



For Innovation

Innovation Support Strategy Consultation Document



Consultation on the Patent Office strategy for supporting innovation

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Consultation on the Patent Office strategy for supporting innovation

Introduction

1. The Patent Office has been considering how it can deploy its considerable knowledge, resources and expertise to support innovation in the UK beyond our existing support activities and core statutory functions of granting IP rights, serving as a tribunal and providing advice on IP policy to Ministers. To this end, we have prepared a strategy for supporting innovation which is the subject of this consultation. Annex 1, describes how the Office intends contributing to the Government's innovation support agenda by building on its existing support activities and pursuing new initiatives.

2. Appended to the strategy is a wide ranging action programme which constitutes a menu from which activities will be pursued when resources permit. The Office will not necessarily lead on all the activities. Where we propose working in partnership with other organisations our aim is to establish how best we can engage with them in support of joint objectives. Priority will be given to actions which offer the greatest benefit in respect to innovation.

3. An independent review of the intellectual property rights in the UK is currently being undertaken by Andrew Gowers who has been appointed by the Chancellor of the Exchequer to lead the review and report in the Autumn this year. The Gowers Review website is: <http://www.hm-treasury.gov.uk/gowers>

Purpose of the consultation

4. We want to ensure that our strategy for supporting innovation, particularly the programme of activities we have identified, is appropriately focused to make the most effective and efficient use of the Office's expertise and resources. We are also keen that our strategy complements rather than duplicates or cuts across innovation support activities being carried out by others. Above all we want to ensure that the strategy will deliver maximum benefits to UK business. This consultation is intended to give all interested parties the opportunity to help fashion the strategy so that it achieves these objectives.

Your views and feedback

5. In addition to any general comments on the strategy, we would particularly welcome responses to the following questions.

- Is the strategy supportive of and complementary to other innovation support activities being pursued by other organisations?

- Which activities in the programme of activities appended to the strategy would you say should be the priorities for the Patent Office?
- Do you consider any of the proposed activities inappropriate for the Patent Office?
- Are there any other activities you think the Patent Office should pursue?
- Are there any activities in which you would like to partner the Office in delivering?

Who is being consulted?

6. Everyone is welcome to comment on the strategy. Copies of this document have been sent to the organisations listed in [Annex 2](#). Further copies, including large print versions, may be obtained from the Patent Office by contacting Sally Vaughan, tel. 44(0)1633 814543, e-mail innovation@patent.gov.uk or by accessing the Office's website. Please let us know of any other organisation that should be consulted.

How and when to respond

7. A consultation response form is attached at Annex 3 which you may wish to use to reply. Responses should be sent by post, fax or e-mail. Please send your responses by **21 August 2006** to:

Sally Vaughan
The Patent Office
Room 2R45
Concept House
Cardiff Road
Newport
NP10 8QQ

Fax: +44 (0)1633811020
Tel: +44 (0)1633814543
E-mail: innovation@patent.gov.uk

8. If you are responding on behalf of a representative group, please give a summary of the people and organisation that you are representing.

9. This consultation document has been prepared in accordance with the Government's Code of Practice on Written Consultation. The Code's criteria are set out at Annex 4. If you have any comments or complaints about how this consultation process is being handled please tell the Patent Office's Consultation Co-ordinator, whose details are included in Annex 5.

Openness and publication of responses

10. This is part of a publication exercise. As such, your response may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

11. If you do not want part or whole of your response or name to be made public please state this clearly in the response. It would be helpful if you could explain to us why you regard the information as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system cannot be regarded as a formal request for confidentiality.

12. The Patent Office will process your personal data in accordance with the DPA.

13. More information about the FOIA can be found on the website of the Department for Constitutional Affairs at:
www.dca.gov.uk/foi/guidance/exguide/index/htm.

Our Response

14. The Patent Office will produce a response document which will be made available at <http://www.patent.gov.uk/about/consultations/responses/index.htm>

15. Paper copies of the response document will be available by contacting Sally Vaughan, tel. 01633 814543, email: innovation@patent.gov.uk

Innovation: a Strategy for Support

1. The Patent Office is committed to supporting innovation in the UK. One of its 10 Year Goals is:

“To be a centre of excellence supporting innovation and creativity, known worldwide for our knowledge-based services and policy making.”

2. We already play a key role in supporting innovation. Through our core statutory function of granting IP rights we provide the necessary protection for the considerable cost and effort involved in creating and developing new products and services, while our tribunal activities contributes to the enforcement of those rights. However, the Office has a wealth of knowledge, expertise and resources which can be deployed to expand its role as a supporter of innovation either alone or in partnership with others.

3. The purpose of this document is to outline our vision for an integrated innovation support strategy that builds on our existing innovation support activities and explores new support initiatives and ways of working in partnership with other organisations. It serves as a framework for the effective delivery of a comprehensive and focussed programme of innovation support activities.

4. This document is drafted for the purpose of consultation. It sets out a range of proposed activities for the Office which we would like to review with our delivery partners and stakeholders and to prioritise with them those actions likely to deliver the greatest benefit.

5. The strategy recognises that support for innovation must reflect and recognise the needs of all sectors of the UK economy. Its purpose is to stimulate change to encourage us to involve our stakeholders and other government departments to raise awareness of the role the Patent Office has in fulfilling the DTI vision of:

“Creating the conditions for business success; and helping the UK respond to the challenges of globalisation”

6. The government’s agenda is clear – innovation is the key to improving the country’s future wealth. In achieving our aim of assisting in the process of turning ideas into commercial reality the Patent Office will effectively contribute to the wider challenge of bringing prosperity to all.

