

Taftie Insights report
Meeting 2 (19 April 2023)

The future of intellectual property

Executive summary

The second 2023 meeting of the Taftie network was focused on intellectual property (IP) and the role that innovation agencies can and should play in supporting its creation and/or exploitation.

The meeting was preceded by a survey of the innovation agencies on their programmes and activity, which indicated that:

- The majority of Taftie agencies are active in supporting businesses and entrepreneurs to create or exploit IP
- Increasing knowledge about IP among businesses is the most common objective of activities in this area, followed by helping businesses to identify and/or secure protectable IP
- Financial assistance is the most common form of support provided by agencies, while many also offer advisory and other support services as well as specific training programmes
- Although most agencies capture metrics and data about their own IP support programmes, few gather extensive information about IP activity in their region
- Not all innovation agencies collaborate with other actors in their IP system - of those that do, partnerships are primarily with national IP offices and consultancies, but some also coordinate with international bodies such as the World Intellectual property Organisation (WIPO) or the EU

Key insights from the discussion were that:

- The IP system (and the nature of intellectual property itself) is becoming increasingly complex and difficult to navigate for SMEs and entrepreneurs
- Innovation agencies have a valuable role to play in this system, especially since they often serve as the first point of contact for innovative businesses, but it is important to clarify the role they should play compared to other stakeholders
- Agencies can serve as advisors and referrers - signposting businesses that could benefit from the more targeted support offered by national and international IP bodies

Part 1: Introduction

The focus of the second Taftie Insight Meeting of 2023 was ‘intellectual property’, building on the discussion held in the first meeting about technology transfer. Here we were interested in how innovation agencies could best support entrepreneurs to develop and protect their IP, defined as *creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.*

Innovation has traditionally been closely linked to intellectual property, given that many innovations are protected through patents, trademarks, copyright, industrial design and other mechanisms. While patents, trademarks and copyright protection are likely the more well-known mechanisms to protect IP, there are other ways innovators protect their unique products, processes or services, prior to, during and after they have been taken to market - through non-disclosure agreements, material transfer agreements and company secrets, among others.

Protected IP can generate revenues that finance further R&D, be a pull factor for investors and turn ideas into commercially tradable assets. However, in recent years some inventors have debated the relevance of traditional IP protections. For example, new technologies such as those enabled by blockchain technologies or based on artificial intelligence require new, better-fit mechanisms.

There are also various stakeholders involved in processes to protect IP, from national and international patent offices to innovation agencies that are advising entrepreneurs and businesses on IP matters. Ensuring complementarity and avoiding overlap among these activities is a key challenge for the different actors involved.

To frame the conversation on intellectual property and the role that innovation agencies can and ought to play in this ecosystem, the meeting was preceded by a survey on the activities of the Taftie agencies in this area. During the session, innovation agencies, as well as representatives of national and international IP offices and organisations, were invited to present and join in on a discussion panel about the main issues. The takeaways from the survey and the conversation are summarised below.

Part 2: Insights from survey data

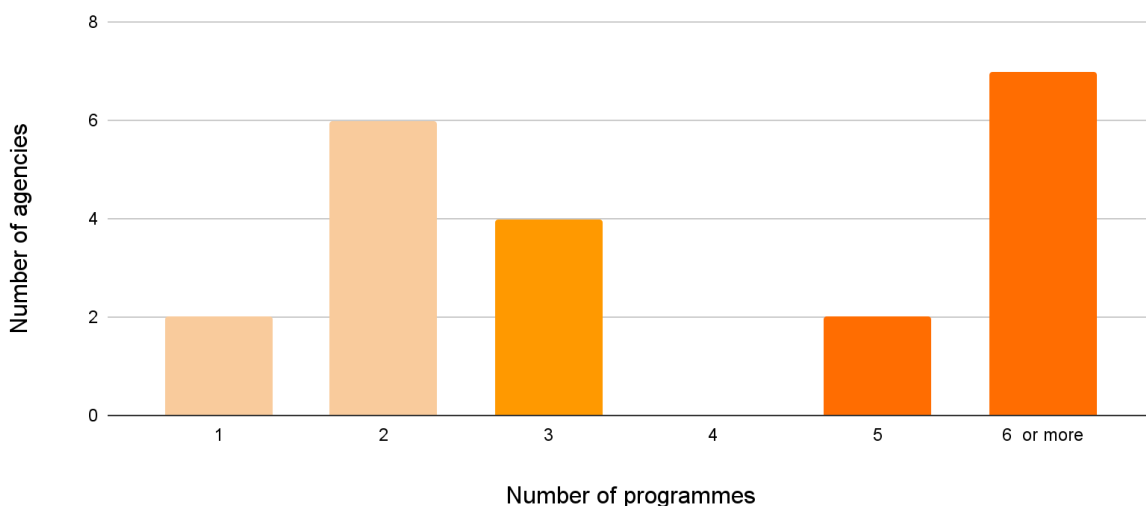
Ahead of the Taftie meeting on IP in April 2023, a survey was sent to all member agencies (34) inquiring about the programmes they were running or had recently run in their area of influence as well as the main barriers they were facing and the metrics they were using to measure impact.

