



**Training for Trainers on Intellectual  
Property Issues: Management and  
Commercialization  
FINAL REPORT**



**Intellectual Property Rights Experts' Group  
APEC Committee on Trade and Investment  
Moscow  
November 2012**

## **APEC PROJECT**

**“Training for Trainers on Intellectual Property Issues: Management and Commercialization”**

**CTI 23/2011T**

Produced by  
Prepared By  
Borlas Security Systems (Russia)  
4A, Novodanilovskaya nab.  
Moscow 117105 Russia  
Tel: +7 (495) 545-59-30  
Fax: +7 (495) 545-59-31  
Email: Afilichkina@borlas.ru, Nmakarycheva@borlas.ru

For  
Asia Pacific Economic Cooperation Secretariat  
35 Heng Mui Keng Terrace  
Singapore 119616  
Tel: (65) 68919 600  
Fax: (65) 68919 690  
Email: [info@apec.org](mailto:info@apec.org)  
Website: [www.apec.org](http://www.apec.org)

© 2013 APEC Secretariat  
Published February 2013

APEC#213-CT-04.1

## CONTENT

A) THE PROJECT BACKGROUND.....	5
B) THE PROJECT OBJECTIVES.....	7
C) FOLLOW-UP IN APEC.....	8
D) COMPARATIVE ANALYSIS OF THE EXISTING TRAINING PROGRAMS IN IP MANAGEMENT AND COMMERCIALIZATION IN APEC ECONOMIES .....	9
INTRODUCTION.....	9
THE RESULTS OF THE COMPARATIVE ANALYSIS EXISTING TRAINING PROGRAMS IN IP MANAGEMENT AND COMMERCIALIZATION IN APEC ECONOMIES .....	11
<i>PRACTICES OF CAPACITY BUILDING AND TRAINING PROGRAMS IN DIFFERENT APEC ECONOMIES .....</i>	<i>11</i>
<i>1. Government authorities which have the responsibility for intellectual property issues .....</i>	<i>12</i>
<i>2. Government authorities, whose officials are trained under IP programs .....</i>	<i>13</i>
<i>3. Organizations providing intellectual property training .....</i>	<i>13</i>
<i>4. Availability of information about intellectual property education programs in Internet .....</i>	<i>15</i>
<i>5. Information on existing training programs .....</i>	<i>16</i>
<i>6. The difference between training of government officials and other categories of trainees ....</i>	<i>31</i>
<i>7. The basic blocks of the training program in the field of management and IP commercialization for government officials.....</i>	<i>31</i>
<i>8. The methodologies on IPR evaluation in the economy .....</i>	<i>32</i>
<i>9. The duration of the training course for government officials .....</i>	<i>32</i>
<i>10. Government authorities involved in IPR management and commercialization .....</i>	<i>32</i>
<i>11. The Strategy of state innovative development .....</i>	<i>33</i>
<i>12. Educational programs related IPR management and commercialization, carried out in the economy.....</i>	<i>34</i>
<i>13. The best practice guidelines.....</i>	<i>37</i>

<b>II. RESULTS OF THE TRAINING .....</b>	<b>38</b>
PROGRAM OF THE TRAINING .....	38
<b>III. RECOMMENDATIONS REGARDING TRAINING PROGRAMS IN ECONOMIES .....</b>	<b>38</b>
METHODOLOGY OF TRAINING ON IDENTIFICATION AND PROVISION OF LEGAL PROTECTION OF THE RESULTS OF INTELLECTUAL ACTIVITIES .....	38
THE ROLE OF GOVERNMENT OFFICIALS IN MANAGEMENT OF THE RESULTS OF INTELLECTUAL ACTIVITIES .....	38
TRAINING OF GOVERNMENT OFFICIALS ON MANAGEMENT AND COMMERCIALIZATION OF COPYRIGHT AND RELATED RIGHTS.....	42
THE TRAINING OF GOVERNMENT OFFICIALS ON COMMON APPROACHES TO EVALUATION OF THE RESULTS OF INTELLECTUAL ACTIVITY .....	57
USE OF BUSINESS GAMES IN THE PROCESS OF TRAINING OF TRAINERS ON INTELLECTUAL PROPERTY ISSUES .....	78
<b>IV. CONCLUSION – PROPOSALS ON THE FURTHER DEVELOPMENT OF TRAINING THE TRAINERS OF THE APEC ECONOMIES IN THE FIELD OF INTELLECTUAL PROPERTY .....</b>	<b>81</b>
THE TRAINING PROGRAM .....	82
ANNEX 1.....	86
ANNEX 2.....	90
ANNEX 3.....	92
ANNEX 4.....	142
ANNEX 5.....	149
ANNEX 6.....	186
ANNEX 7.....	212
ANNEX 8.....	266
ANNEX 9.....	275
ANNEX 10.....	328
ANNEX 11.....	343

## **The Project background**

The stabilization of economic processes and ensuring of sustainable economic growth of APEC economies are the main drivers of global crisis overcoming. At present APEC forum comprises 21 economies of different level of development (Australia; Brunei Darussalam; Canada; Chile; People's Republic of China; Hong Kong, China; Indonesia; Japan; Republic of Korea; Malaysia; Mexico; New Zealand; Papua New Guinea; Peru; The Republic of the Philippines; The Russian Federation; Singapore; Chinese Taipei; Thailand; United; and Viet Nam). APEC is the largest economic association, which is the share of more than 57% of global GDP and 48% of world trade. Perspectives of economic cooperation in the region were stated in Osaka declaration, in particular, in such areas as tariff and non-tariff measures of regulation of the world trade in goods and services, international investments, standardization of goods and services, customs procedures, intellectual property rights, competition policy, government procurement, rules of origin, dispute mediation, mobility of business people, implementation of the Uruguay Round of trade negotiations, information gathering and analysis. The most important guideline is the activities, that stimulate mutual trade and foreign investments. Informational exchange is of priority in APEC. In this regard, the main element of the cooperation among APEC member-economies is an open exchange of information. One can say that immediate goal of the economic association is not only a common economic space but also a common informational space. There is an exchange, first of all, of information on business projects of APEC member-economies. Growth of informational transparency allows to businessmen of each APEC economy to get involved in business activity throughout APEC region. The great importance for implementation of this guideline plays provision of public with information on intellectual property, without which the current realization of business activity and innovation activity is impossible.

APEC Leaders, Ministers and Senior Officials permanently highlight IP issues and include them in APEC strategy documents, as today intellectual property rights are to provide innovation-based and inclusive growth in APEC economies.

This project addresses the issues of capacity building enhancing and experience sharing for IP-related sphere by holding 'Training for trainers'. Though there is a number of training courses in the field of IP, developed by APEC Members' IP-offices, educational institutions and international organizations (in particular, by WIPO Worldwide Academy), there is a strong lack of trainings for APEC economies' trainers. Thus, the project topic is important to all APEC economies, especially developing ones, as it promotes synergy of educational systems and approaches as well as allows increasing the quality of internal IP-courses for officials.

