

BERGGREN



The Value of Intellectual Property

FULL-SERVICE IP LAW FIRM

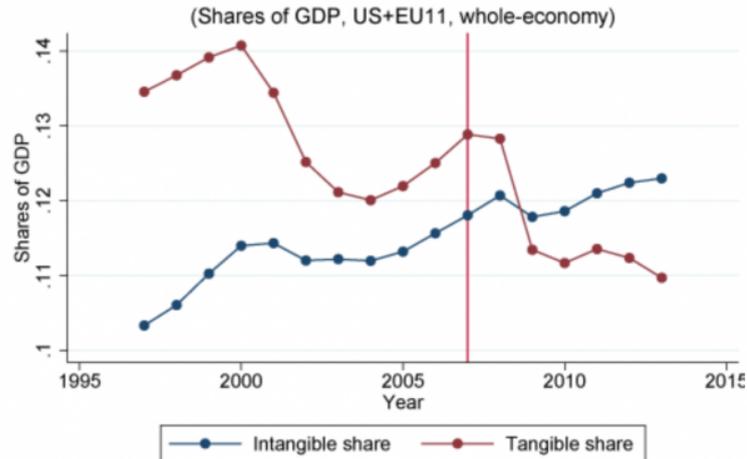


Today's Agenda

- The value of intellectual property (IP) to businesses, particularly for small to medium size tech companies and start-ups
- Types of IP protection and combinations of IP protection available in Europe

The value of intangible investment

Figure 1 Tangible and intangible investment shares of GDP



Note: GDP adjusted to include intangibles.

"Over the past 20 years there has been a steady rise in the importance of intangible investment relative to tangible investment. By 2013, for every £1 of investment in tangible assets (building, machines, vehicles, etc.) the major developed countries spend £1.10 on intangible assets (such as software, R&D, design, branding, training, and business process engineering)."

Source: Jonathan Haskel and Stian Westlake, Productivity and secular stagnation in the intangible economy, 31 May 2018

The value of intangible assets



Non-tangible assets are over 80% of the average business' value. When it comes to startups, the number is even higher.

That value is the number you are using to raise money, sell your business, or attract financing. (1)

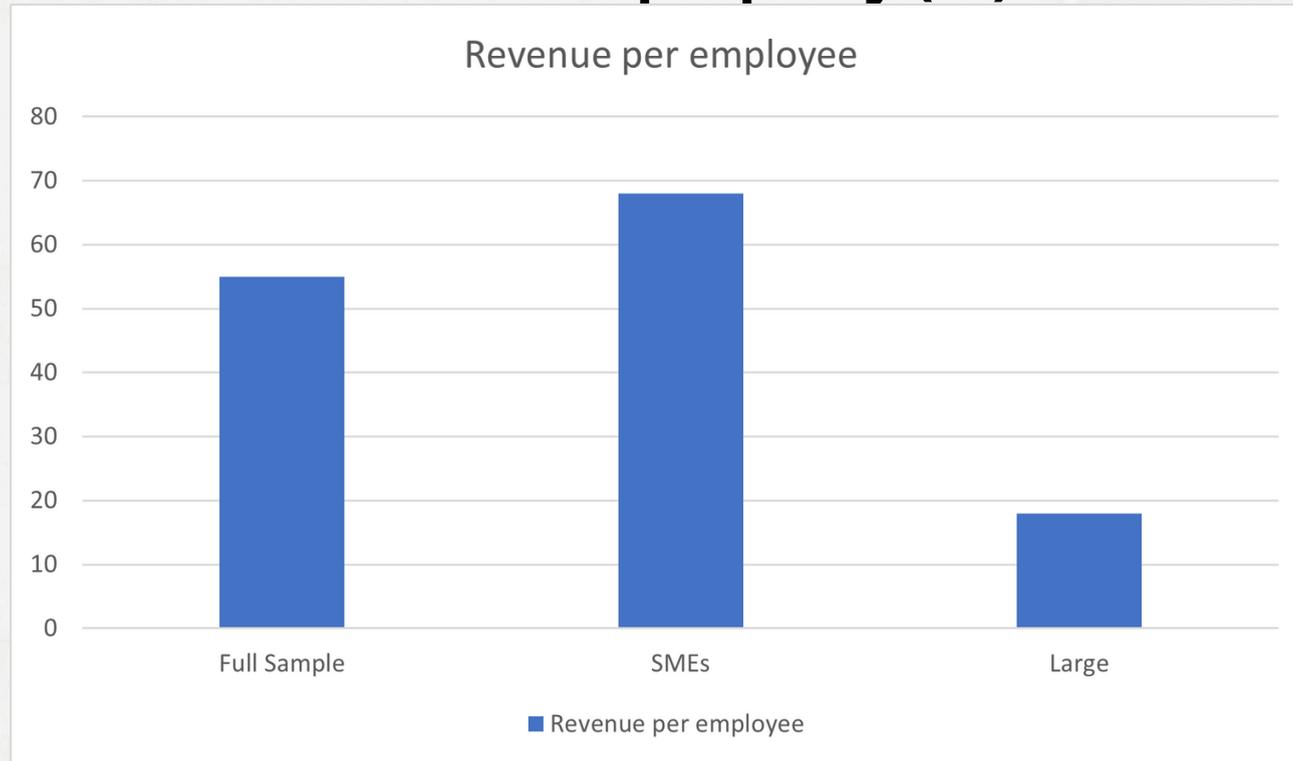
(1) Mary Juetten, "Pay Attention To Innovation And Intangibles -- They're More Than 80% Of Your Business' Value", on Forbes, Oct 2, 2014, <https://www.forbes.com/sites/maryjuetten/2014/10/02/pay-attention-to-innovation-and-intangibles-more-than-80-of-your-business-value/#684408ca1a67>

