic designs



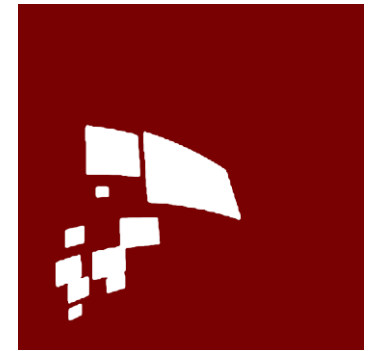
Intellectual Property

Industrial Designs?

- No protection for Unregistered Industrial Designs
- Territorial Protection
- Possibility of Protection based on Copyright Law
- Possibility of Protection as Trademark
- Unfair Competition
- Proof of Ownership (Sketches)



Intellectual Property TRADEMARKS?

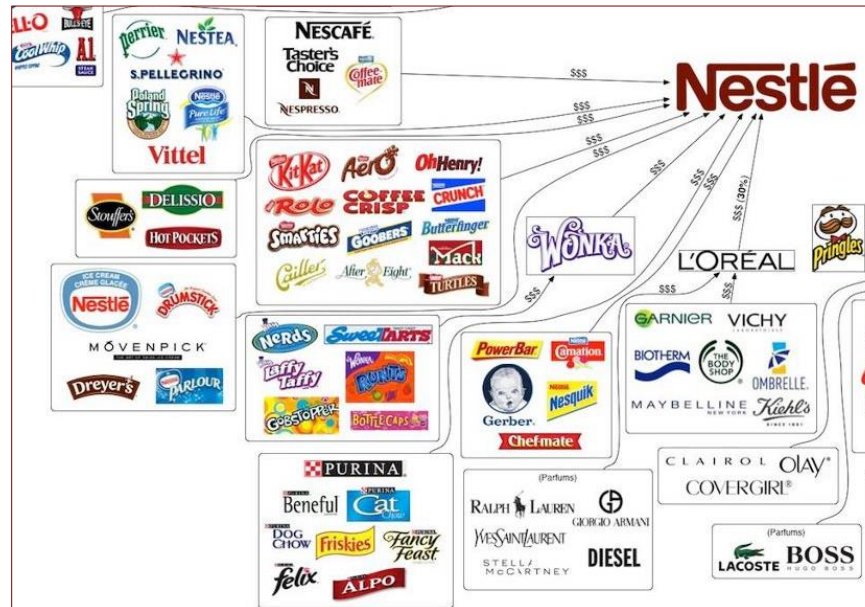


GROUPIKA
THE UNCHANGING SPIRIT

sacotel s.a.l.



ELIE SAAB



Tinol PAINTS
STAND THE TEST OF TIME

دويهي
DOUAIHY
LEBANESE SWEETS

ABED MAHFOUZ

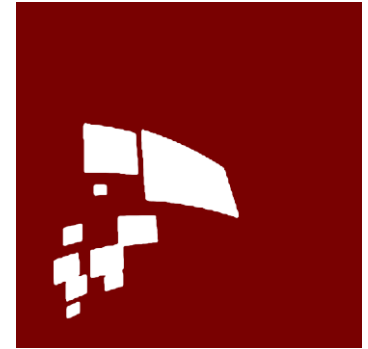
Reem Acra
NEW YORK



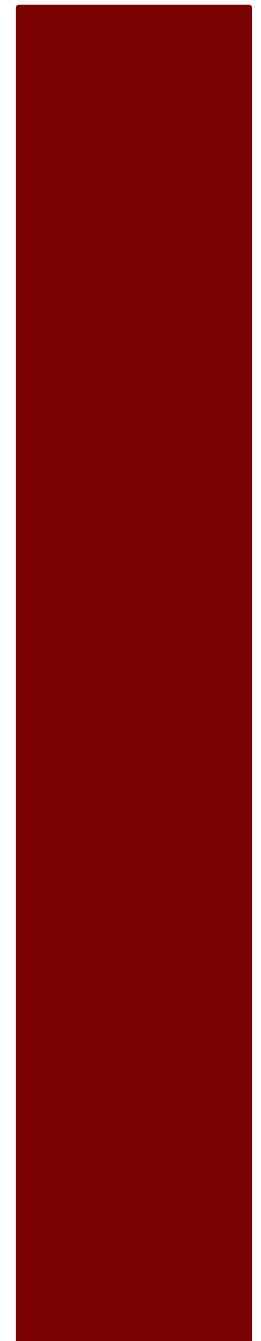
Intellectual Property

SOFT IP & RELATED RIGHTS?