The project fully corresponds to the first goal of the IPEG "Deepen the dialogue on intellectual property policy". Moreover, the project also responds to the main document of the CTI - "APEC's Second Trade Facilitation Plan" (endorsed in Cairns, Australia in 2007). Its call "... for new initiatives in the areas of intellectual property rights ..." is the direct commission to the APEC IPEG.

The project is a follow-up to the previous one – "Enhancing of APEC Capacity Building for Intellectual Property Protection and Utilization: Training for Trainers". The content of the first training has touched upon a wide range of IP issues. The trainees gave positive feedback on the training, and such IP aspects as management and commercialization were evaluated as the most important ones. They should become a core point of proposed analysis and training.

The outcomes of the project will be important and valuable for all APEC Member economies. It is a respond to the Statements of APEC Leaders and strategic APEC documents, and contributes to achieve the IPEG goals achievement.

## **a) The Project Objectives**

### ***1) To examine and compare the existing effective practices of capacity building and IP training programs in APEC economies.***

The results of the examination and comparison are to provide APEC economies with information on all existing training programs in the region and lay down the foundation for enhancing of education in the field of intellectual property and cooperation among IP academies. Furthermore, the results should assist IP trainers to mutually coordinate their training programs and, thus, to reduce the number of unnecessary and excessive training programs in the region.

### ***2) To develop an appropriate training for trainers course and guidelines on best practices of training of APEC economies' officials on the entire range of basic and advanced IP concepts, policies, legal regimes.***

This objective was set as government officials from APEC economies need a regular development of IP knowledge and skills because of the constant improvement of legislation and enforcement. Besides, it was taken into account that today there are no APEC specialized courses to meet the specific needs of IP related training of the government officials. This objective does not foresee the development of training materials per se that will be used by the trainers. It is aimed at developing and providing the trainers with knowledge on the possible training methodologies and techniques to meet the needs of officials for full-range IP training.

### ***3) To organize a special training for trainers.***

The purpose of such training for trainers from APEC economies is to receive the information on best practices, which will subsequently assist trainers, firstly, to mutually coordinate their training programs and thus to reduce the number of unnecessary training programs and to rise their effectiveness. Establishment of the connections between IP trainers from APEC economies during the training will promote economic integration. Secondly, the received information will give an opportunity to develop their own training programs. It was determined that at the moment the trainers in APEC economies don't have common approaches to training or guidelines on best practices of government officials' training in the field of intellectual property. Within the training the trainers from APEC economies were to receive knowledge on different approaches and best practices, as well as knowledge on how the resources can be used more effectively and which training techniques are the most productive.

### ***3) To assist the trainers from APEC member economies in developing their own training programs.***

During the training the trainees received group tasks to develop programs. While working out the programs the assistance was provided to the trainees, in particular they were provided with the existing program as a sample. Based on the discussion of the results of group tasks the trainers gave recommendations to the developed programs. Besides, as a result of the Output Testing, considering the desire of trainees, some of the presented during the training programs were improved. The trainers, who carried out the training, are ready, if requested by the trainees, to assist them in development of their own training programs.

All the project objective were successfully implemented by the Russian Federation.

## **b) Follow-up in APEC**

The intellectual property issues are long-term priority of APEC. It was again highlighted in the last, 2010 APEC Leaders' Declaration "The Yokohama Vision - Bogor and Beyond": "We reaffirmed our commitment to strengthen the protection and enforcement of intellectual property rights (IPR) and reiterated the importance of comprehensive and balanced intellectual property systems that provide for and protect the incentives that encourage creativity and innovation and provide the tools for successful management and utilization of intellectual property...". In the APEC Growth Strategy, adopted in 2010 it was indicated, that "APEC economies will improve their intellectual property rights protection and enforcement capabilities, and the IP utilization and commercialization environment in the region..."

The Russian Federation is going to continue activities on promotion of IP education among APEC economies.

## **c) Comparative Analysis of the Existing Training Programs in IP Management and Commercialization In APEC Economies**

### **Introduction**

Today intellectual property management and commercialization of intellectual property should ensure innovation and inclusive growth of APEC economies. The education should meet current situation: the importance of innovation-based APEC economies, regional economic cooperation, increase in number of IP Academies and educational centers. APEC economies requires modernization of existing system of intellectual property education, and the training of trainers in the field of intellectual property is the first step in this direction.

Intellectual property issues are APEC priority, important part of Osaka Actions Agenda and are in the focus of APEC from 1996, when APEC Committee on Trade and Investment established Intellectual Property Rights Experts' Group. Under Part 1 Section C of Osaka Action Agenda "Actions in Specific Areas" it is indicated that "APEC economies will strengthen public awareness activities and promote dialogue on emerging IP policy issues, with a view to further improve IPR protection and use of the IPR systems for the social and economic benefit of members."

The project improves the effectiveness of the current training programs in APEC economies, reduces redundant trainings and allows developing new high quality programs. As a result, the project will contribute to enhancing the quality of IP education and raising public awareness in APEC economies.

The project "Training for Trainers on Intellectual Property Issues: Management and Commercialization" was developed and implemented taking into account the experience of the previous APEC activities, in particular, such projects as:

- Intellectual Property Academy Collaborative Initiative - iPAC Initiative;
- Survey of Strategic Consideration of IPR Capacity Building Requirements in APEC Economies;
- CTI21/2009 - Training Intellectual Property Right Information Facilitators Using e-Learning Contents, IP Xpedite;
- CTI 22/2010 - Enhancing of APEC Capacity Building for Intellectual Property Protection and Utilization: Training for Trainers;
- IPEG02/2010 - APEC IPEG Seminar on the Exploitation of Intellectual Property.

The results of the project are to lay the foundation and to enhance the capacity of all APEC member-economies in the field of intellectual property and to respond to the statements of APEC Leaders as well as to the strategic APEC documents.

In many APEC documents it is continued to recognize that the management and commercialization of intellectual property rights is a critical component for economic growth and development in the Asia-Pacific region.<sup>1</sup> In 2006 in APEC Economic Leaders Declaration "the need for continued efforts to increase capacity building to assist economies of different levels of development to strengthen IPR protection and enforcement" was stressed.

---

<sup>1</sup> APEC Model Guidelines to Strengthen IPR Capacity Building

As one of the capacity building activities Model Guidelines recommend “encouraging more effective dialog between government agencies and the private sector on IP protection, enforcement, management and exploitation”.

For successful implementation of such activities the representatives of government agencies, government officials, should have certain knowledge in the field of intellectual property. It is obvious that this knowledge should be a full supplement to the knowledge, that is to be obligatory possessed by government officials in order to perform their official duties effectively. And this fact should be certainly taken into account when developing training programs and carrying out of training.