23 agencies responded and provided information on specific programmes that they run, as well as some of the challenges they face in this area, representing a response rate of just over 68%. Around a third of Taftie agencies did not complete the survey, but these results are still a good indication of trends, and provide valuable insights into the practices and programmes of specific agencies.

Activity in relation to IP support

We found that the majority of respondent agencies (86%) are active in the area of providing IP support to the businesses and innovators they support. Of the small number who are not currently working on IP, there is still awareness of IP-related matters and some degree of involvement with it, e.g. liaison with IP offices, provision of funding that could be used on IP protection and/or tracking of indicators such as who files for patents.

Figure 1: Distribution of programmes by agencies

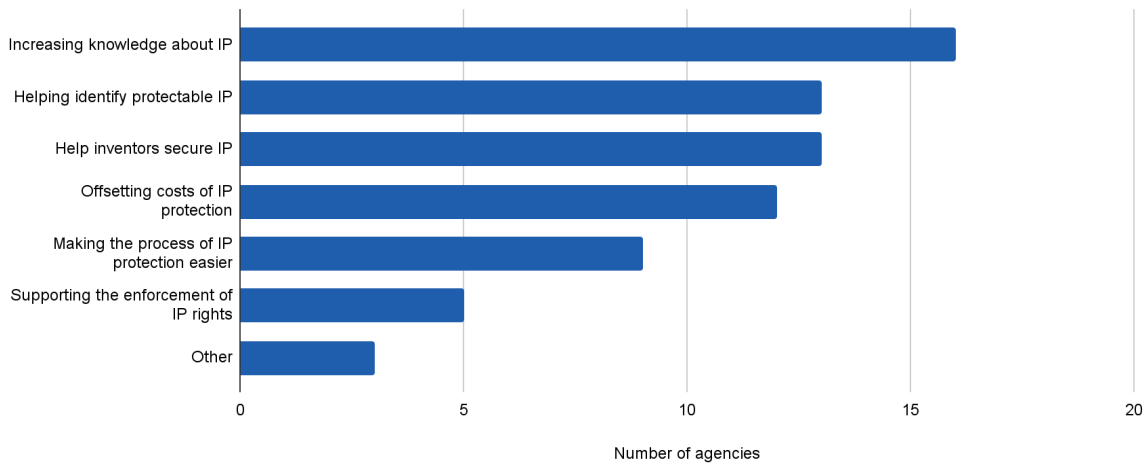


As Figure 1 shows, within Taftie there is a cluster of agencies that implement three or fewer programmes related to IP, and a group that are particularly active in this area and implement five or more programmes.

Objectives and types of IP support provided

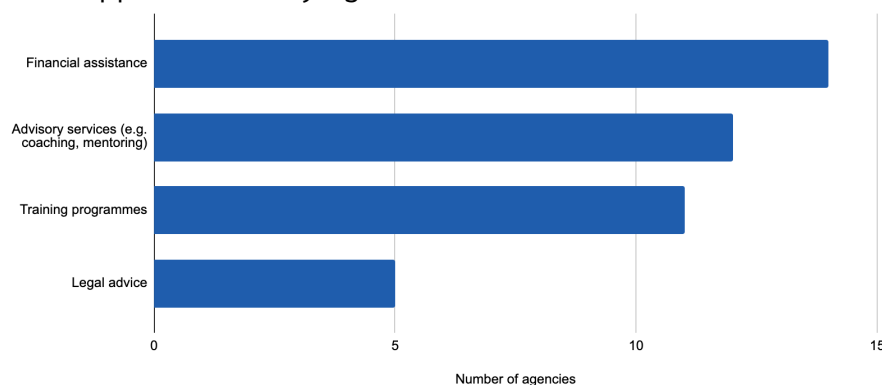
Taftie agencies have a range of objectives in relation to supporting the creation and/or exploitation of IP (see Figure 2). Increasing knowledge about IP amongst target beneficiaries was the most common objective mentioned, followed by helping inventors to identify and secure protectable IP. Many also aim to help to offset the costs of IP protection. Relatively few agencies are involved in supporting the enforcement of IP rights - presumably due to this being managed by national IP offices or other actors in the ecosystem.