7. The important contribution that intellectual property plays in supporting innovation in the UK is reflected by the fact that on 2 December 2005, the Chancellor of the Exchequer announced that he had asked Andrew Gowers to lead an independent review into intellectual property rights in the UK. The Review is due to report in autumn this year. The Gowers Review website is:

<http://www.hm-treasury.gov.uk/gowers>

Introduction

8. Innovation drives economic progress and for one of the world's most open trading nations it is essential that we continue to innovate. For businesses it will mean sustained or improved growth. For consumers it will mean higher quality and better value goods, more efficient services and higher standards of living. For the economy as a whole innovation is the key to higher productivity and greater prosperity for all.

9. Innovation does not depend entirely on the knowledge, skills and creativity of people in the workplace, Government has an important role as well. It is essential to create the best possible environment for innovation to flourish and to receive appropriate protection.

10. The Government wants the UK to be a key knowledge hub in the global economy and to be a world leader in transforming scientific and technological advances into successful new products and services. The Innovation Report (<http://www.dti.gov.uk/innovationreport/>) published in December 2003 set out the strategy for innovation, backed by the resources of the Department of Trade and Industry (DTI) (<http://www.dti.gov.uk>). It highlighted seven key areas where government could most effectively act to improve the rate of innovation. DTI Economics Paper No. 7 (<http://www.dti.gov.uk/economics/papers.html>) contains an assessment of the UK's innovation performance and the factors that explain it which provided the evidence base and analytical framework for the Review.

11. The system of Intellectual Property Rights (IPRs) was recognised as one of the key enablers for innovative businesses. We at the Patent Office were asked to identify how IPRs support innovation, and what could be done to improve things and by whom. The feedback we received confirmed our previous views, that whilst Intellectual Property (IP) does play an important role in supporting innovation, there were several issues that needed to be addressed:

- A lack of awareness and appreciation of the value of IP;
- The difficulties, especially the cost, of enforcing IPRs for individual companies, particularly Small and Medium Size Enterprises (SMEs);
- The difficulties created by high and probably rising levels of IP crime.

12. The Innovation Report and the Government's 10 year Science and Innovation Investment Framework, mark a new era for this Office. As mentioned above, IP is a key enabler of innovative business, and as the Government Agency primarily responsible for IP, the Patent Office has a key role to play in creating the best possible environment for innovation to flourish.

Future support for innovation

13. Our strategy for supporting innovation should:

- (a) be aligned to the wider aims and objectives of government and the DTI;
- (b) demonstrate a strategic fit with those aims and objectives;
- (c) build upon the programmes outlined in the Innovation Report; and
- (d) deliver against the expectations of the future vision of a modernised Patent Office for the 21st Century.

14. We must build on the successes we have already achieved and look beyond our existing support activities and core statutory functions by extending our innovation support activities and the resources available to deliver them. This is consistent with the step change expounded in the vision and business model for a Patent Office for the 21st Century.

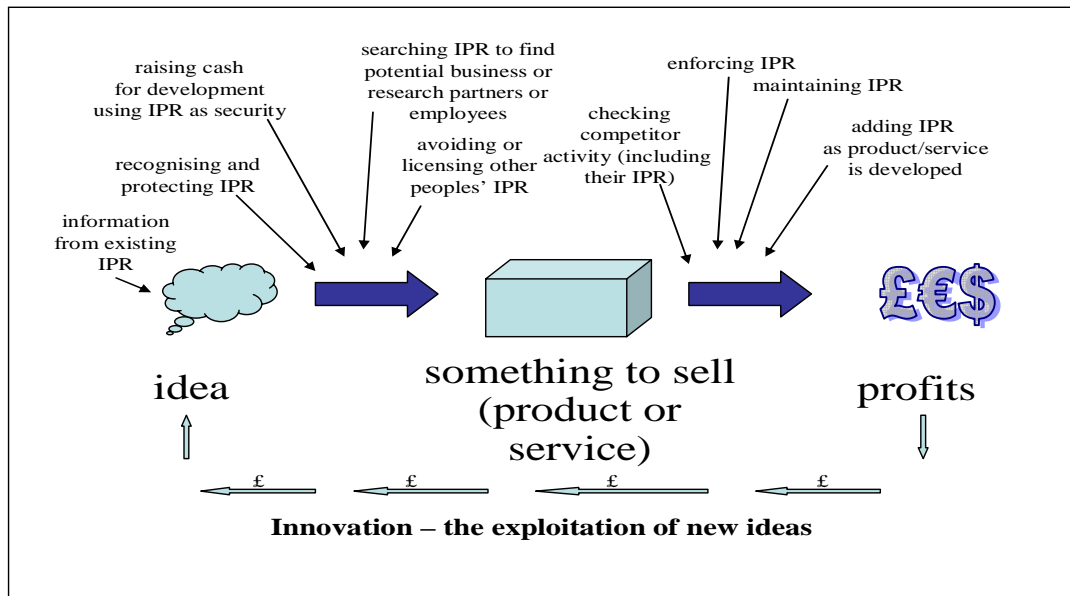
15. The strategy we are proposing has six objectives, namely:

- Ensuring that business understand how best to use IPR to lever commercial success from their creativity.
- Ensuring that research and academic bodies understand how best to use IPR to lever success from their creativity.
- Delivering a high quality rights services in a modern e-environment.
- Developing and offering commercial services which use the expertise of the Office to assist business in decision making.
- Ensuring that rights can be enforced in a balanced and easily accessible manner.
- Developing the framework of domestic and international IP law and policy to meet the needs of a modern knowledge based competitive economy.