As the analysis shows, today there are a lot of training courses in the field of intellectual property developed by APEC economies' IP offices, educational institutions and international organizations. The Worldwide Academy of the World Intellectual Property Organization is the central element for organization of training and training in the field of intellectual property and offers a number of basic and advanced distance learning courses. The programs of Academy meet the needs of various audiences – inventors and creative people, business managers and IP specialists, politicians and government officials involved in IP, diplomats and representatives of various different and organizations, students, who study intellectual property and trainers of intellectual property, and civil society. The training of interested persons is carried out in the field of IP management and commercialization. The Academy makes efforts on choosing the educational form, that meets the needs of relevant office in the best way. The WIPO programs are based on analysis of demand and aim to promote the information exchange between different groups, including stakeholders, managers and law enforcement officers. Target groups include officials of industrial property offices, copyright offices and other authorities, whose mandate comprises intellectual property issues.<sup>2</sup> The WIPO Academy developed and implements various distance learning courses available in the national languages of APEC economies, in particular in Chinese and Russian.

To ensure the sustainable innovative growth of APEC economies based on the use of intellectual property, it is necessary to have the training programs, developed in accordance with the certain needs of government officials involved in the IP management and commercialization field. Thus, the intellectual property trainers from APEC economies are the target audience for the project implementation.

---

<sup>2</sup> Web-site of WIPO - [www.wipo.int](http://www.wipo.int)

## **The results of the comparative analysis existing training programs in IP Management and Commercialization In APEC Economies**

### ***Practices of capacity building and training programs in different APEC economies***

In the process of comparative analysis of existing practices of capacity building and IP training programs in APEC economies the following factors were taken into account: (1) government authorities responsible for intellectual property issues; (2) officials of government authorities, who are trained under intellectual property program; (3) organizations, that carry out training in the field of intellectual property; (4) availability of information on training programs for government officials in the Internet; (5) information on existing programs, (6) the difference between training of government officials and other categories of trainees, (7) the basic blocks of the training program in the field of management and IP commercialization for government officials, (8) the methodologies on IPR evaluation in the economy, (9) the duration of the training course for government officials, (10) government authorities involved in IPR management and commercialization, (11) the Strategy of state innovative development, (12) educational programs related IPR management and commercialization, carried out in the economy, (13) the best practice guidelines .

The above-mentioned documents, the information from open sources, replies of trainees to the Input and Output Testing (Annex 1, Annex 2), received at the moment of preparation of the present Report were used for comparative analysis (Annex 3, Annex 4).

## 1. Government authorities which have the responsibility for intellectual property issues

№	Economy	Name of agency (agencies)
1.	Australia	Copyright Office, Copyright Law Branch Attorney-General's Department , Department of Innovation, Industry, Science and Research (DIISR)
2.	Brunei Darussalam	Copyright Office, Attorney General's Chambers
3.	Canada	Canadian Intellectual Property Office (CIPO) Industry Canada
4.	China	National Copyright Administration of China (NCAC) Trademark Office State Administration for Industry and Commerce of the People's Republic of China (SAIC) Patent Office State Intellectual Property Office of the Peoples' Republic of China (SIPO)
5.	Hong Kong, China	Commerce and Economic Development Bureau, Intellectual Property Department, Customs & Excise Department
6.	Indonesia	Directorate General of Intellectual Property Rights Department of Law and Human Rights
7.	Japan	Patent Office (Patent, Utility Model, Design, Trademark), Agency for Cultural Affairs (Copyright), Ministry of Economy, Trade and Industry (Integrated Semiconductor Circuits), Ministry of Agriculture, Forestry and Fisheries (New Plant Variety), Ministry of Economy, Trade and Industry (Trade Secrets), Ministry of Finance (Border Enforcement)
8.	Malaysia	Intellectual Property Corporation of Malaysia
9.	Mexico	National Institute of Copyright and Mexican Institute of Industrial Property
10.	New Zealand	Ministry of Economic Development (copyright, patents, industrial designs, trade marks, plant variety rights, geographical indications), New Zealand Food Safety Authority and Ministry of Health (data protection), New Zealand Customs Service (Border Protection measures), New Zealand Police (criminal offences for trade marks counterfeiting and copyright piracy)
11.	Papua New Guinea	Intellectual Property Office of PNG
12.	Peru	Copyright Office, Industrial Property Office
13.	Russian Federation	Federal Service for Intellectual Property, Patents and Trademarks (inventions, utility models, industrial designs, trademarks, appellations of origin), - Ministry of Culture (copyright and related rights), - Ministry of Agriculture (selection achievement – new plant varieties and new and animal breeds), - Federal Antimonopoly Service (the repression of unfair competition in respect of Intellectual Property Rights), - Federal Customs Service (prevention of the infringements at the border), - Ministry of the Interior (prevention of the infringements within the country), - Ministry of Defence, Rosatom, Roscosmos, etc. (secret inventions in the industry).
14.	Singapore	Intellectual Property Office of Singapore (IPOS)

15.	Thailand	Department of Intellectual Property
16.	Viet Nam	customs, economic public security, market management and inspection agency, Copyright Office of Viet Nam (COV)

*The number of the government authorities responsible for intellectual property issues is different in each economy. Nevertheless the competences of the authorities related to intellectual property policies cover both legal protection and use of IP.*

## **2. Government authorities, whose officials are trained under IP programs**

<i><b>Nº</b></i>	<i><b>Economy</b></i>	<i><b>Name of authorities</b></i>
8	Chile	Government authority on promotion and funding of innovation, government authority on promotion and funding of science and technology
3	China	Departments of science and technology in regions, Departments of science and technology of some ministries, such as Ministry of agriculture, Ministry of Industry and Information Technology, Ministry of commerce, Customs.
2	Indonesia	Ministry of industry and trade
4	Mexico	Ministry of the economy, Ministry of education Ministry of agriculture, Research institutes and universities, funded by the government.
5	New Zealand	The Intellectual Property Office of New Zealand has an internal training and mentoring scheme for new trade mark, patent, design and plant variety rights examiners.
6	Peru	Courts Intellectual Property Office Customs Office Ministry of Health Ministry of foreign commerce and tourism
7	Russia	Patent Office Ministry of defence Ministry of culture departments of science of different ministries, Customs service, Ministry of health and social development, law enforcement authorities, Rosatom, Antimonopoly service, etc.
1	Viet Nam	Customs, Police, Market control authority, Courts.

*Thus, we can conclude that government officials of a large number of government authorities are covered by the training programs of various kind, that should positively influence on capacity building. The existing practice shows that it is necessary to provide interaction of these programs, that will enable government officials to better coordinate their activity on protection, enforcement and use of intellectual property.*

## **3. Organizations providing intellectual property training**

**Hong Kong, China** – (1) government authority itself, where the government officials work;

(2) the government officials working in the field of IPR in HKC receive IP-related overseas training by attending workshops, seminars and programs organized and offered by different IP offices such as SIPO, IPUK, EPO, USPTO, IP Australia and the international organizations including WIPO, WTO and APEC and attachments to some of the IP offices. The Civil Service Training and Development Institute of HKC has also organized some local IP-related training for government officials.