The value of intellectual property (IP) to businesses

Contribution of IPR-intensive industries	2016 study (original)	2016 study (new national account calculations, new IPR-intensive industries)	2019 study (new national account calculations, new IPR-intensive industries)
Employment (direct)	27.8%	28.6%	29.2%
GDP	42.3%	44.0%	44.8%
Total trade in goods	89.3%	88.8%	92.5%
Total trade in goods and services	not calculated	78.1%	81.0%

Source: EPO and EUIPO, IPR-intensive industries and economic performance in the European Union. Industry-Level Analysis Report, September 2019. Third edition

The value of intellectual property (IP) to businesses



Source: EPO and EUIPO, Intellectual property rights and firm performance in the European Union, February 2021

The value of patents to start-ups



- Doubling the number of patent application filings results in an increase in valuation of a start-up company by nearly 50%.
- A lack of patents reduces a start-up's pre-money valuation by 17-20%. (1)

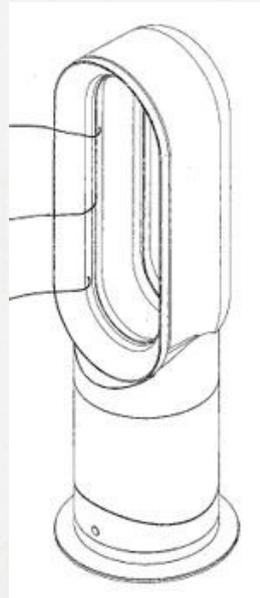
(1) G. Greenberg, "Small Firms, Big Patents? Estimating patent value using data on Israeli start-up firms' financing rounds", 2013.

The value of patents to Universities and Public Research Organisations

- In 2019 UNIs and PROs filed one in every ten European patent applications originating from the EPO's member states
- 36% of granted or pending European patent applications filed by UNI/PROs are actively exploited (35% for UNIs vs 38% for PROs).
- In 2017 alone, two thirds of the participating TTOs received revenue from the licensing of IPRs, with an aggregate of over EUR 450 million (ASTP 2019). Almost 500 spin-offs were created on the basis of IP developed at UNI/PROs, and over 170 000 contract research, collaborative research and consultancy agreements were concluded with industry.