16. The Office has a wealth of knowledge, resources and expertise that can be applied to help boost innovation within the UK. We aim to deploy those assets in the most efficient and effective manner to maximise the Office's contribution to the innovation agenda.

The innovation process

17. In order to establish how best to apply the Office's expertise and resources to support innovation it is important to have a clear understanding of the innovation process itself.



18. There are various ways of describing innovation but simply innovation can be defined as commercialising and leveraging value from creativity. This process is represented in the above flow chart which gives a broad indication of the types of activities involved in the generation of commercial value from new ideas and the role that IPRs play in this process.

19. The Patent Office already supports this process in various ways. Through our awareness campaign we help stimulate creativity. Our commercial search services help business establish at an early stage whether an idea is new. The granting of IP rights protects and encourages business to invest in innovation while through our mediation and tribunal functions we contribute to the enforcement of those rights.

20. This strategy builds on this work and explores other ways for the Office to support innovation in conjunction with our partners.

A strategic approach

21. We are committed to enhancing our existing core activities particularly in respect to the contribution they make to the promotion of innovation in the UK. We have also commenced or started trialling certain new activities for which our expertise is particularly well suited and which will extend our innovation support capability. Our research has also identified a number of innovation support activities that we do not currently offer but which we believe would help further promote innovation in the UK. Where other organisations are already engaged in similar activities, we wish to explore how we might add value by contributing our expertise through partnership arrangements. If no other organisations are involved in any of the new activities we have identified, we will undertake feasibility studies to assess

the benefits and practicalities of undertaking the activities either ourselves or by identifying new partner organisations to strengthen our delivery capability.

22. Annexes A to F set out a comprehensive programme of innovation support activities. For completeness we have included activities we are already committed to as well as new activities we wish to consider undertaking either alone or in partnership with others. These activities have been distinguished in the following ways:

- Those activities we are already committed to or are piloting are indicated by underlined text.
- Those new activities which we would expect to deliver in partnership with other organisations are indicated by plain text.
- Those new activities, which we would expect the Office to be able to take forward on its own initiative, are indicated in *italic* text. To the best of our knowledge, no other organisations are involved in these activities.

23. Each of the annexes constitutes a schedule of proposed support activities. The first column in each annex contains summaries of the types of support activities. The second column describes the actions we currently undertake or are proposing to undertake against each type of support activity. The final column describes our objectives in respect to these actions which vary according to the type of action.

24. Where we are already committed to a particular action we will endeavour to either measure or evaluate the contribution that action makes to promoting innovation. Where we are piloting a new innovation support scheme our objective will be to decide whether or not to adopt that scheme taking into account the benefits, costs and practicalities.

25. The Office will not necessarily lead on all the activities identified in the annexes. In the case of those where we intend exploring the possibility of working in partnership with other organisations our objective is to decide how best to engage with them in support of joint objectives. Priority will be given to actions which offer the greatest benefits in respect to supporting innovation.

26. Once it has been decided which new activities should be added to the Office's innovation support portfolio, prioritised timelines for pursuing the various actions will be developed to create a road map for implementing the programme with costs established, resources allocated and risks assessed.

The Patent Office Adding Value

27. Building on the successes we have already achieved we are committed to develop a strategic model that will put the Patent Office at the heart of innovation.

A. In order to ensure that business understand how best to use IPR to lever commercial success from their creativity.

The Patent Office will:

- Provide guidance on the use and exploitation of IP
- Raise awareness and understanding of IP in the SME sector
- Provide guidance on applying for and enforcing patents abroad
- Develop partnerships in offering guidance and advice on IP
- Encourage innovation among women and under-represented groups
- Participate in innovation-related award schemes and encourage creativity
- Improve IP guidance provided over the Internet

B. In order to ensure that schools, universities and research bodies, understand how best to use IPR to lever commercial success from their creativity.

The Patent Office will:

- Raise awareness and understanding of IP in universities and the research community
- Provide advice on the commercialisation of IP and support technology transfer
- Embed IP in the primary and secondary education system
- Provide advice on the initial inventive process

C. In order to deliver a high quality IP rights services within a modern e-environment

The Patent Office will:

- Grant IP rights speedily and to the highest quality
- Provide effective and attractive e-business services
- Provide services that meet customers needs and expectations
- Develop a pan European trade mark database

D. In order to develop and offer commercial services which use the expertise of the Office to assist business in decision making.

The Patent Office will:

- Provide new analytical services
- Provide IP auditing services
- Offer on-line patent brokering services or participate in existing services
- Provide a premium trade mark service

E. To ensure that IP rights can be enforced in a balanced and easily accessible manner.

The Patent Office will:

- Simplify and improve its tribunal procedures
- Offer mediation services
- Provide training to help combat IP crime
- Develop IP insurance products for SMEs
- Publish a comprehensive information pack on enforcing IP rights
- Improve IP crime intelligence gathering

F. In order to develop the framework of domestic and international IP law and policy to meet the needs of a modern knowledge based competitive economy.