(3) The Intellectual Property Department, Hong Kong, China has organized the Intellectual Property Compliance Officer (IPCO) Scheme since 2000. The IPCO Scheme aims to help government departments manage intellectual property assets lawfully and effectively. The Scheme is also a role model for public and private sector organizations in respect of management of intellectual property assets. The IPCOs will be invited to attend a half-day training session organized by the Intellectual Property Department of Hong Kong, China every year. Having undergone a half-day training session, the Compliance Officers will be able to disseminate the message of intellectual property protection and monitor the compliance with the IP laws in their departments.

**China** - China intellectual property center conducts extensive training activities for government officials in the field of intellectual property.

**Republic of Korea** - Korean Intellectual Property Office includes the International Training Institute for Intellectual Property, which provides training in the field of intellectual property.

**Malaysia** - Special Education Center “Intellectual Property Training Centre” which is engaged in providing educational services in the field of intellectual property rights for government officials, students, interns, customs officers, lecturers, workers of science and the private sector.

**Mexico** - government authority itself, where the government officials work.

**New Zealand** – government authority itself, where the government officials work. New Zealand Law Schools and some University Economic Departments offer intellectual property as an elective final level undergraduate paper. Intellectual property can be included in post-graduate research. For example, the University of Canterbury’s Master of Engineering Management degree includes an IP law lecture and project assignment.

**Russia** – intellectual property training for government officials is carried out by:

- Russian State Academy of Intellectual Property which is a part of the system of Federal Service for Intellectual Property (ROSPATENT)
- Special educational institutions established by government agencies - Customs Academy, Academy of the Ministry of the Interior, Academy of Justice;
- Russian Academy of Public Administration in cooperation with ROSPATENT and Russian State Academy of Intellectual Property.

**Singapore** – Academy of Intellectual property. Academy of Intellectual property or IP Academy is a national agency for deepening and widening knowledge of Singapore in the field of intellectual property (IP), as well as protection, use and management of IP. Within the framework of the Academy they conduct seminars for private and public sector (including government officials).

**USA United States** - Global Intellectual Property Academy (GIPA) (USPTO).

**Japan** - specialized educational center; government authority itself, where the government officials work.

*Analysis made during the preparation of Project implementation shows that there are different approaches to teaching government officials. In a number of economies National Patent Offices have education departments - education centers, institutes and even academies. In other economies each office responsible for any intellectual property aspects teaches government officials on its own. In some economies there are no special organizations or universities conducting education IP programs (also for government officials).*

#### **4. Availability of information about intellectual property education programs in Internet**

<b>№</b>	<b>Economy</b>	<b>Web-page</b>
1	Australia, Copyright Office, Copyright Law Branch Attorney-General's Department Department of Innovation, Industry, Science and Research (DIISR)	<a href="http://www.ag.gov.au/cca">http://www.ag.gov.au/cca</a> <a href="http://www.ipaustralia.gov.au/">http://www.ipaustralia.gov.au/</a>
2	Brunei Darussalam, Copyright Office, Attorney General's Chambers	<a href="http://www.agc.gov.bn/">http://www.agc.gov.bn/</a>
3	Canada, Canadian Intellectual Property Office (CIPO) Industry Canada,	<a href="http://opic.gc.ca">http://opic.gc.ca</a>
4	Chile, National Institute of Industrial Property Ministry of Economy	<a href="http://www.inapi.cl/">http://www.inapi.cl/</a>
5	China, National Copyright Administration of China (NCAC)	<a href="http://www.cpo.cn.net">www.cpo.cn.net</a> <a href="http://www.ncac.gov.cn">http://www.ncac.gov.cn</a>
6	Hong Kong, China Intellectual Property Department	<a href="http://www.ipd.gov.hk/eng/home.htm">http://www.ipd.gov.hk/eng/home.htm</a>
7	Indonesia, Copyright Office Directorate General of Intellectual Property Rights Department of Law and Human Rights	<a href="http://www.dgip.go.id/">http://www.dgip.go.id/</a>
8	Japan, Japan Copyright Office (JCO) Agency for Cultural Affairs Government of Japan; Japan Patent Office (JPO)	<a href="http://www.bunka.go.jp/english/index.html">http://www.bunka.go.jp/english/index.html</a> <a href="http://www.jpo.go.jp">http://www.jpo.go.jp</a>
9	Republic of Korea, Korean Intellectual Property Office (KIPO)	<a href="http://www.kipo.go.kr/">http://www.kipo.go.kr/</a>
10	Malaysia, Intellectual Property Corporation of Malaysia (MyIPO)	<a href="http://www.myipo.gov.my/">http://www.myipo.gov.my/</a>
11	Mexico, Copyright Office National Copyrights Institute, Mexican Institute of Industrial Property	<a href="http://www.indautor.gob.mx/">http://www.indautor.gob.mx/</a> <a href="http://www.impi.gob.mx">http://www.impi.gob.mx</a>
12	New Zealand, Intellectual Property Office	<a href="http://www.iponz.govt.nz">http://www.iponz.govt.nz</a>
13	Papua New Guinea, Intellectual Property Office of PNG	<a href="http://www.ipopng.gov.pg/">http://www.ipopng.gov.pg/</a>
14	Peru, Copyright Offices, Industrial Property Offices	<a href="http://www.indecopi.gob.pe">http://www.indecopi.gob.pe</a> <a href="http://www.indecopi.gob.pe">http://www.indecopi.gob.pe</a>
15	Philippines, Office of the President Intellectual Property Office (IPO)	<a href="http://ipophil.gov.ph/">http://ipophil.gov.ph/</a>
16	Russian Federation	<a href="http://www1.fips.ru/wps/wcm/connect/content_ru/ru/otchety/otchety_2008_g6">http://www1.fips.ru/wps/wcm/connect/content_ru/ru/otchety/otchety_2008_g6</a>
17	Singapore, Intellectual Property Office	<a href="http://www.ipos.gov.sg/topNav/hom/">http://www.ipos.gov.sg/topNav/hom/</a>

	of Singapore (IPOS)	
18	Chinese Taipei, Chinese Taipei Patent and Trademark office	<a href="http://www.taiwanpatent.com/index.htm">http://www.taiwanpatent.com/index.htm</a>
19	Thailand, Department of Intellectual Property	<a href="http://www.ipthailand.org">http://www.ipthailand.org</a>
20	USA United States, Copyright Office Library of Congress Copyright, Industrial Property Office, United States Department of Commerce United States Patent and Trademark Office (USPTO)	<a href="http://www.uspto.gov/">www.uspto.gov/</a>
21	Viet Nam, Copyright Office, Copyright Office of Viet Nam (COV)	<a href="http://www.cov.gov.vn/English/home.asp">http://www.cov.gov.vn/English/home.asp</a>

## 5. Information on existing training programs

**Australia** - University of Melbourne offers a number of Master's programs in economics and management, but they do not relate to IP.

So, in Melbourne was held the Seminar 1-3 April 2009 “Conducting Effective IPR Public Education and Awareness Campaigns for SMEs”.