Source: EPO, Valorisation of scientific results - Patent commercialisation scoreboard: European universities and public research organisations, 2020

The value of designs to businesses



The value of a design

For every £1 invested in design there are:

- over £20 in increased revenues (expected)
- over £4 in increased net operating profit
- over £5 in increased exports

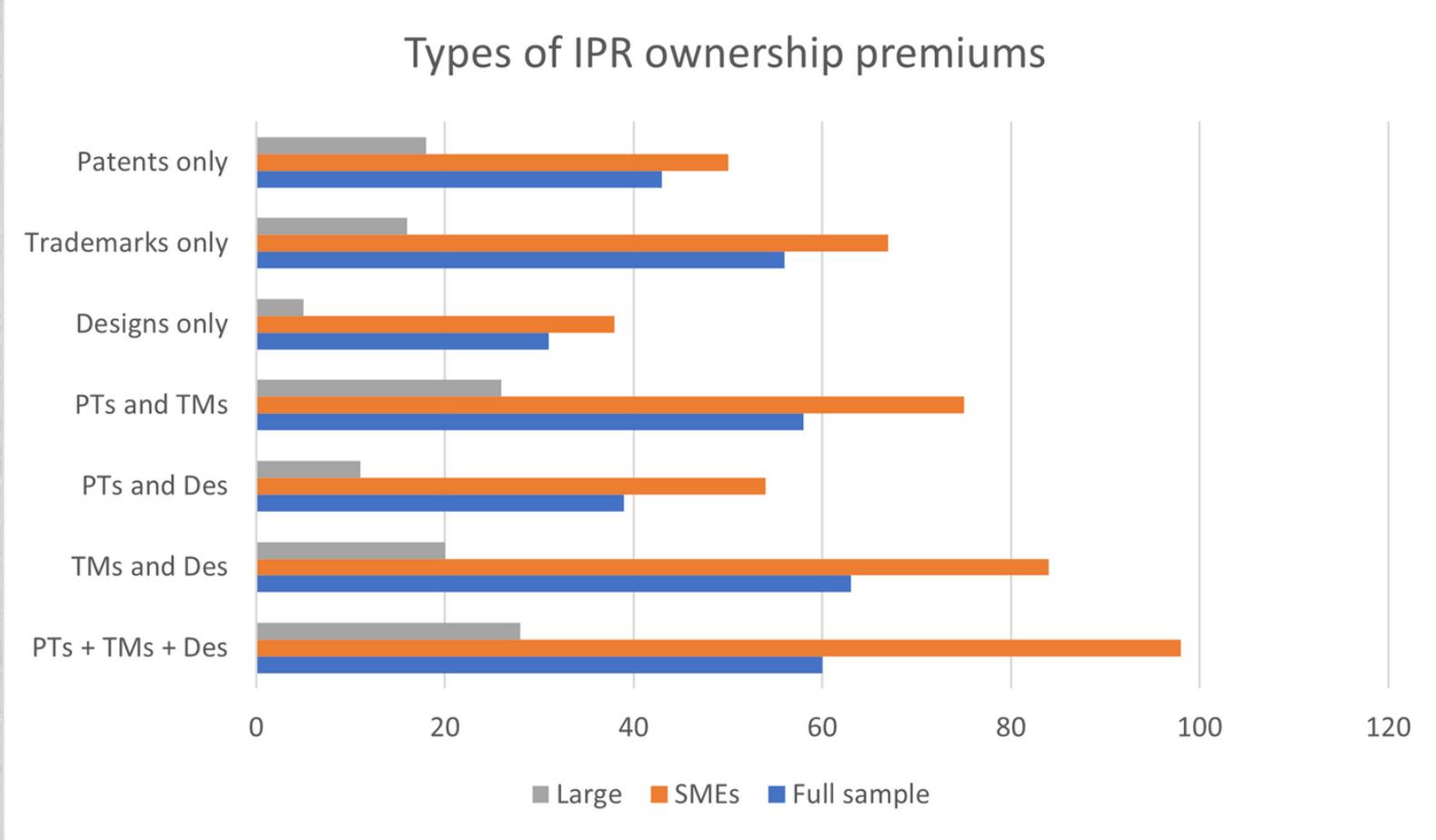
Source: Design Council, "Design delivers for business", 2012 on <https://www.designcouncil.org.uk/sites/default/files/asset/document/DesignDelivers%20for%20Business%20briefing.pdf>