The Patent Office will:

- Promote the harmonisation and simplification of international IP law and policy
- Review and simplify the framework of domestic IP law and policy to optimise the support it provides to innovation and creativity
- Deliver a Policy Business Plan

Annex A

Innovation Support Programme

Ensuring that business understands how best to use IPR to lever commercial success from their creativity

Support Activity	Current and proposed actions	Objectives
<p>A1. Provide guidance on the use and exploitation of IP.</p>	<p><u>A1a. Prepare guidance on how to exploit IP rights including advice on licensing, how to prepare business plans, developing strategies for attracting finance information and where to obtain specialist and more detailed information to improve business acumen.</u></p> <p><i>A1b. Prepare guidance on conducting a basic IP Audit to help users appreciate what IPR they possess and where they could obtain professional help in auditing their IP.</i></p> <p><i>A1c. Prepare guidance on how best to use IP to protect research results, including how such results can be used as the basis for preparing patent specifications.</i></p> <p><i>A1d. Promote the use of IP data as a resource to find solutions to problems and so avoid duplication of effort.</i></p>	<p><u>Advice on everything a person needs to know about transferring an idea into a successful product or service will be contained in a single source.</u></p> <p><i>Guidance will be available on how to undertake an IP audit or where to obtain such a service.</i></p> <p><i>Comprehensive guidance will be available on how to protect and exploit ideas stemming from academic research.</i></p> <p><i>Business will use IP data as matter of course for resolving technical problems.</i></p>

	<p>A1e. <i>Deliver all-inclusive IP training to business advisors throughout the UK.</i></p> <p>A1f. <u>Encourage links to the Office's website from other websites.</u></p> <p>A1g Explore how Office could best work in partnership with the Design Council to contribute to:</p> <ul style="list-style-type: none"> ▪ the training provided to the design mentors who will deliver the Design for Business Programme to SMEs ▪ the Workforce Development Plan that is being developed with the Creative and Cultural Skills Sector Skills Council 	<p><i>Business advisors will have access to a comprehensive IP training programme.</i></p> <p><u>The websites of all organisations which represent or provide services to business will have links to the Patent Office's website.</u></p> <p>Designers will understand and use the IP system to protect and exploit their innovations.</p>
<p>A2. Raise awareness and understanding of IP in the SME sector</p>	<p><u>A2a. Review the effectiveness of the Office's national awareness campaign and develop new activities in partnership with RDAs, Business Link and the IP profession.</u></p> <p>A2b. <i>Focus on promoting IP awareness and understanding among those who provide services to business, such as business advisors, accountants, solicitors, RDA staff, librarians, etc.</i></p> <p>A2c. <i>Build on the effectiveness of the Network of National Patent Offices (NPOs) to share best practice in the use and management of IP throughout Europe.</i></p>	<p><u>A new co-ordinated IP awareness campaign will be pursued with a performance measure to assess its effectiveness.</u></p> <p><i>Business advisers will be fully aware of the benefits of IP and understand how the IP system works.</i></p> <p><i>All European NPOs will have access to detailed information about each</i></p>

		<i>others innovation support initiatives.</i>
A3. Provide guidance on applying for and enforcing patents abroad.	<i>A3a. Prepare an “international patent application kit” highlighting differences in IP laws in different countries and providing basic advice about applying for patents overseas e.g. whether or not an address for service is required in a particular country.</i>	<i>An international “kit” will be made available to inventors and business to enable them to make informed decisions about applying for patent rights abroad.</i>
A4. Develop partnerships in offering guidance and advice on IP.	<p><u>A4a. Develop alliances with organisations like the British Library, Patent Libraries (PATLIBs), RDAs and Business Links in setting up reciprocal referral arrangements for dealing with enquiries.</u></p> <p>A4b. Explore with the lead organisations the possibility of the Office participating in IP advisory sessions such as the IP clinics run by Chartered Institute of Patent Agents (CIPA).</p>	<p><u>The Office will refer callers to appropriate bodies for further detailed advice.</u></p> <p>The Office will be established as a regular contributor to IP clinic</p>
A5. Encourage innovation among women and other under-represented groups.	A5a. Investigate why such a small proportion of inventors are from women (approx 2.5%) and people from under-represented groups. Collaborate with partners to devise and implement a campaign to help boost IP awareness and encourage innovation with these groups.	The proportion of women inventors and those from under-represented groups will have at least doubled by 2010.
A6. Participate in innovation-related award schemes and encourage creativity.	A6a. Consult the administrators of existing award schemes about the Patent Office contributing to the sponsorship of such schemes, e.g. by offering free search and examination as part of the prize and ensure that participants receive up-front advice about IP.	The Office will be established as co-sponsor of at least one award scheme and applicants will be made aware of the importance of protecting their ideas before disclosure.