**Brunei Darussalam** - 14-18 March 2011 35th Meeting of the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) - The meeting were discussing economic and IP issues.

**Viet Nam** - Dissemination activities of IPRs and the Program 68 were organized regularly: the Program’s website was maintained and updated; 16 outstanding “IP and life” programs were broadcasted on local TV channels in 2010; Seminar on “Guiding establishment of a project under the Program 68” was organized; a reportage on IPR was set up and broadcasted in VTV1 channel; Column on IPRs in Dat Viet online newspapers which contained 20 news, 20 reports and 1 online talk was established. In addition, activities on encouraging invention filing were also focused on, including translation of guidelines for international patent registration from foreign languages into Vietnamese; providing supports for registration of 40 inventions of Vietnamese inventors in foreign countries. Under the Program, some study visits were organized abroad in order to enhance administration capacity of officials at both central and local levels, including a Delegation to the Seminar on “One Village One Brand” in Seoul, Republic of Korea and a Delegation to the Training Course on Commercialization of IPRs in Deajeon, Republic of Korea. The Program 68 was approved by the Vietnamese Prime Minister and it was extended to period of 2015.

For NOIP’s staff with a view to unceasingly enhancing the capacity of IP system in terms of quantity and quality, in 2010, NOIP by itself and/or in cooperation with the European Patent Office (EPO), the United States Patent and Trademark Office (USPTO), the Korean Intellectual Property Office (KIPO) and other partners organized trainings on different topics of IP for 147 staff, including : a general training for 23 newly recruited

Commercialization of IPRs in Deajeon, Republic of Korea. The Program 68 was approved by the Viet Nameese Prime Minister and it was extended to period of 2015.

For NOIP's staff with a view to unceasingly enhancing the capacity of IP system in terms of quantity and quality, in 2010, NOIP by itself and/or in cooperation with the European Patent Office (EPO), the United States Patent and Trademark Office (USPTO), the Korean Intellectual Property Office (KIPO) and other partners organized trainings on different topics of IP for 147 staff, including : a general training for 23 newly recruited staff, a training on patent search and classification for 34 staff, a training on patent examination for 29 staff, a training on trademark examination for 61 staff and a training on industrial design examination for 28 staff. Notably, a training course on communication and teaching techniques was held to improve capacity and sharpen teaching skills.

By NOIP and VIPRI:

1. Training courses for administration (regularly);
2. Professional courses (6 months) for patent attorneys, teachers, etc.: 7 courses conducted for 391 participants (in cooperation with HCMC Law University);
3. Training courses for managers of universities and businesses (regularly);
4. E-learning programs have been launched;
5. Started with DL-101VN (in cooperation with WIPO Academy)

IP Education & Training:

1. By universities
2. Just conducted in Law universities and Law faculties in universities;
3. Some technical universities are preparing teaching IP for students;

### **Hong Kong, China**

There were held following IP activities:

- 5 June 2012 - Guangdong/Hong Kong, China Seminar on Intellectual Property (IP) and Development of Small and Medium Enterprises
- 7 December 2011 - Briefing on "Public Consultation on Review of the Patent System in Hong Kong, China"
- 2 December 2011 - Business of Intellectual Property Asia Forum
- 1 December 2011 - Briefing on "Public Consultation on Review of the Patent System in Hong Kong, China"
- 24 November 2011 - Luncheon Seminar on "Public Consultation on Review of the Patent System in Hong Kong, China"
- 15 November 2011 - Mainland, Hong Kong, China SAR and Macao SAR Intellectual Property Symposium 2011
- 20 September 2011 - "Intellectual Property Management and Business Opportunities - Trademarks and Company Registration, Software Asset Management and Intellectual Property Trading" Seminar
- 28 February 2011 - Forum on the Future Development of Patent System in Hong Kong, China

**Canada** - Building on Experience June 4 – 6, 2009 • Toronto Airport Marriott Hotel Intermediate Licensing Course. The curriculum provided the strategies and tactics necessary to maximize return on the entire spectrum

of projects – from high value to lower value – in a typical manager’s portfolio and provided the tools to make effective decisions and balance multiple objectives common in a technology licensing operation.

## **China**

Finland, France and UK, 25 October-3 November 2010 - a study tour to Europe for 6 senior officials from the Ministry of Science and Technology (MOST) and related agencies on the development of innovation and technology transfer policies and their implementation and facilitation, as part of building up the legal use of third party technologies in Europe and China in the medium and long term.

Meetings with government agencies focused on further exploring European experiences in developing IP policies and practices favouring innovation and transfer of knowledge and technologies; while meetings with innovation and service agencies and technology transfer organisations analysed the mechanisms, channels, experiences and best practices of sustained technology transfer. Specific questions addressed:

- experiences in establishing networks for dissemination of research results and technologies
- Channels of knowledge transfer (licensing, training, spinouts) and modes of cooperation between universities and enterprises to ensure better, yet dissemination of the knowledge
- Model agreements
- Experiences of state agencies or institutions which provide expertise and advice on IP management to SMEs.

Technology transfer is an important issue in the implementation of China’s National IP Strategy to reinforce technological innovation and transform innovation results to productivity. An efficient and well functioning IP system is one of the prerequisites needed by industry to innovate, and in building promoting respect to innovation and IP rights.

## **Malaysia**

In supporting and encouraging research and development activities, besides funds allocated for universities, there are also policies that promulgated to provides outlines and intention of Malaysia government. The Malaysia government, launched policy that allows Malaysian Universities to explore and utilize research activities to involve in technology transfer. The policy is named as Intellectual Property Commercialization Policy. The objectives of this policy are:

- to establish a common framework to regulate the ownership and management of Intellectual Property from the creation,
- protection, innovation,
- exploitation and technology transfer,
- to promote and facilitate the protection of Intellectual Property in line with the National Intellectual Property Policy;
- to promote and facilitate the exploitation and commercialisation of Intellectual Property generated from projects funded by the Government of Malaysia.

## **Mexico**

The questionnaire on the innovation management for small and medium enterprises was developed by the Mexican Institute of Industrial Property.

**New Zealand – no information available**

### **Papua New Guinea**

The representatives participated in STRATEGIC INTELLECTUAL PROPERTY MANAGEMENT: EXECUTIVE PROGRAM, 11-19 Nov 2011, SINGAPORE.

### **The Russian Federation**

Education at the Russian State Academy of Intellectual Property

In 2011 the Academy has trained 224 certificated experts in intellectual property field.

The distant technologies are applied in educational process off-presence learning of the Academy that allows expanding contingent of the trainees from the regions of Russia.

Taking into account students on-site and off-site learning 1093 persons are trained at the Academy.

The Academy plans to improve the activity in realization of distance learning programs and performance of research in the field of intellectual property, including by means of use of experience of the organizations entering into the WIPO Worldwide Network of the Universities, which the Academy joined in 2009

In 2011 Olympiad on intellectual property obtained the international status. The award for the first prize-winner was the Certificate of the right to free training in the Academy. By results of the registration which ended in December 2011 11420 senior pupils (in 2010 — 7239 persons) were registered on the quiz.

