European IP Helpdesk

Stay ahead of the innovation game.

European IP Helpdesk
IP Assessment

06.03.2025

European IP Helpdesk

- Service initiative of the European Commission

- Addressing **current and potential beneficiaries of EU-funded projects, researchers and EU SMEs**

- Free-of-charge first-line support on intellectual property (IP)

- Hands-on IP and innovation management support

- International pool of IP experts from various thematic fields

- Unique cooperation scheme with the Enterprise Europe Network: 43 ambassadors from 26 EU countries
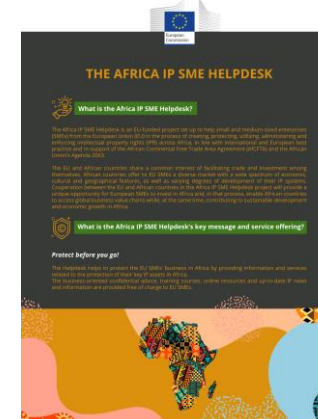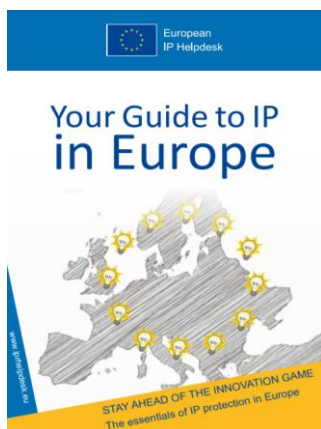
ec.europa.eu/ip-helpdesk

Training
free online and on-site sessions

Website
frequent updates from the world of IP and innovation

Helpline
confidential treatment of individual IP questions

Publications
practical IP knowledge through high-level publications

Ambassadors
local IP support throughout Europe

Events
info point at key networking events and conferences

The EC IP Helpdesks

EC IP (SME) Helpdesk Hub – Gateway to Information

- E-learning modules & more
- Guides / Topic, country, sector-specific factsheets / Infographics
- Case studies

Upcoming events

Europa - Upcoming events

06 MAR 2025	Training and workshops EU - Webinar: IP Assessment (•)) Live streaming available		**12 MAR 2025**	Training and workshops EU - Webinar: IP in EU funded projects with a special focus on MSCA (•)) Live streaming available
20 MAR 2025	Training and workshops EU - Webinar & Horizon Results Platform:: AI Act (•)) Live streaming available		**24 MAR 2025**	Training and workshops EU - Webinar EPO Coop: Patent protection for EU funding beneficiaries - Quantum Technology (•)) Live streaming available
25 MAR 2025	Training and workshops EU - Webinar: IPR and Software (•)) Live streaming available		**26 MAR 2025**	Training and workshops EU - Webinar: Consortium Agreements (•)) Live streaming available
03 APR 2025	Training and workshops EU-13 Roadshow - Empowering Innovation: The Strategic Value of Intellectual Assets		**09 APR 2025**	Training and workshops EU - Webinar: IP and Artificial Intelligence (•)) Live streaming available
10 APR 2025	Training and workshops Transaction Based Growth SUMMIT: "Build-to-Sell" (•)) Live streaming available		**15 APR 2025**	Training and workshops EU - Webinar: IP for Future and Emerging Technologies (•)) Live streaming available

European
IP Helpdesk

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Thank you!

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Today's speaker

Dr. Christian Hackl

- Managing Director of TUM-Tech GmbH
- Coordinator of a large hydrogen research project
- Assistant Professor at the Chair for Technology and Innovation Management (Technical University of Munich: TUM)
- Senior IP Advisor for the EU-IP Helpdesk
- Author of several publications, e.g. case studies on usage of IPR by companies
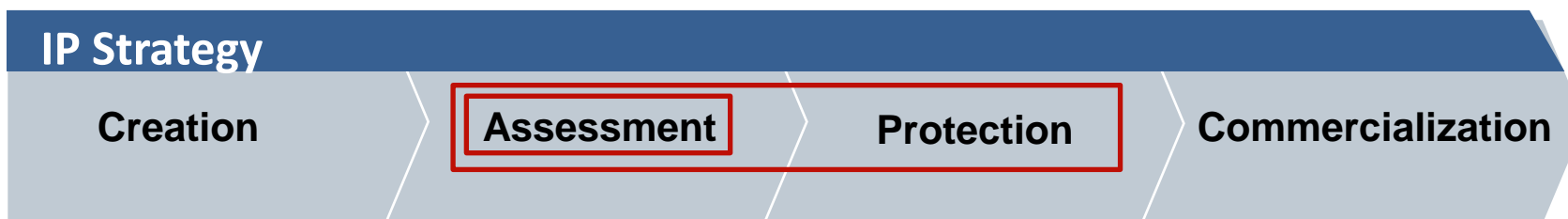- Co-Founder of a start-up (renewable energy)