	<p>A6b. Consult the administrators of existing award schemes to assess the likely benefits of the Office running its own national award, which could be distinguished from and complement existing schemes, to help encourage and pull through new inventions (e.g. by seeking solutions to specific technical problems).</p> <p>A6c. Consult with TV production companies to promote the benefits and importance of IP through the medium of television.</p> <p><i>A6d. Provide guidance for business schemes which promote creativity and inventiveness among their employees.</i></p>	<p>A national scheme will be set up which stimulates creativity and inspiration and projects the Patent Offices as a leading supporter of innovation.</p> <p>IP protection will be established as a regular feature of science and innovation programmes on TV.</p> <p><i>Guidance will be made available to businesses on how to encourage employees to be inventive.</i></p>
<p>A7. Improve IP guidance provided on the Internet</p>	<p><u>A7a. Provide comprehensive guidance on the Office's website about what IP information and records are available, e.g. Esp@cenet, the Patent Register etc., including how this information can be found and how it can be used.</u></p>	<p><u>The Office website will contain, in an easily accessible form, all the information needed to protect and transform an invention into a successful product or service.</u></p>

	<p>A7b. <i>Create an interactive on-line guide on the Office's website which takes applicants through the complete application process in a user friendly format.</i></p> <p>A7c. <i>Provide educational resource on the website dedicated to children ("Kid's Pages").</i></p> <p>A7d. <i>Develop, in consultation with the teaching profession and Department for Education and Skills (DfES), a dedicated website for teachers and lecturers giving free downloadable lesson/lecture plans and teaching support material on IPR.</i></p> <p><u>A7e. Publish an IP newsletter with upto date information on IP issues and case studies to demonstrate the benefits of effective IP management.</u></p>	<p><i>The Office website will contain an interactive programme which guides the novice applicant through the patent application procedure.</i></p> <p><i>The Office's website will include a site dedicated to stimulating inventive behaviour and IP awareness among children.</i></p> <p>The Office website will contain free downloadable IP support material for teachers and lecturers.</p> <p><u>An IP newsletter will be published on the Office's website containing up-to-date information on IP matters.</u></p>
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Annex B

Innovation Support Programme

Ensuring that schools, universities and research bodies understands how best to use IPR to lever commercial success from their creativity

Support Activity	Current and proposed actions	Objectives
<p>B1. Raise awareness and understanding of IP in Universities and the research community.</p>	<p>B1a. <u>Deliver IP seminars and provide material to target graduate entrepreneurs in partnership with the National Council for Graduate Entrepreneurs, e.g. by extending the Patent Office's successful ThinkKit® approach to universities.</u></p> <p>B1b. Explore with Universities and National Council for Graduate Entrepreneurs the possibility of the Office providing training for IP advisors or innovation agents in universities and other Higher Education Institutions in all relevant aspects of IP.</p> <p>B1d. Consider with National Council for Graduate Entrepreneurs how to increase the profile of IP in university courses, e.g. by including IP in business modules that form part of courses such as engineering and design.</p>	<p><u>The Office will be a focal point for inspiring students to become successful innovators and entrepreneurs.</u></p> <p>The Office will be a significant contributor to the training of IP advisors/managers in universities and other HEIs.</p> <p>IP will become a standard component of education courses and post graduates will have a better grounding in IP.</p>
<p>B2. Provide advice on the commercialisation of IP and support technology transfer.</p>	<p>B2a. Examine with the appropriate authorities the feasibility of running a pilot scheme to second Patent Office staff to universities and research institutions to act as IP advisors, e.g. in promoting awareness of IP, providing training in on-line patent searching, IP audits and assistance in improving technology transfer and creating IP management strategies.</p>	<p>The results of the pilot scheme will determine whether secondment of Office staff to universities would be sufficiently beneficial to establish it as an ongoing service by the Office</p>

<p>B3. Embed IP in the primary and secondary education system</p>	<p>B3a. Prepare, in collaboration with the DfES, teaching kits for schools, including business schools, designed to stimulate creativity, innovative behaviour and problem solving skills and update and build upon the Office's 'ThinkKit'.</p> <p>B3b. Consider with DfES how to increase the profile of IP in secondary education. Develop in consultation with DfES, modular lessons on IP for secondary schools to supplement existing course such as science, economics and design technology and explore the possibility of including IP in the GNVQ structure. Include IP in business modules that form part of courses such as engineering and design.</p> <p>B3c. Explore with the teaching profession, universities and DfES how the Office could assist in equipping teachers and lecturers with the necessary resources for promoting awareness and understanding IP, e.g. by developing education resources such as videos, PowerPoint presentation, IP information handouts and case studies and creating on line resources for students and educators on the Patent Office's website (see A7d and A7e)</p>	<p>A free teaching kit will be available to schools which will contain material that helps promote inventiveness and an awareness and understanding of IP.</p> <p>Teachers will have free access to modular lessons on IP and school children will have a better understanding of IP and how it fits into the innovation process.</p> <p>A range of support tools will be freely available to teachers and lecturers and the reach of IP awareness will be extended.</p>
<p>B4. Provide advice on the initial inventive process needed.</p>	<p>B4a. Develop a teaching module, in consultation with relevant business and education institutions, which could be used in schools, universities and business to help stimulate creative thinking, build innovative behaviour and develop problem solving.</p>	<p>A teaching module will be developed for students on creative thinking, innovative behaviour and problem solving.</p>

	<p><i>B4b. Undertake a study to establish whether to adopt programmes run by other national IP offices to help unlock technological creativity and adopt initiatives which could benefit the UK, such as programmes run in the US to stimulate the imagination, intuition and innate curiosity of children, e.g. "Camp Invent" and the "Inventive Thinking Curriculum" project for 17 year olds designed to promote thinking skills and problem solving.</i></p>	<p><i>A scheme will be developed to promote thinking skills and problem solving among students.</i></p>
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Annex C