In 2011 the faculty of improvement of professional skills and professional retraining of the Academy continued development and updating of existing training programs (9 programs were updated: 1 program of professional retraining and 8 program of improvement of professional skills).

In 2011 the following training programs of professional retraining were carried out:

1. «Intellectual Property. Patenting»;
2. «Patent Specialist»;

In particular courses of improvement of professional skills:

1. «Trademarks and Appellations of Origin »;
2. «Examination of Intellectual Property Objects »;
3. «Prevention of Infringements in Intellectual Property Field».

41 employees of FIPS have completed training under the program of improvement of professional skills on carrying out examination of the inventions, utility models and 50 employees under the program «Prevention of Infringements in Intellectual Property Field». Law enforcement officials, officials of the State Authorities and enterprises were trained under the following programs of improvement of professional skills:

1. «Prevention of Infringements in Intellectual Property Field»;
2. «Examination of Intellectual Property Objects».

Preparation of candidates to patent attorneys which is carried out at the faculty of improvement of professional skills and professional retraining in Academy was continued. In total 88 persons passed the preparation of candidates to patent attorneys.

367 persons in 2011 were trained at the faculty of improvement of professional skills and professional retraining, particularly with granting of state-recognized documents: diplomas — 82, trophy — 47, certificates — 160 that corresponds to the plan confirmed by Rospatent for 2011 (365 persons).

### **Distance learning**

In 2011 Academy continued works on administration of distant training in Russian under the program of the WIPO Academy «General Course on Intellectual Property» (DL101RU) in the Russian Federation and other countries. 500 persons in 2011 registered for DL101RU of which 394 have successfully completed the course and obtained the WIPO Academy' certificates. According to the arrangement between WIPO and RGAIS the students graduated from the Academy and successfully completed the distance learning course will be granted by so-called «Common Certificates» on behalf of the Director General of Rospatent and WIPO.

### **Training and improvement of professional skills of FIPS employees**

The organization of training and improvement of professional skills of FIPS employees is carried out within the limits of Unified training system by a principle of continuity with use of internal and external forms of training, as from the first working day. Maintenance of conditions for continuous improvement of professional skills of employees is provided by FIPS Charter.

### **The organization of training for FIPS officials with the use of internal forms**

The attention is focused on internal training which is certainly the most flexible type of training, allowing to solve existing problems. Its programs can be changed during the education process. Supervision, self-tuition with the use of computer-based training systems, centralized occupational training, practical training and seminars on experience exchange with international patent offices, training on application of search systems, databases, software applications, used in production activity is an essential selection of experts' training forms.

8 seminars on relevant issues of law enforcement practice were conducted for heads of departments, experts, research officials and other leading specialists of FIPS, aiming to provide consistency approach to examination.

The experts' training on utilization of Rospatent' search system Patsearch is conducted on permanent basis, as well as consultations relating to utilization of other available databases for conducting examination.

In order to increase the efficiency of experts' self-tuition and reduce time-input of supervisors and heads of departments computer technologies are used (distance learning, particularly WIPO distance learning courses, training with the use of computer-integrated educational systems (teaching-controlling system «OLIMP») intended for self-tuition and self-examination by experts). More than 480 employees of examination departments passed self-tuition training with the use of «OLIMP» system as part of the evaluation procedure.

In the framework of experience exchange with international patent authorities 4 educational seminars for familiarization with legal practice of other patent offices (USPTO, EPO and EAPO) were conducted in Rospatent for experts and administrative officials of FIPS. 170 specialists participated in these seminars.

### **Enhancing professional skills of FIPS specialists**

System of enhancing professional skills of experts in specialized educational establishments followed by obtaining a relevant state-recognized document continues to remain an important element of ongoing training. In 2011 RGAIS concluded 2 agreements with FIPS, according to which 44 recruited examiners were trained under the program of improvement of professional skills on carrying out examination of the inventions and utility

models in the amount of 220 academic hours, 50 specialists, included in the list for promotion to the position of the head of department (deputy head), were trained under the program of improvement of professional skills «Preventions of Violations in the Field of Intellectual Property» in amount of 144 academic hours.

#### **Education of FIPS specialists under the programs of obtaining higher professional education in RGAIS**

In 2011 3 specialists, directed for obtaining education at the expense of FIPS, completed the tuition in RGAIS (faculty of law) under the program of higher professional education. 5 specialists continue the process of obtaining higher professional education, 46 FIPS specialists are being trained in RGAIS at their own expense.

#### **Tuition of FIPS specialists under the programs of postgraduate studies in RGAIS**

13 FIPS specialists continue to receive postgraduate studies in RGAIS, 10 of them were accepted on their own initiative, 1 — under target group and 2 are degree-seeking students.

#### **Training of civil servants of Rospatent**

Training of the civil servants trained under the programs of improvement of professional skill in the state educational institutions:

- State policy in the field of combating corruption,
- State budgetary and tax policy,
- State foreign policy,
- Increasing of efficiency of realization by the Federal Executive Authorities the functions of control (supervision) assigned to them in corresponding fields of activity,
- Implementation of information technology in the State management.

#### **Certification and Registration of Patent Attorneys**

At present time the Institute of Further Training and Professional Retraining of RGAIS offers all interested parties to be trained at short-term courses of improvement of professional skills «Preparation of candidates to patent attorneys» under the following programs:

1. Inventions and Utility Models. The course includes sections of:

Fundamentals of Civil law;

Intellectual Property regarding Part 4 of the Civil Code of the Russian Federation;

Patent rights, protection of Inventions and Utility Models;

Obtaining of Invention and Utility Model patent, requirements to application documents;

foreign patenting, requirements to the PCT application;

Disposition of an exclusive right, types of contracts;

International agreements in the field of intellectual property protection;

solving of practical tasks.

2. Industrial Designs. The course includes the following sections:

Protection of Industrial Designs under Part IY of the Civil Code of the Russian Federation;

Obtaining of a protection document, requirements to documents, substantive examination including procedure of application examination on the stage of its transition;

typical mistakes made by applicants;

Disposition of an exclusive right to Industrial Design;

International legal regulation;

solving of practical tasks.

3. Trademarks (Service marks) and Appellations of Origin. The course includes sections of:

International agreements and the Russian legislation in the field of Trademarks and Appellations of Origin protection;

Requirements to compilation, filing and examination of applications on these objects;

Assignment of rights on their use, contractual relations, types of contracts;

Solving of practical tasks.