Invention versus Innovation
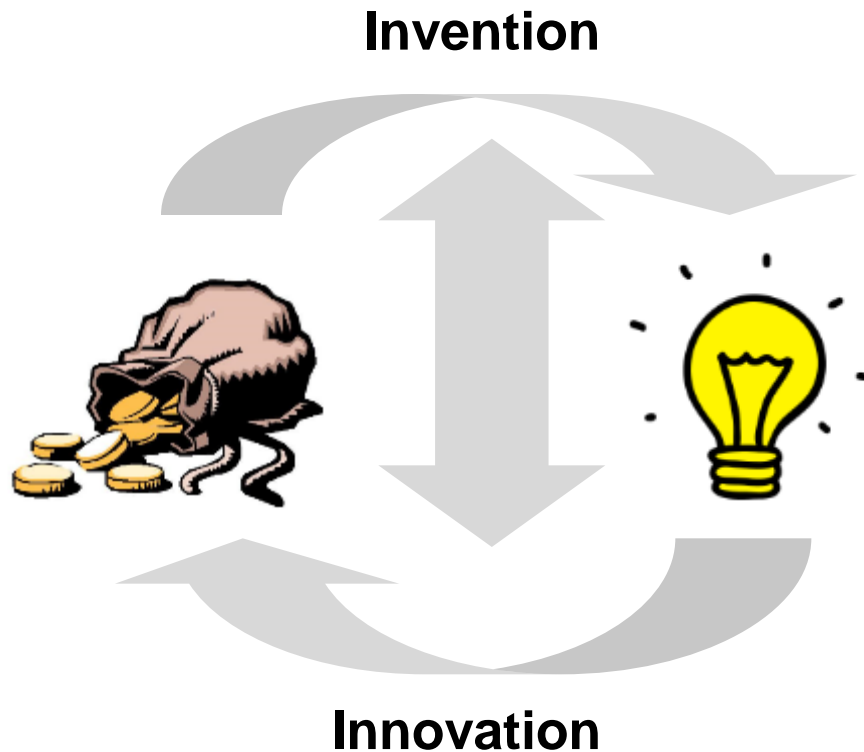
Invention

Innovation

Innovation – Value Chain

IP Strategy

Creation | Assessment | Protection | Commercialization

Two Important Questions

1. Is it possible to file a patent application?

2. Does it make sense to file a patent application?

1. Can a Patent Application be Filed?

Is the invention

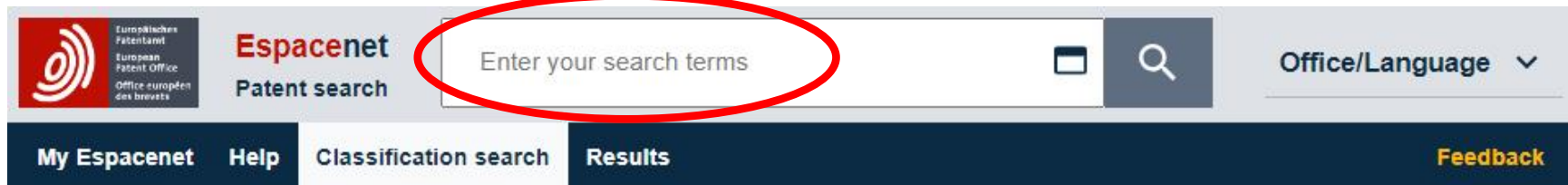- New?

- Inventive?

- Industrial applicable?

New to the world!

- ▪ **No** publication

- ▪ **No** presentation

- ▪ **No** poster

- ▪ **No** trade fair

- ▪ ...