Innovation Support Programme

Delivering a high quality IP rights service in a modern e-environment

Support Activity	Current and proposed actions	Objectives
<p>C1. Grant IP rights speedily and to the highest quality</p>	<p><u>C1a. Process patent applications in real time and grant rights which have a high expectation of validity.</u></p> <p><u>C1b. Improve and speed-up the ‘processing’ of patent applications by replacing the current paper case system with full electronic processing.</u></p> <p><u>C1c. Continue to enhance the Office’s quality control systems to ensure the IP rights that are granted are of the highest quality.</u></p> <p><i>C1d. Benchmark and adopt best practice techniques and procedures followed by other national IP offices.</i></p>	<p><u>The Patent Office will be one of the fastest suppliers of search and examination reports while the quality will be second to none.</u></p> <p><u>All patent applications will be processed using a fully electronic processing system.</u></p> <p><u>Searches undertaken by the Office will be the most reliable in the world.</u></p> <p><i>The Office will have enhanced its practice and procedures by adopting best practice so that applications are processed in the most effective and efficient manner, to the highest standard and within a</i></p>

		<i>timescale consistent with customers needs and expectation.</i>
C2. Improve the speed with which services are delivered to customers by providing effective and attractive e-business services.	<p><u>C2a. Promote the benefits of the Office's current e-filing systems and introduce a web based filing service for patents.</u></p> <p><u>C2b. Encourage users to correspond with the Office electronically so that queries and problems can be resolved swiftly, e.g. by accepting e-mailed documents in response to examination reports.</u></p> <p><i>C2c. Provide non-statutory innovation support services by electronic means.</i></p>	<p><u>The majority of applications for patents will be filed on line.</u></p> <p><u>Communication with the Office will primarily be my electronic communication.</u></p> <p><i>The majority of services provided by the Office will be by electronic communication.</i></p>
C3. Provide services that meet customers need and expectations.	<u>C3a. Develop a market segmentation and research mechanism that identifies, anticipates and analyses customer needs and expectations.</u>	<u>Customers will be provided with the services they need and expectations to transform their ideas into viable commercial products or services.</u>
C4. Develop a pan European trade mark database	C4a. Work with the Office for Harmonisation in the Internal Market (OHIM), the World Intellectual Property Organisation (WIPO) and other national offices to develop a common trade mark database to help determine the registerability of trade marks.	Businesses will have access to a single, comprehensive database to carry out swift and reliable trade mark searches.

Annex D

Innovation Support Programme

Developing and offering new innovation support services which use the expertise of the Office to assist business in decision making

Support Activity	Current and proposed actions	Objectives
<p>D1. IP analytical services.</p>	<p><u>D1a. Trial the use of software tools to provide IP analytical services, such as patent mapping, to help business identify trends and opportunities, centres of excellence, key players, potential business partners and for planning future R&D activity and product ranges.</u></p> <p><u>D1b. Explore with the DTI and other Government organisations the possible benefits in the Office analysing IP data to help identify such things as technology hotspots, trends and emerging technologies to aid and inform economic studies and policy making.</u></p> <p>D1c. Examine the scope for enhancing the Office’s “technology watch” service and the possibility of linking with the DTI’s Global Watch to enable business and Government Departments to monitor technology trends.</p>	<p><u>If the trial proves to be successful offer IP data analysis as a new innovation support service.</u></p> <p><u>If it is concluded that the DTI and other Gov bodies would benefit from analysis of IP data, establish arrangements for offering this service on a regular basis.</u></p> <p>If the results of the assessment are positive, expand and promote the technology watch service either independently or in association with the DTI’s.</p>

<p>D2. Provide IP auditing services</p>	<p><u>D2a. Pilot an IP auditing service to help businesses better manage their IP portfolios and identify any technology they have or are developing which should be protected by IPRs.</u></p>	<p><u>If the pilot proves to be a success, establish IP audits as part of the Office's innovation support services.</u></p>
<p>D3. Provide on-line patent brokering service or participate in existing services.</p>	<p>D3a. <i>Explore with the Innovation Relay Centres (IRCs) and other appropriate organisation how the Office might engage with them in providing IP brokering services possibly by using the Office's website as a national hub.</i></p> <p>D3b. Consider whether there would be any advantage in the Office establishing its own IP brokering service to complement services provided by other organisations e.g. by publishing a "Patent Mart" magazine and/or web based service where applicants and patentees could register their IP rights for sale or licence, including patents endorsed "licence of right". (Consider the KIPO model).</p> <p>D3c. <i>Liaise with the Higher Education Funding Councils (HEFCE) and Universities to establish whether there would be benefit in establishing the Office's website as a national hub for universities to lodge brief descriptions of their research so that businesses that are looking for specialist research have a central reference point.</i></p>	<p><i>If it is concluded that the Office does have a contribution to make to IP brokering, establish appropriate arrangements with existing service providers.</i></p> <p>If it is considered to be beneficial, create an Office based brokering service.</p> <p><i>If it is agreed that such a service would be help promote beneficial cooperation between universities and business, establish a suitable hub on the Office's website.</i></p>

	D3d. <i>Cooperate with the DTI in piloting a scheme where businesses could invite inventors to come up with patentable solutions to specific technical problems they are trying to resolve and where the Office could undertake state of the art search to identify existing technology that could be of assistance.</i>	<i>If the pilot proves successful cooperate with the DTI in establishing a suitable service.</i>
D4. Provide a premium trade mark service	D4a. <u>Provide new premium service for fast tracking trade mark applications.</u>	<u>On optional fast track service for registering trade marks will be available to applicants.</u>