### **Conferences, Seminars, Round Tables**

Rospatent holds in Moscow annual conferences, seminars, round tables that cover a wide and diverse range of participants, including Rospatent specialists, patent attorneys, patent specialists, inventors, experts, representatives of the Federal authorities, judicial system, universities, educational and academic entities as well as representatives from international organizations (first of all, WIPO, the EPO, the EAPO) and of several foreign states. While carrying out these activities are implemented in practice:

promotion of the role and importance of intellectual property and its legal protection;

exchange of the practical experience on the issue of legal protection of patents, means of individualization and copyright;

education and training, because the most part of the participants can get the necessary and immediate information on many aspects within the scope of Rospatent activity while hearing reports and speeches of the top management and specialists, primarily of the Rospatent system;

communication to the participants of these events the results of scientific research conducted by the FIPS specialists on matters relating to provision of legal protection to industrial property objects, transfer of rights in them, legal enforcement, prevention of unfair business practices, development of information technologies, economic and organization problems in the field of IP;

direct informing Rospatent Directors and experts of questions and proposals of participants about conferences and other events for a wide range of issues in the field of intellectual property protection.

### **The main major events held in Moscow in 2011:**

#### **March 15–17**

The 18th session of Meeting of the International Authorities under the Patent Cooperation Treaty (PCT) was organized by the International Bureau of WIPO and Rospatent. The session was dedicated to the major problems of development of the PCT system, in particular, improvement of quality of the international search and the international preliminary examination, increasing of level of cooperation between the International Authorities and to technical questions of information interchange and standardization. Delegates of 16 Patent Offices functioning as the International Authorities (35 foreign participants including 3 representatives of WIPO) as well as senior specialists of FIPS and Rospatent took part in the 18th session.

At the session more than 15 questions of the agenda were considered, the most important of which were:

development of the activities aimed at improvement of quality of the international search reports, written opinions of the International Preliminary Examination Authority on possibility of mutual granting by Offices of national reports on search and examination results, insuring dialogue between the applicant and the expert at the stage of the international preliminary examination;

development of measures aimed at more strict meeting of deadlines of the international application examination under the PCT procedure, reducing of the collected fees, withdrawal of reservations to application of certain articles and rules of the Regulations under the PCT;

- creation of the third parties remark collection system on the international search reports;
- creation of the feedback system between the specified and the chosen Offices and the International Authorities on issues of search and examination quality;
- review of structure of the PCT Minimum Documentation.

#### **April 6**

Science and Practice Conference and Round table within the framework of the XIV Moscow International Salon for inventions and innovation technologies “Archimedes — 2011” in Sokolniki Park are dedicated to urgent matters of protection and examination of applications for intellectual property objects.

The co-organizers of the event were Rospatent and FIPS.

16 reports of senior specialists of Rospatent and FIPS were presented.

Approximately 155 persons participated in the Conference and the Round table.

#### **October 26–27**

The XV traditional Science and Practice Conference of Rospatent “National Innovation-driven System and the Importance of IP Legal Protection in its Development”

Representatives of international organizations (WIPO, the EPO, the EAPO), foreign patent offices, the Federal authorities, non-governmental organizations and associations, universities, science and research institutions, industry enterprises, administrative and managerial structures, information centers and other organizations from some regions of the Russian Federation took part in the Conference.

Workers of legal and commercial organizations as well as patent attorneys of the Russian Federation were presented most widely at conference.

Heads and specialists of the central body of Rospatent, FIPS and RGAIS participated in the Conference.

The Conference hosted a total of 277 persons, including 13 representatives from foreign countries and 33 from regions of Russia.

During the Conference 2 plenary sessions were held and 5 sections were operating: «Legal protection objects of patent rights and its role in innovative development of the country», «Legal protection of the means of individualization», «Management of the rights of the State on the results of intellectual activity created at the expense of the federal budget», «Information support of innovative activity and its meaning in innovative development of the country», «Issues of use and assignment of rights on results of scientific and technological activity (R&D results)» and 40 reports were heard.

The main distinctive feature of that Conference was its dedication to the priority problem of the State innovative policy that is development of national innovative system. Representatives of the Federal authorities and other participants of Conference in their reports and communications pointed out the important role of legal protection of intellectual property in development of competitive national innovative system on a global basis and the necessity of the further improvement of the legislation in the sphere of legal protection of intellectual property, use and assignment of rights on results of scientific and technological activity.

#### **Professional Retraining**

#### Programs:

1. Evaluation of a company (business). Carried out in two stages:  
Step 1.

200 academic hours.

In the first stage are considered general professional, special disciplines and discipline of specialization, such as the foundations of the theory and practice of valuation of assets: real estate, machinery, equipment and transport equipment, intangible assets and intellectual property, land, securities, enterprise (business). During training, students receive not only theoretical knowledge but also practical skills in assessing the value of property.

#### Stage 2.

Includes: classroom training, self-training in line with the program, the implementation of coursework assessment value: intangible assets and intellectual property, real estate, machinery and equipment, securities, and performing certification (diploma) work on the valuation of the enterprise (business).

2. Professional courses under the program "patent worker"

Means of individualization in business

Legal protection of intellectual property

Intellectual property. Patenting

Commercial use of IP in the economic activity of enterprises

Organization of enterprises in the field of intellectual property

IP management in enterprises of different ownership forms

#### Advanced Training:

1. The legal protection of copyright and related rights,
2. Intellectual property in the innovation enterprise.

#### Singapore

IPOS has vast experience in providing IP related training for Government Officers in Singapore.

IPOS is able to provide training on the following topics:

1. Fundamentals of Intellectual Property Regimes (covering Patents, Trade marks, Designs, Plant Varieties, Copyright, Geographical Indications, Layout-Designs of Integrated Circuits)
2. Intellectual Property and the Public Sector
3. Managing Government IP
4. IP Policy for Government Agency
5. Implementing IP Management for Government Agency

There were held following activities:

1. Strategic IP management Executive program - 11-19 Nov 2011, SINGAPORE,
2. LES Singapore Basic Licensing Course 2012, 23 - 24 Aug 2012,
3. Advanced Technology Transfer Programme, 10 - 11 Sep 2012,
4. 12 Sep 2012 - Managing Copyright and Confidential Information in Education and Training Institutions.

## **USA United States**

There were held following activities:

- June 2007 APEC SMEWG Seminar on SME Management of Intellectual Property Rights,
- From Research to Reality: IP Commercialization and Policy Seminar San Francisco, United States 15 September 2011,
- Oct. 3, International IP Symposium for Micro, Small, and Medium Enterprises in India,
- Oct. 11, Intellectual Property and Technology Transfer in the United States at USPTO Headquarters,
- Oct. 14, Department of State IVLP: Best Practices in the Reporting of IPR Issues at USPTO Headquarters,
- Oct. 17-21, Patent Examiners Exchange Program with RosPatent at USPTO Headquarters,
- Oct. 18, International Judicial Academy Seminar: Government Regulation and Justice at USPTO Headquarters,
- Oct.19-20, USPTO/UNECE Program "The Strategic Use of Intellectual Property - A Key Tool for the Economic and Social Development of the Country" at USPTO Headquarters,
- Oct. 19, IP and Business in the Global Marketplace: USG Resources for Asian fAustraen and Pacific Islander SMEs at USPTO Headquarters,
- Oct. 24-25, Madrid Protocol and Trademark Law Treaty/Singapore Treaty on Law of Trademarks Training in Colombia,
- Oct. 31, Cardozo SIPO Program 2011 at USPTO Headquarters,
- Oct. 31 - Nov. 2, Advanced Judicial Seminar on IP Enforcement in Thailand,
- Nov. 1-2, Advanced Judicial Education Seminar on Criminal Adjudication and Enforcement of Intellectual Property in Thailand,
- Nov. 3-4, Advanced Workshop for Law Enforcement Investigators and Public Prosecutors on Criminal Enforcement of IP (with USDOJ-IPCEN IV) in Thailand,
- Nov. 7-18, Advanced Workshop and Study Tour Program for Law Enforcement Investigators and Public Prosecutors on Criminal Enforcement of IP at USPTO Headquarters,
- Nov. 9-11, Pharmaceutical Anti-Counterfeiting Forum in South Africa,
- Nov. 15-18, 2012 Patent Statistics for Decision Makers at USPTO Headquarters.