The Espacenet database (over 150 million docs)

https://worldwide.espacenet.com

Espacenet Patent search — Enter your search terms — Office/Language

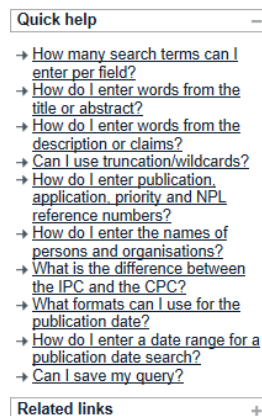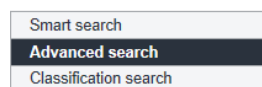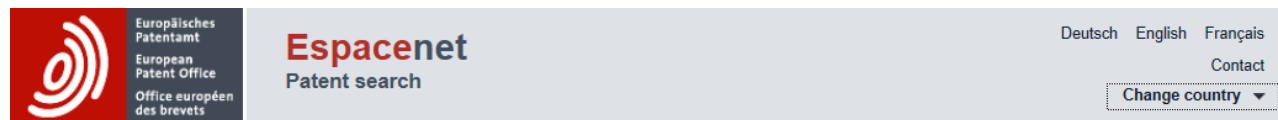My Espacenet | Help | Classification search | Results | Feedback

Espacenet: free access to over 140 million patent documents

Also for identifying potential partners

The Espacenet database (over 140 million docs)

The Espacen... ...n docs)

The Espace___ ___on docs)

1. Can a Patent Application be Filed?

Any additional consideration?

Does the applicant (university or company) have the rights to own the invention?

Two Important Questions

1. Is it possible to file a patent application?

2. Does it make sense to file a patent application?

2. Does it Make Sense to File a Patent Application?

"Will people spend money to buy my product?"

- What is the USP (Unique Selling Point) of my product?
  - Advantages of my product over existing offerings?
  - Better price, functionality, handling ...?

It is not about science/technology (for itself)!
(totally different criteria for success)

Assessment!

But Before You Can Start the Assessment: You Need Inventions

Sometimes challenging (especially in Academia)

- First time (invention disclosure)

- Second time ?

Does it Make Sense to File a Patent Application?

Let's assume you would like to do an assessment for a new invention...

What are the most relevant categories for assessment:

Relevant Categories for Assessment:
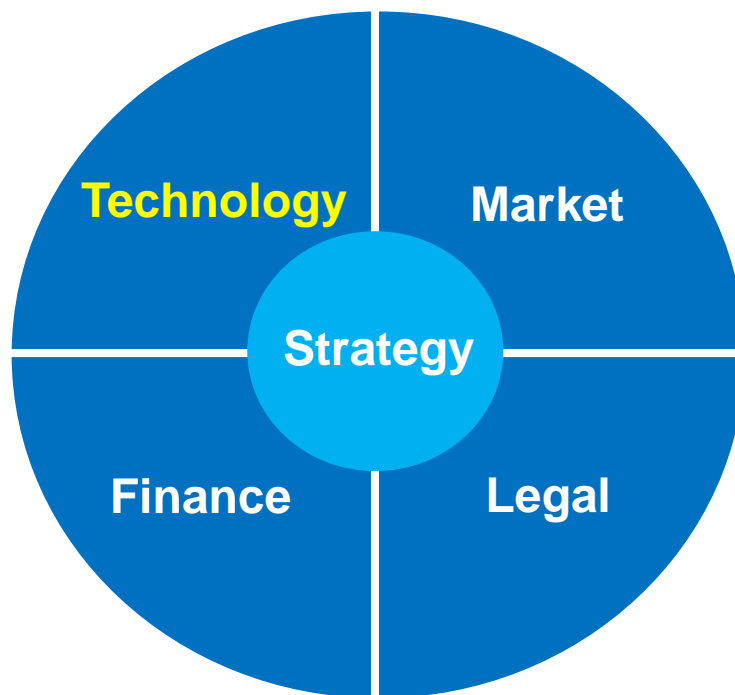
Assessment – Technology

Relevant questions (examples):

- Benefits for user (functionality, price, handling, …)?

- USP?

- Similar technologies?

- Market readiness (idea or prototype), time to market?