The value of European Trademarks (EUTMs) to SMEs

	Revenues licences (EUR)	Average turnover (EUR)	Licence/Turnover (%)
Micro	63 804	219 412	29.1
Small	87 817	3 412 134	2.6
Medium	171 534	23 439 816	0.7
All SMEs	68 929	1 146 020	6.0

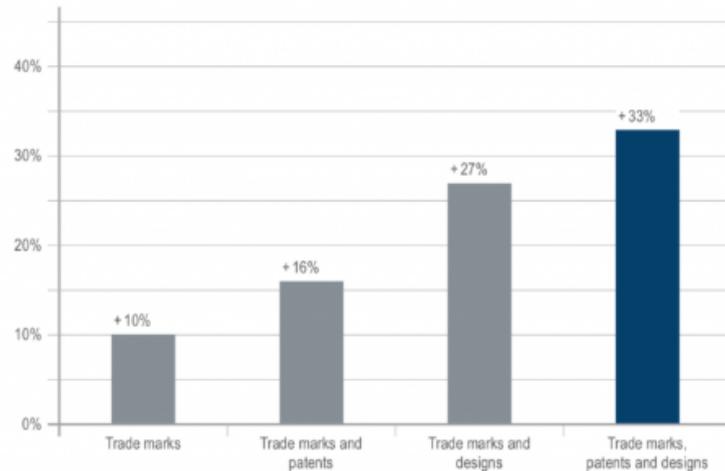
Source: EUIPO, Licensing activities by SMEs: evidence from EU trade mark owners, 2019