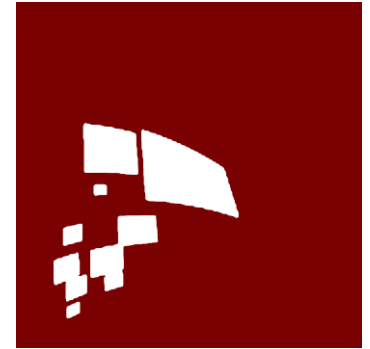
- Trade Secrets
- Know-How
- Confidential Information
- Mergers & Acquisition
- Franchising
- Employment Agreements



Q2: Economic Impact of Intellectual Property



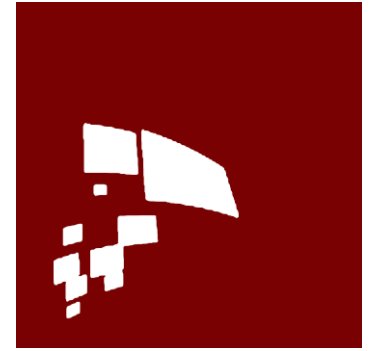
Economic Impact of IP



- (IP) contributes enormously to the national economy
- Valuable business asset
- Creates and Supports High-Paying Jobs
- Protection of IP is considered an investment
- Enhancement of the competitiveness
- Strong and Enforced Intellectual Property Rights protects Consumers and Families
- Consumers use IP to ensure they are purchasing safe, guaranteed products
- Intellectual Property Rights encourage Innovation and Reward Entrepreneurs
- Intellectual property worth over 27 million jobs, \$5.6 trillion to US economy

Economic Impact of IP

How much is a Painting worth?



Price: \$148.1 Million

Most expensive painting around the world

This painting was painted by **Jackson Pollock** in 1948. David Geffen sold this painting to David Martinez in 2006.



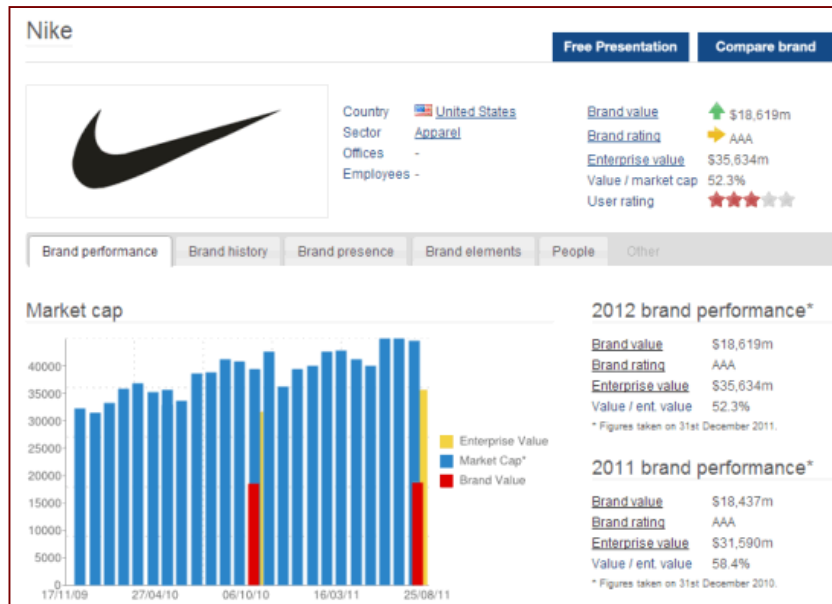
<http://webneel.com/webneel/blog/30-most-expensive-paintings-all-time-inspiring-showcase>

Economic Impact of IP

How much is a TM worth?