Figure 2: Objectives of support offered by agencies



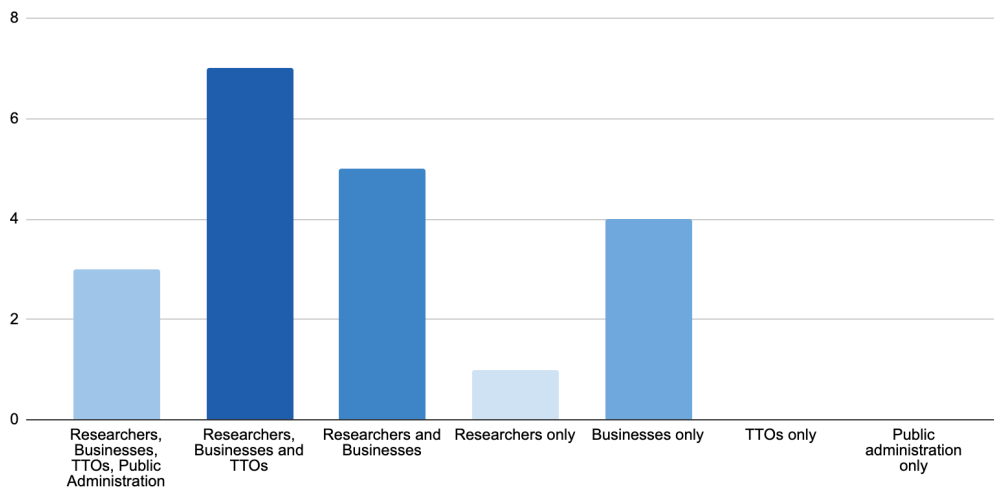
Taftie agencies provide different types of support with respect to the creation and/or exploitation of IP (see Figure 3). We found four general categories that these forms of support could be grouped within - financial assistance (e.g. offsetting the costs of IP protection) was the most common, followed by the provision of advisory services and training. Relatively few agencies offer legal advice, again perhaps because this function is typically performed by other actors within the ecosystem.

Figure 3: Types of support offered by agencies



The survey asked agencies to specify which kinds of stakeholders their IP support programmes or measures were targeting. As Figure 4 shows, relatively few agencies target the full range of ecosystem stakeholders (i.e. researchers, businesses, technology transfer offices [TTOs] and public administrations). At the other end of the spectrum, there are a few agencies which target businesses only, and just one that only targets researchers.

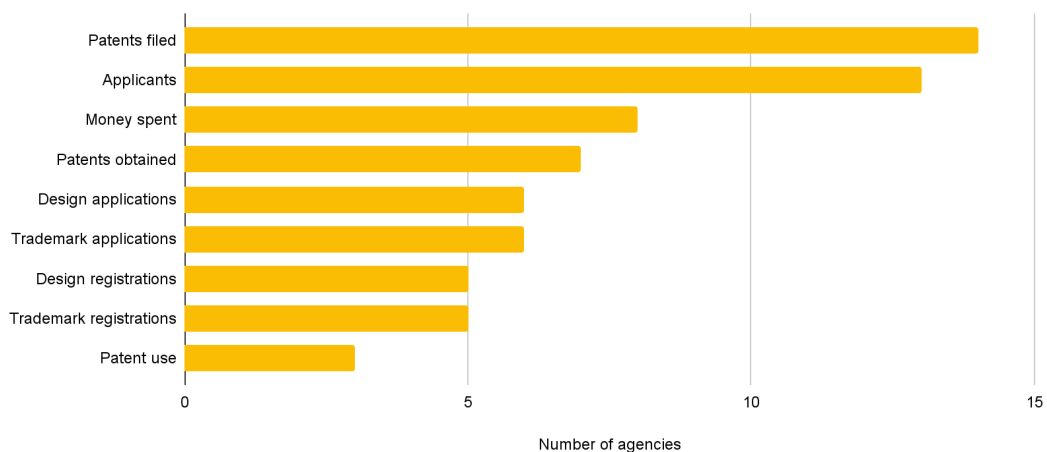
Figure 4: Types of stakeholders targeted by IP support



Metrics captured

Looking at what gets measured with respect to IP, the survey found that the majority of respondent agencies (80%) are capturing success metrics for the programmes that they run. As Figure 5 shows, the number of patents filed and the number of applicants are the most common metrics captured.