The increase in firm performance based on IPRs



The value of bundling IPRs

Figure 5:
Increase in odds of high growth with prior use of an IPR bundle

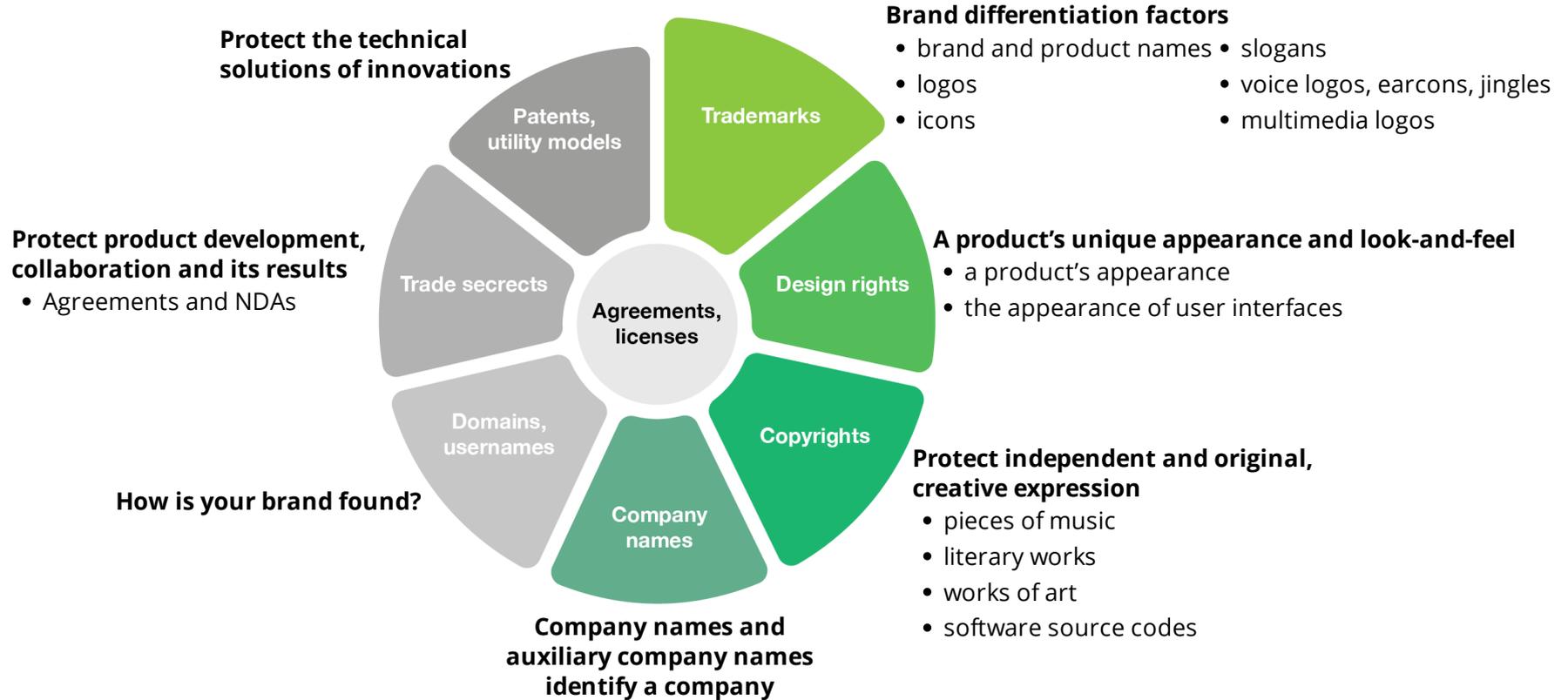


SMEs with prior IPR activities are more likely to grow than other SMEs.

SMEs that use bundles of trade marks, patents and designs instead of a single category of IPR are even more likely to achieve high growth.

Source: EPO and EUIPO, High-growth firms and intellectual property rights IPR profile of high-potential SMEs in Europe, May 2019

AIMING AT SYNERGY



DIFFERENT FORMS OF PROTECTION SUPPORT EACH OTHER: Case Lovi Oy

LOVI®

- the word mark is protected in terms of a number of products and services
- In China, Chinese transliterations are also protected

The technical solution is protected with **a patent:**

- the product
- a method for assembling the tree



The wood's design is protected with a 3D trademark registration

- In addition, there are copyright registrations in China



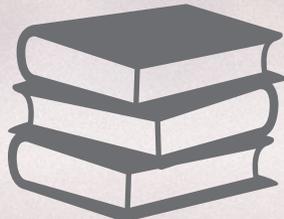
FOUNDED

1936



EXPERTS

170



PROTECTED NEW INVENTIONS / YEAR

500+



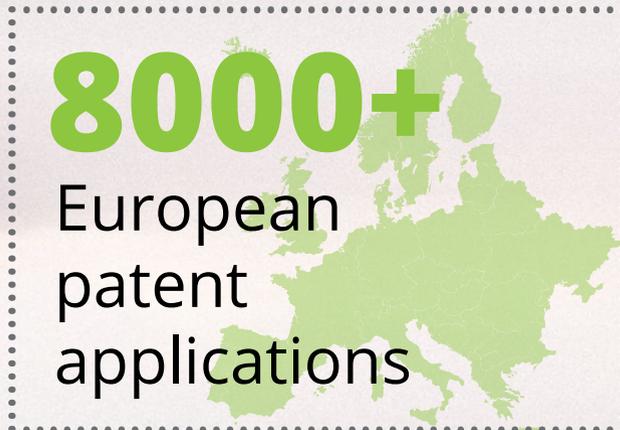
EU TRADEMARK APPLICATIONS

3500+



8000+

European
patent
applications



CLIENTS



4000+

TURNOVER / YEAR

30m€

IP ASSIGNMENTS

75000+

BERGGREN'S TOP PROFESSIONALS

- More than 170 IP professionals
- 70 European Patent Attorneys, Patent Attorneys and Patent Agents
- 20 IP Lawyers, EU Trademark and Design Attorneys
- 20 IP Management and Commercialization Specialists
- More than 50 Paralegal and IP Specialists

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Robert is one of a very small number of intellectual property attorneys working at a European IP firm who has a law degree from the United States and is qualified to practice before both the United States Patent and Trademark Office and the European Patent Office.

In his professional capacity, Robert has a great deal of experience in patent prosecution, litigation, licensing, opinion letter writing, and IP due diligence matters.

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Mariella is primarily focused on international business development.

She has been a frequent speaker at international events and workshops on a variety of IP issues, including AI, IoT and SEPs in China, South Korea, Russia, the United States and Italy. She has also authored several articles on IP matters from a European and comparative law perspective.