- Market readiness (e.g. robustness)?

- Barriers for adoption (e.g. easy of use)?

- Other areas of applications?

- …

Platform Technology: Spider Silk

Relevant Categories for Assessment:
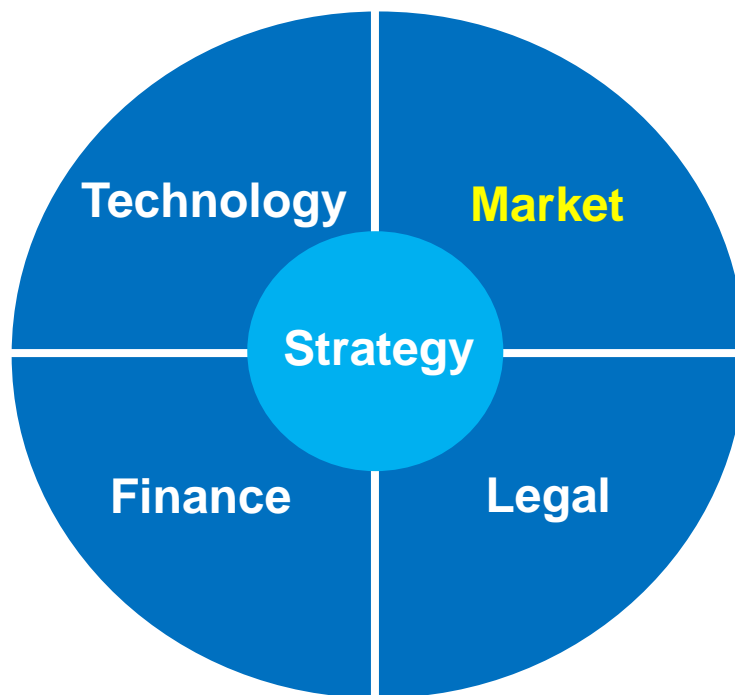
Assessment – Market

Relevant questions (examples):

- Is there a market for the invention?

- Is there a market need for the invention?
  (Market Pull vs Technology Push)

- How big is the potential market(s)? Any new markets?

- How sustainable/growing is the market?

- How strong are the competitors (pricing, SWOT)?

- Ease of market entry?

- ...

Relevant Categories for Assessment:
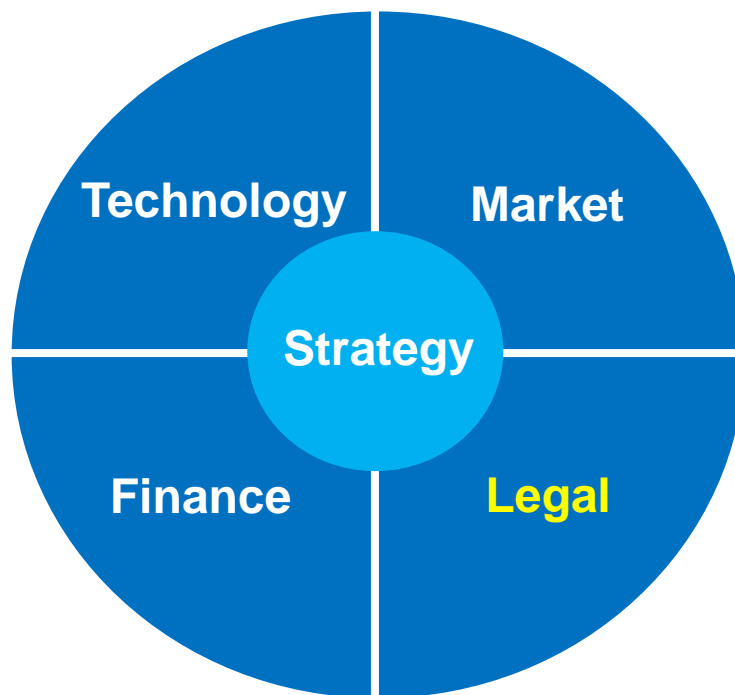
Assessment – Legal

Relevant questions (examples):

- How strong is the patent?

- Easy to circumvent?

- Easy to police?

- Broad claims (platform technology?) or just minor variation of existing technology?

- Does the applicant (company or university) own all rights? (e.g. contracts with partners, inventors, open innovation)

- ...