A brand could be worth as much as 80% of the overall value of the business.

Nike's 2012 brand value is of US\$18.6 billion, which is 52.3% of the company's enterprise value of US\$35.6 billion:

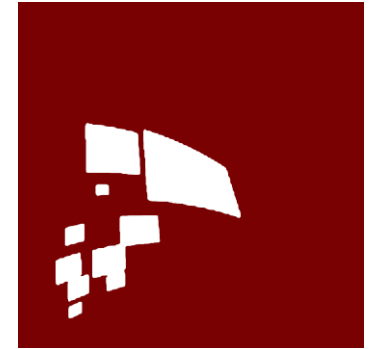


<http://www.dailymail.co.uk/news/article-2004273/Woman-designed-Nike-swoosh-explains-story-inception-40-years-ago.html>

Source: <http://benmbartlett.com/what-is-a-brand-part-two/>

Economic Impact of IP

Most Valuable Brands

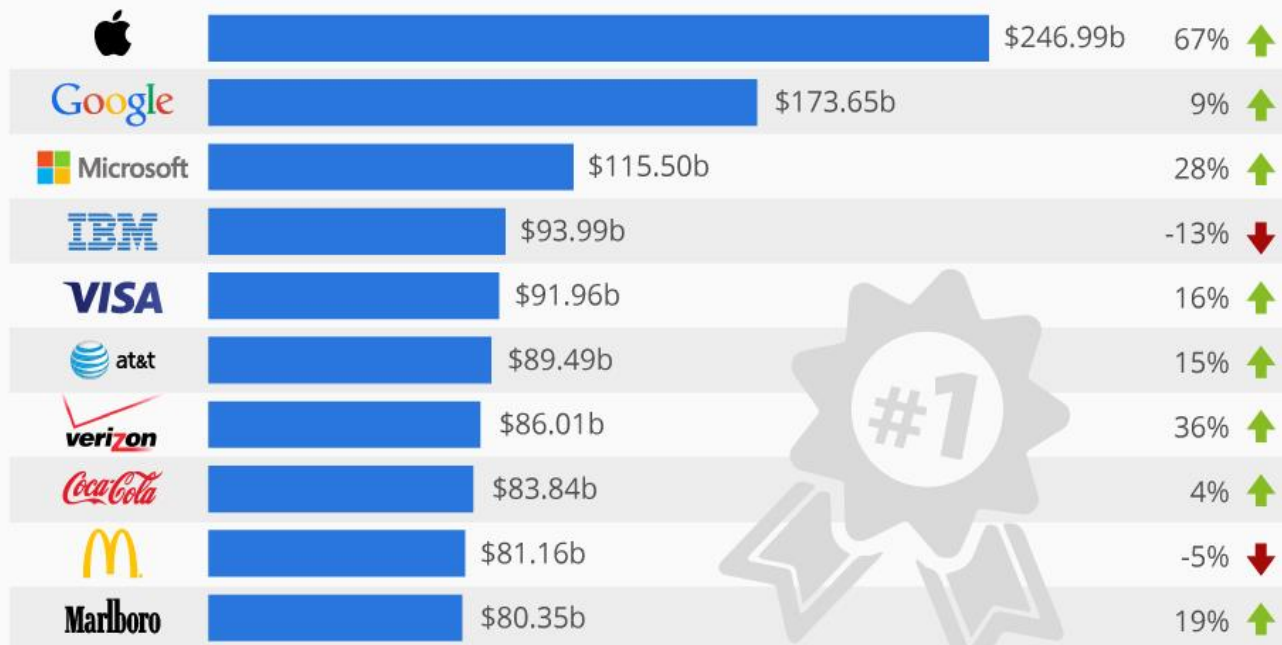


<http://www.businessinsider.com/the-100-most-valuable-brands-in-the-world-2014-2>

Apple Reclaims Title of Most Valuable Brand

Brand value of the world's most valuable brands in 2015

Brand value change
2015 vs. 2014



@Statista_com

Source: Millward Brown, WPP

statista

Economic Impact of IP FAMILY Businesses?