Annex E

Innovation Support Programme

Ensuring that rights can be enforced in a balanced and easily accessible manner

Support Activity	Current and proposed services	Objectives
E1. Simplify and improve the Office's tribunal procedures	<p><i>E1a. Benchmark tribunal practices and procedures against those in other national IP offices.</i></p> <p><i>E1b. Extend International Standards Organisation (ISO) certification to the Patent Office's tribunal services.</i></p>	<p><i>Where appropriate, the Office will adopt best practice followed in other jurisdictions to enhance its own tribunal functions.</i></p> <p><i>The Office's tribunal services will be granted ISO certification.</i></p>
E2. Offer mediation services	<p><u>E2a. Develop further the Office's initiative to set up a mediation scheme and promote the value of licensing rather than litigating.</u></p>	<p><u>The Office will promote and offer mediation services.</u></p>
E3. Provide training to help combat IP crime.	<p><i>E3a. Extend training currently provided to trading standards officers to members of HM Revenue and Customs to aid in combating IP crime and piracy.</i></p>	<p><i>HMRC staff will have a good grounding in the IP system.</i></p>
E4. Develop IP insurance products for SMEs	<p><u>E4a. Work with the insurance industry to determine what kind of IP insurance products could be made available for SMEs.</u></p>	<p><u>Businesses will have access to a range of effective and affordable insurance products for their IP.</u></p>
E5. Provide comprehensive information pack on enforcing patent rights.	<p><i>E5a. Expand current literature on disputes procedures to include information about such things as Patent Court procedures, Alternative Disputes Resolution (ADR) and insuring against legal cost, as well as the Office's own disputes procedures and non-binding "opinions".</i></p>	<p><i>Comprehensive guidance will be produced covering all matters relating to the enforcement of patent rights.</i></p>

<p>E6. Improve IP crime intelligence gathering.</p>	<p><u>E6a. Roll out a training programme for the IP crime intelligence database (TellPat) and extend access to Trading Standards and police officers.</u></p>	<p><u>The sharing of intelligence between different enforcement agencies will be significantly enhanced.</u></p>
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Annex F

Innovation Support Programme

Developing the framework of domestic and international IP law and policy to meet the needs of a modern knowledge based competitive economy

Support Activity	Current and proposed actions	Objectives
<p>F1. Promote the harmonisation and simplification of international IP law and policy.</p>	<p><u>F1a. Participate in Trademark Law Treaty Diplomatic Conference to define administrative burden for electronic filing and international licensing of trademarks.</u></p> <p><u>F1b. Work with Chinese Ministry of Commerce to develop agreement on IP enforcement.</u></p> <p><u>F1c. Review European Union (EU) legislation on copyright with a view to simplification and reduction of burden on business.</u></p> <p><u>F1d. Participate in the WIPO Working Group that is reforming the Patent Cooperation Treaty (PCT) by promoting the simplification and streamlining of the Treaty Regulations.</u></p>	<p><u>Simplified and less burdensome IP procedures.</u></p> <p><u>The adoption of a more robust enforcement regime by the Chinese authorities.</u></p> <p><u>Simplified and less burdensome legislation</u></p> <p><u>Simplified and safer procedures for obtaining international patents under the PCT</u></p>
<p>F2. Review and simplify the framework of domestic IP law and policy to optimise the support it provides for innovation and creativity.</p>	<p><u>F2a. Modernise those rules and procedures relating to disputes procedures and the supply of an “address for service”.</u></p> <p><u>F2b. Change the IP rules and procedures so as to allow any document, including applications and forms, to be filed at the Patent Office at any time and on any day and to be given a date which accords with the day on which it was filed.</u></p> <p><u>F2c. Adapt UK designs law using a Regulatory Reform Order to make it possible for UK applicants to apply for multiple designs in a single application.</u></p>	<p><u>Simplified legislation with fewer restrictions.</u></p> <p><u>Removal of unnecessary and outmoded restrictions on when a document may be filed at the Patent Office</u></p> <p><u>Simplified and more affordable procedures for obtaining IP rights.</u></p>

	<p><u>F2d. Contribute to the Gowers Review to ensure that the IP policy framework provides the stimulus for review progressive change.</u></p> <p><u>F2e. Review the inventive step requirement for patents to verify that it is consistent with the aim of promoting innovation</u></p> <p><u>F2f. Modernise and consolidate the Patents Rules.</u></p> <p><u>F2g. Update and simplify the Patent Office forms</u></p>	<p><u>A policy framework that is fit for purpose in supporting innovation</u></p> <p><u>The inventive step requirement will work to promote innovation.</u></p> <p><u>The rules will be simpler for business to understand and less burdensome.</u></p> <p><u>The forms will be simpler for business to understand and less burdensome.</u></p>
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List of organizations consulted