Relevant Categories for Assessment:
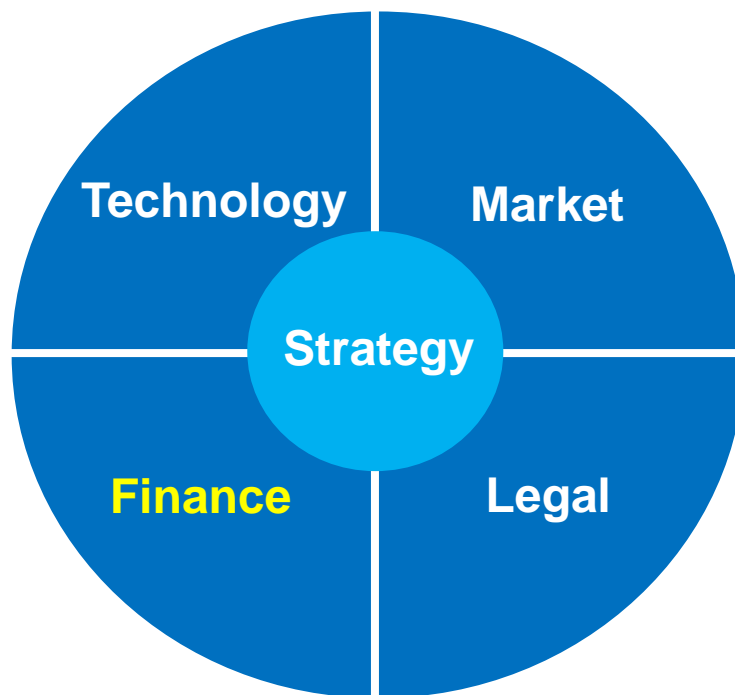
Assessment – Financial

Relevant questions (examples):

- Potential revenue stream?

- Time when revenue will come?

- Risk associated with potential revenue stream?

- Necessary investments?

- Cost / benefit ratio?

- …

- Possible tax deductions

Relevant Categories for Assessment

Assessment – Strategy

Relevant questions (examples):

- Fit between invention (and possible products or services) and business strategy?

- Does invention help to secure existing or win new markets?

- Enhancing reputation of company/institution?

- Allowing for differentiation?

- Ensuring Freedom to Operate?

- Blocking competitors?

- Potential partners?

- …

Add-on benefits

Does it Make Sense to File a Patent Application?

- Any reason why you would not like to pursue a patent application?
- Any (better) alternatives to patenting?

Challenges (at time of invention)

- When doing first assessment: often far away from any market

- Difficult to understand market needs

- Difficult to see possible potential to solve market needs

- Sometimes biggest potential in very different markets than original invention

- Difficult to estimate market potential

- Don't forget possible (strategic) add-on benefits

- ...

Patent Strategy

Relevant questions (examples):

- When to file the application?

- How broad should the claims be?

- Which countries (incl. tax considerations)?

- Which route (national vs international)?

- Is a partner involved (e.g. company)?

- Alternatives to patenting (e.g. utility model, secret know-how or publishing)?

In-line with Business Strategy

IP – Value Chain: Ongoing Assessment

IP – Value Chain: Ongoing Assessment

IP Strategy

Creation | Assessment | Protection | Commercialization Assessment

Stage-Gate Process

Internal Ideation Programs

DISCOVER — Gate 1 — SCOPE — Gate 2 — DESIGN — Gate 3 — DEVELOP — Gate 4 — SCALE UP — Gate 5 — LAUNCH

External Idea Networks and Programs

Continuous Customer or User Interface

www.stage-gate.com

Assessment

Classical Stage-Gate	Phases	Idea	Scoping	Feasibility	Development	Launch	Support
	Gates	**1** Idea Screening	**2** Commit	**3** Go to Development	**4** Go to Launch	**5** Go to Support

Source: Hackl, Guillermin: Integration of IP into the "classical" Stage-Gate Model, Les Nouvelles, June 2020

Assessment during (early) patent life

IP Strategy

Creation | Assessment | Protection | Commercialization

Assessment during (early) patent life

First milestone

Evaluation

Second milestone

Evaluation

Third milestone

Evaluation

Ongoing
Evaluation

t_{12-1M}

t_{18}
Publication of
application

$t_{30/31-1M}$

t_0
Priority filing

t_{12}
Internationalisation
(PCT/EP route)