IP & Family Businesses

The “Watson” Family Story



Source: <http://www.forbes.com/sites/chasewithorn/2015/04/20/new-report-reveals-the-500-largest-family-owned-companies-in-the-world/> (April 2015)

Intellectual Property in Family Businesses: Challenges and Lessons for Continuity (June, 2015)



صكادر SADER GROUP A Lebanese Family Business Case Study

Where Heritage meets Innovation



Vision & Mission

- To promote a modern legal culture in the Middle East
- To bridge international legal cultural divides.

By Facilitating access to legal information for people from around the world.

- Established in 1863
- A group of companies
- Creative Industry
- Core business: Legal Information and Services
- Trilingual Services

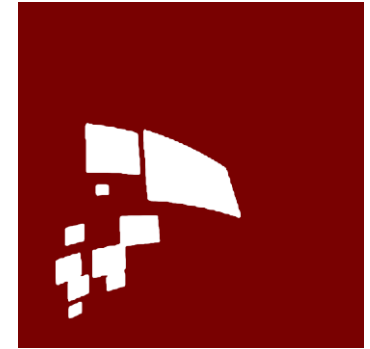
- Currently present in:
 - Lebanon (1863)
 - UAE (2004)
 - Kuwait (2006)
 - Internationally through Lexis Nexis International (2008)
 - Jordan (2010)



Intellectual Property in Family Businesses: Challenges and Lessons for Continuity (June, 2015)

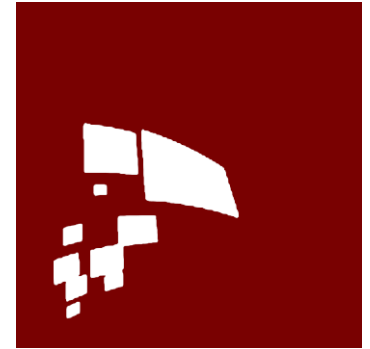
Economic Impact of IP

Illegal Exploitation of IP?

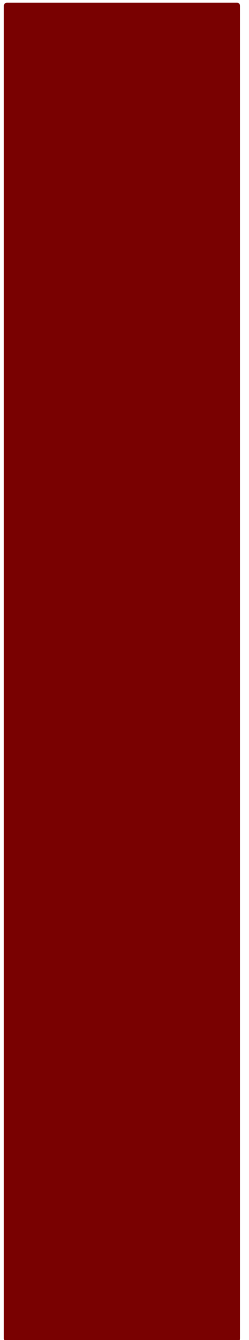


Economic Impact of IP

Importance of Awareness?



Q4: What should SMEs
Owners Do? Any
practical tips?



What should SMEs Do?

Internal & External Measures?