Figure 5: Metrics captured by agencies

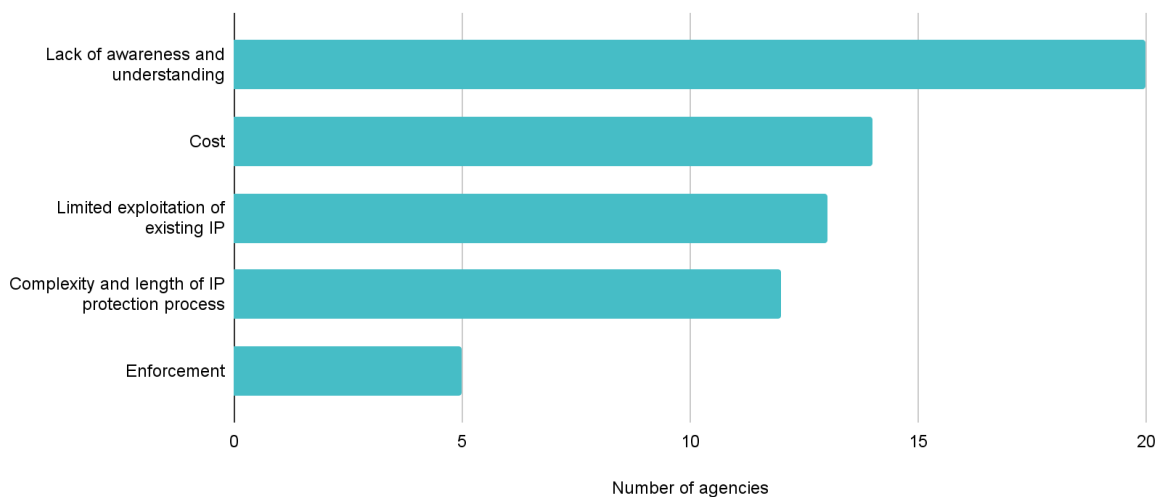


However, the survey also revealed that fewer than half of respondent agencies are tracking data about patenting, copyright or trademarking in their region.

Wider challenges and opportunities in the ecosystem

When asked about their perceptions of the main problems relating to intellectual property in their own ecosystems (see Figure 6), almost all respondent agencies mentioned a lack of understanding and awareness among the businesses and entrepreneurs they support. The cost of acquiring IP was also cited as a major problem, as well as limited exploitation of IP and the complexity and length of IP processes.

Figure 6: IP challenges in the ecosystem



The survey also aimed to establish the extent and nature of collaboration between Taftie agencies and other key actors in their system with respect to IP. Around a third of respondent agencies indicated that they did not work closely with other organisations or bodies supporting intellectual property protection. Of those that did, the majority collaborated primarily with national IP offices and consultancies, but a few agencies also mentioned partnerships with regional or international organisations such as WIPO and EUIPO. A key question for a number of agencies was how to improve their cooperation with national IP offices - a theme which came up in the discussion at the Insight Session.

Part 3: Conclusions and recommendations from insight session discussions

The Insight Session featured keynote presentations from a number of expert speakers, including representatives of:

- The State Intellectual Property Office of Croatia;
- The World Intellectual Property Organisation (WIPO);
- The European Communities Trademark Association (ECTA); and
- The Austrian Research Promotion Agency (FFG)

In terms of the wider context, the presentations made it clear that IP systems at both the national and European levels are often difficult to navigate for SMEs and entrepreneurs, and that the nature of intellectual property itself is also becoming more complex, linked to the emergence of intangible assets and frontier technologies. Speakers emphasised the need to make IP regulations and services more agile, and responsive to the needs of innovative businesses and entrepreneurs in terms of their individual paths to growing and scaling.

Some of the practical challenges mentioned by innovation agencies in this area related to using new tools and technologies (such as machine learning) to support IP services, and evaluating the effectiveness of their patent activities - many lack a good picture of what is happening in their region, and there is a mismatch between the data held by innovation agencies and patent offices. At a more strategic level, Taftie agencies mentioned the twin challenges of anticipating what the future holds with respect to IP, and clarifying their roles vis-a-vis other actors in the system.

From the survey results and the discussions on the day, it is evident that there is no single model for the way that Taftie agencies support businesses and entrepreneurs to create or exploit IP, and a variety of approaches for the ways in which they collaborate with other relevant actors in their system, including national IP offices, regional bodies, or international organisations like WIPO.

It was highlighted that innovation agencies are often the first point of contact for innovative businesses and entrepreneurs, and there is great value in the direct interface and the deep relationships they have with them. They are well placed to understand the challenges and support needs of businesses with respect to IP, and can collect data and other information about their intentions and activities around creating and exploiting intellectual property.

It was suggested that innovation agencies could usefully develop 'basic IP literacy' among innovative businesses through training and other support services, and then

signpost them on if needed to more intensive services from national or international IP bodies.

It was also noted that innovation agencies often have strong relationships with researchers, and that they could play a more active role in encouraging them to consider IP and technology transfer opportunities.

In terms of collaboration opportunities within Taftie and with external partners, it was suggested that there could be value in promoting mutual learning between individuals within agencies that have direct expertise in this area, and support for the idea of building more strategic partnerships with actors including WIPO and EUIPO.