$t_{30/31}$
Nationalisation

- Cost-delaying strategy
- Assessment before investment
- Same questions, but better-informed decision making

t_0 Patent priority filing: start of priority year
t_{12} Deadline for internationalisation: 12 months after t_0
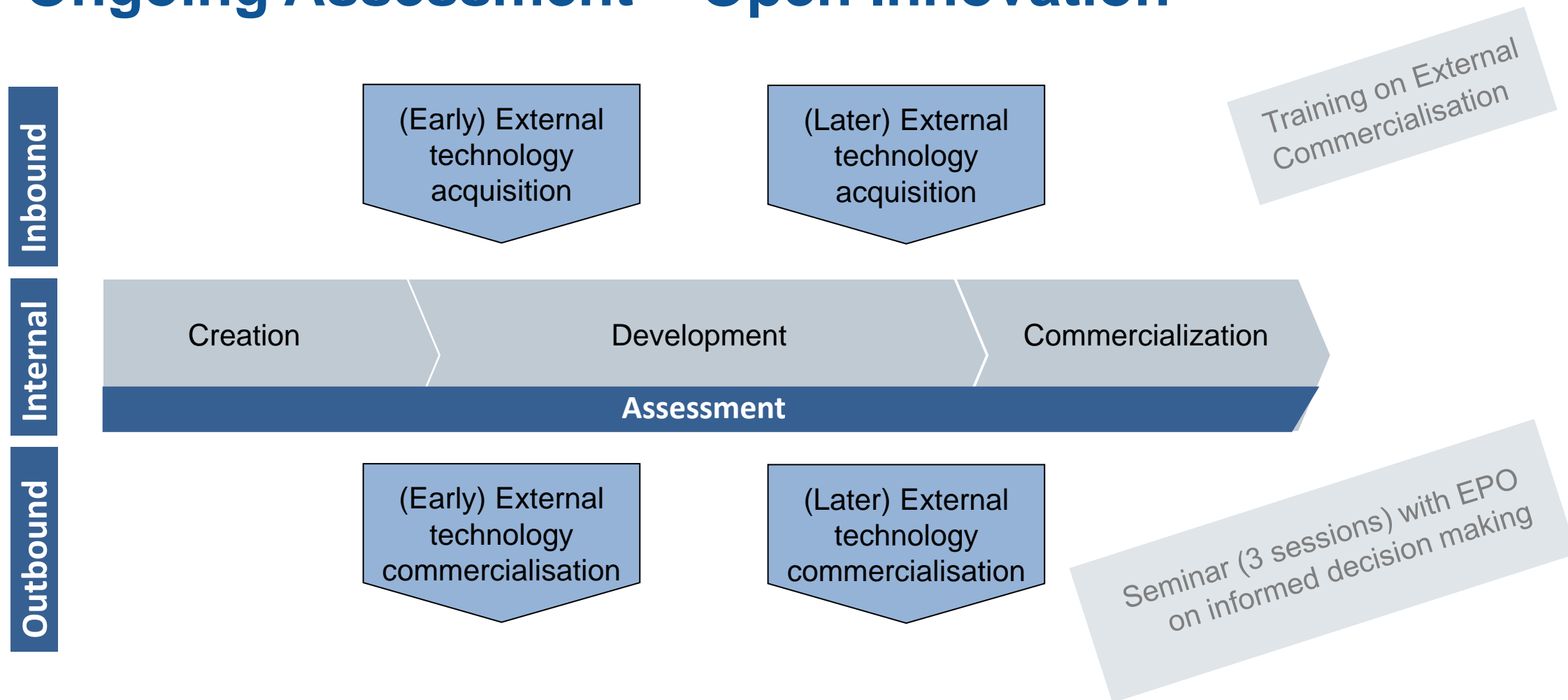$t_{30/31}$ Deadline for nationalisation: 30/31 months after t_0

Ongoing Assessment – Open Innovation

Inbound

(Early) External technology acquisition

(Later) External technology acquisition

Training on External Commercialisation

Internal

Creation

Development

Commercialization

Assessment

Outbound

(Early) External technology commercialisation

(Later) External technology commercialisation

Seminar (3 sessions) with EPO on informed decision making

Contact us!