Allvoice
Anti-Counterfeiting Group
Arnander Irvine & Zietman
Ashurst Morris Crisp
Association of British Insurers
AURIL
Babcock International Ltd
Baker & McKenzie
Bar Council
Belron International Limited
Beresford & Co
Berwin Leighton Paisner
BMR
Bharat Electronics Ltd
Boult Wade Tennant
BPP Leeds
BPP Leeds IP Group
British Generics Manufactures Association Ltd
British Library
British Pharmaceutical Group Ltd
British Poultry & Meat Federation
British Retail Consortium
Chanel
Channel 4
Cardiff Law School
Chartered Institute of Patent Agents
Chartered Society of Designers
Chemical Industries Association
CIMMYT
Clifford Chance
Competition Law Association
Confederation of British Industry
Consumers' Association Ltd
Cranfield University
Crafts Council
Creative & Cultural Skills Council
Crop Protection Association
Cruikshank & Fairweather
Davenport Lyons
DCMS
DfES
Deloitte & Touche
Department of Constitutional Affairs

Design Council
Digital Content Forum
DTI
Dyson
EC Laws Committee - LES Britain & Ireland
E-Envoy Cabinet Office
Educational Recording Agency
ERA
Eureka Manufacturing Co. Ltd
Europe Analytica
Federation of the Electronics Industry
Federation of Small Businesses
FICPI
Frank B Dehn
Freshfields
Galleon & Co
Gill Jennings & Every
Greenpeace
Harbottle & Lewis
Higher Education Funding Council of England
Howrey Simon Arnold & White
Ideas 21
Incorporated Society of British Advertisers
Institute of Patentees and Inventors
International Chambers of Commerce
Inventorslink Inc
Invest Northern Ireland
Innovation Relay Centres
IPAN
IPI
IPLA
ITMA
Lancaster University
Linklaters
Linklaters & Paines
Lodestar Translations
Lovells
Magic Lantern
Magister Ltd
Marketforce Communications
Marks & Clerk
Mewburn Ellis
Microsoft Ltd
Mishcon de Reya
MoD
Motorcycle Action Group
National Council for Graduate Entrepreneurship
NESTA
Norton Rose
Office of Government Commerce

Olswang
Patent Office Steering Board
PATLIBS
Pfizer Limited
Photonics Cluster (UK)
Pilkington Technology Centre
PJB Publications
Practical Law Company
Preventative Medicines Tech Inc.
Regional Development Agencies
RWS Group
SBS
SCRIPT
SIBLE University of Sheffield
Simmons & Simmons
Skill Set
Society of Numismatic Artists & Designers
State Patent Bureau of the Republic of Lithuania
Taylor & Meyer
The British Brands Group
The British Motorcyclists Federation
The Law Society of Scotland
The Whitehouse Consultancy Ltd
TMPDF
UK Film Council
UKTI
Universities UK
University of Alicante
University of Cambridge
University of London Queen Mary & Westfield College
University of Oxford
Urquhart-Dykes & Lord
Visteon Global Technologies
Wedlake Bell
Welsh Development Agency

Annex 3

Response Form for commenting on proposed Patent Office Innovation Support Strategy

Feedback to this consultation should be returned by **21 August 2006** and can be submitted in one of three ways;

- Response form enclosed
- Electronic form *
- Printable PDF response form *

* Available from

<http://www.patent.gov.uk/about/consultations/support/index.htm>

Please send your responses to:

Sally Vaughan
The Patent Office
Room 2R45
Concept House
Cardiff Road
Newport
NP10 8QQ

Fax +44 (0) 1633811020

Tel: +44 (0) 1633814543

E-mail: innovation@patent.gov.uk

Code of Practice on Consultation

This consultation is being conducted according to the Code of Practice on Written Consultation issued by the Cabinet Office. This recommends the following criteria.

- Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
- Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
- Ensure that your consultation is clear, concise and widely accessible.
- Give feedback regarding the responses received and how the consultation process influenced the policy.
- Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
- Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Consultation Coordinator

If you have any comments or complaints about how this consultation process is being handled, please tell the Patent Office's Consultation Coordinator who is:

Maria Ciavatta
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Cardiff Road
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Fax: 01633 813600

www.patent.gov.uk

For copies in alternative formats,
please contact our Central Enquiry Unit.



CUSTOMER SERVICE EXCELLENCE

Revised: May 06



INVESTOR IN PEOPLE



Response form

For Innovation

Please send your responses by **21st August 2006** to:

Sally Vaughan
The Patent Office
Room 2R45
Concept House
Cardiff Road
Newport
NP10 8QQ

Fax +44 (0) 1633811020

Tel: +44 (0) 1633814543

E-mail: innovation@patent.gov.uk

Name:
Organisation:
Address:
County:
Post/Zip Code:
Phone:
Email Address:

If you are replying on behalf of a representative body, please tell us in a few words what your organization does:

Q1. Is the strategy supportive of and complementary to other innovation support activities being pursued by other organisations?

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Q2. Which activities in the programme of activities appended to the strategy would you say should be the priorities for the Patent Office?

Q3. Do you consider any of the proposed activities inappropriate for the Patent Office?

Q4. Are there any other activities you think the Patent Office should pursue?

Q5. Are there any activities in which you would like to partner the Office in delivering?

Q6. Do you have any other comments on the strategy?

The Patent Office may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual consultation responses. This will extend to your comments unless you inform us that you wish them to remain confidential.

If you wish your comments to remain confidential, please tick this box: []

Even if you request confidentiality of your comments, we would still like your name and organisation to be supplied. This will help us to more accurately assess the views of your market sector. The information provided is held in accordance with the Data Protection Act (1998). These details may be used by the Patent Office to mail information of new services.

If you do not wish to be contacted in the future please tick this box: []

Thank you for taking the time to let us have your views.