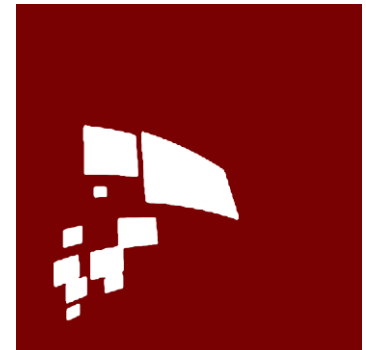
■ Build your Rights on Right Grounds

- ✓ Don't underestimate the power of an idea
- ✓ From Creation to Execution

■ Protect your Rights Internally

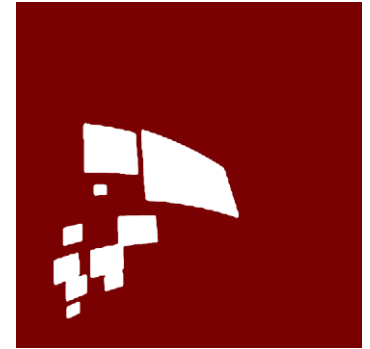
- ✓ Seek originality and aim for Excellence
- ✓ Be consistent
- ✓ Create a story behind your creation/Brand/Design

■ Fight for your IP Rights



What should SMEs Do?

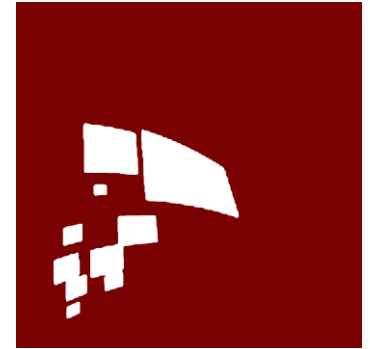
Anti-Counterfeiting Ingredients?



- Have a Strategy
- Protect your IP Rights by registering them
- Build relationship through Public Private Partnership
- Conduct extensive Market Surveys & Monitoring in relation to the most affected brands
- Target all distribution channels at the same time (Manufacturers, Importers, Distributors, Pharmacies, Shops,...).
- Immediate Administrative & Legal Actions against all infringers (no matter the quantities involved)
- 0% tolerance plan towards the infringers.

What should SMEs Do?

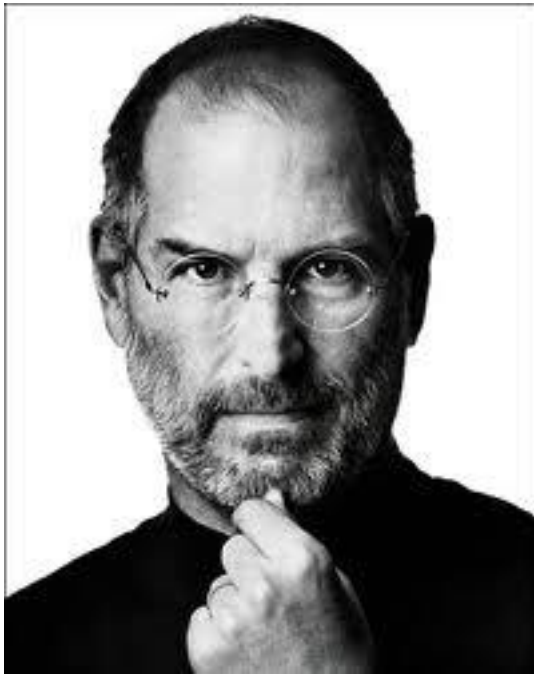
Better IP Environment?



- Right Holders activities & actions
- Better Legislations
- Less Political Interference
- More “Courageous” Court decisions
- Specialized IP Courts
- Active Enforcement Bodies
- Additional Consumer and Social Awareness
- An Arab IP Enforcement Data Collection and sharing

INSPIRATIONAL QUOTES

STEVE JOBS



Stay Hungry. Stay Foolish

- From the earliest days at APPLE, I realized that we thrived when we created Intellectual Property. If people copied or stole our software, we'd be out of business. If it weren't protected, there'd be no incentive for us to make new software or product designs.
- **If protection of intellectual property begins to disappear, creative companies will disappear or never get started. But there's a simpler reason:**

"IT IS WRONG TO STEAL. IT HURTS OTHER PEOPLE AND IT HURTS YOUR OWN CHARACTER"

Source: Steve Jobs by Walter Isaacson, 2011, p. 396



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rany.sader@saderlaw.com

 Stop dealing with counterfeit