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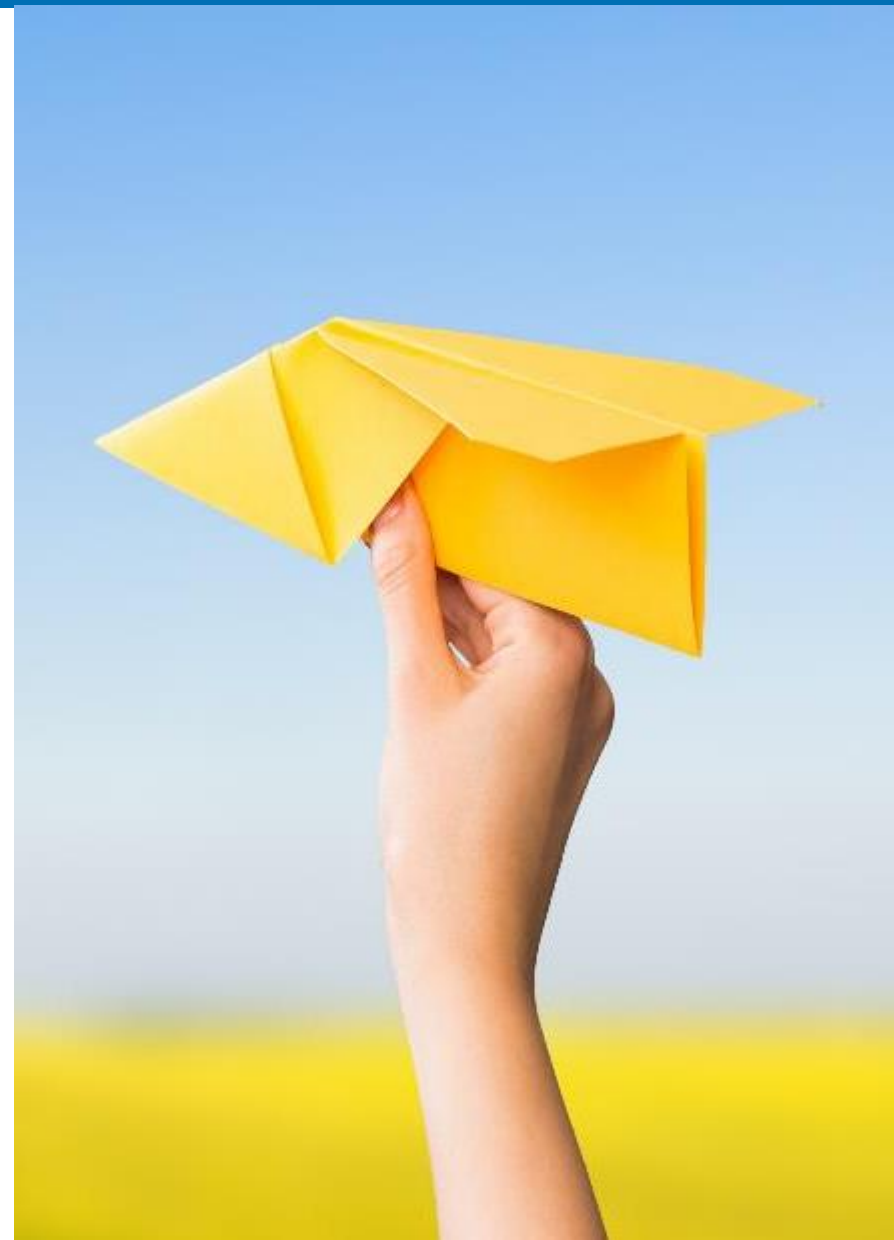
Thank You!

DISCLAIMER

The European IP Helpdesk provides free-of-charge first-line support on IP-related issues aiming to help current and potential beneficiaries of EU-funded projects, as well as EU SMEs, manage their Intellectual Property assets.

The European IP Helpdesk is managed by the European Commission's European Innovation Council and SMEs Executive Agency (EISMEA), with policy guidance provided by the European Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG Grow).

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