## **Thailand**

4-6 March 2007 - Seminar on SME Management of Intellectual Property Rights.

## **Chinese Taipei**

Categories of IP Instructors Training Courses:

Entry-level

- Basic IPR Knowledge
- Patent Laws
- Trademark Laws
- Copyright Laws and Case Studies
- Trade Secrets Act and Related IP Issues
- The Internet and Copyright

- Practices and Strategies to IPR Management
- International IP Conventions and Development Trends

#### Basic Patent Process Control:

- Patent Laws
- Procedures and Guidelines for Patent Prosecution
- Procedures and Guidelines for Patent Prosecution (Advanced)
- International Practices and Approaches to Applying for Patent
- Patent Classification
- Patent Search and Patent Analysis
- International Patent Conventions and Development Trends
- Comparison of Patent Systems and Practices Across Chinese Taipei Strait

#### Middle-level:

##### Patent Technology Engineering Incubation (1)- Guidelines and Practice for Substantive Examination of Patent

- Guidelines for Substantive Examination of Invention Patent(1)
- Guidelines for Substantive Examination of Invention Patent (1)
- Compilation of International Regulations and Case Studies
- Guidelines for Substantive Examination of Invention Patent(2)
- Guidelines for Formality Examination of Utility Model Patent and Substantive Examination of Design Patent

##### Patent

- Responses to Substantive Examinations of Invention Patent
- Practices in Patent Invalidations

##### Patent Technology Engineering Incubation (2)- Drafting of Patent Specification

##### 3 2 11.Practices in Applying and Drafting Patent Specification of Invention Patents: Machinery, Electronics and Software Related Inventions

##### - Practices in Applying for Invention Patents: Chemistry, Pharmaceuticals and Bio-technology Related Inventions

- Practices in Applying for Utility Model Patent
- Practices in Drafting Design Patent Specification and Design Patent Prosecution
- Innovative Design-Around Patent--using innovative design-around patent to create invention for patent application.

#### Practices of Patent Litigations:

- Practices in Patent Litigation
- Intellectual Property Case Adjudication Act
- Provisional Measure and Preservation of Evidence for Patent Infringement Cases

- Elements for Patent Infringement and Damage Calculation
- Practices in Patent License
- Practices in US Patent Litigation

#### Practices of Identifying Patent Infringements

- Theories in Patent Infringement Assessment
- Patent Infringement Evaluation Reports and Case Studies for Invention and Utility Model Patent
- Identifying Design Patent Infringement

#### IPR Management Practices

- Introduction to IPR Laws
- IPR Contracts
- Practices in Non-Competition and Confidentiality Agreements
- Winning Strategies and Practices of Patent Infringement Disputes
- IPR Enforcement and Competition Act
- Trade Secrets Act and Related IP Issues

#### Management of Brand Name and Trademark

- Filing and Maintenance Procedures for Trademark Applications
- Brand Value
- Building and Managing a Brand
- Trademark License Strategies and Agreement
- Approaches and Judicial Decisions Regarding Trademark Infringements and Remedies
- International Trademark Conventions and Development Trends

#### Copyright of Digital Content

- Fundamental Copyright Issues and Infringements of Digital Content
- The Transaction and Licensing of Digital Content
- Copyright Issues Concerning Digital Publishing
- Copyright Issues Concerning Online Music and Video
- Copyright Issues of Online Game Development and Management
- International Copyright Conventions and Development Trends

#### Patent Search, Analysis and Strategies

- Patent Search and Patent Analysis
- Patent Classification
- Patent Valuation
- Value-adding and Strategic Planning of Patent
- Introduction of Intellectual Property Management and Practices.

## **The Republic of the Philippines**

The USPTO Global Intellectual Property Academy (GIPA), the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC), and the ASEAN Secretariat (ASEC) in cooperation with IPOPHL organized the Regional Seminar on IP Management and Technology Commercialization in June 2011 as one of the activities under the extended arrangement between the ASEAN. Participants from the ASEAN Member States who participated in the activity were officials in charge of innovation, IP management and technology transfer policy; those who are involved in setting up technology licensing offices; and representatives from the technology transfer office of the Ministry of Science and Technology, National Research Laboratories, or university administrators. The seminar aimed to provide information and best practices on technology commercialization and licensing, stressing the importance of commercialization of technologies to benefit public research and development institutions (RDIs).

In addition, there were held the following IP activities (2012):

- 18 – 20 April - Study Visit to Singapore,
- 27 – 29 June - Seminar on Patent Prosecution, International Patent System and the Patent Cooperation Treaty, Manila,
- 18 – 20 July - Seminar on Patent Prosecution, International Patent System and the Patent Cooperation Treaty, Cebu
- 15-16 August - Patent Information Search Seminar Refresher Course II Manila, Cebu,
- 22-24 Nov. Focus Group Discussion And Assessment Of Capability, Manila, Cebu.

## **The IP training Program:**

1. Foundation Course (Overview of the IP System, Patent Information and a simple case on IP management)
2. Patent Information Training I (Techniques on searching, prior-art search, validity search)
3. Patent Drafting Training I (Manual of Substantive Examination and Procedures and the Implementing Rules and Regulations with an introduction to drafting through examples)
4. Examination on MSEP and IRR
5. Patent Drafting Training II (only for examination passers) (Introduction to Drafting of specifications and response to examiner's actions through actual exercises)
6. Training for PAQE (Intensive exercises on drafting of specifications and claims and responses to the examiner's actions prior to the actual Patent Agents Qualifying Examinations)

## **Republic of Korea**

The International Intellectual Property Training Institute (IIPTI), which is a sub-organization of the Korean Intellectual Property Office (KIPO), is responsible for intellectual property (IP) education in Korea. In collaboration with the World Intellectual Property Organization (WIPO) and Korea International Cooperation Agency (KOICA), it conducts IP education for IP-related officials in the public and private sectors of underdeveloped and developing countries, to enhance their awareness of IP and develop IP systems in their countries.

The following activities were implemented:

- WIPO Training Course on Patent Examination, Mar. 6 to 14 2011. The participants were Examiners from the developing countries,
- KOICA Training Course on IP system for ASEAN Countries, Mar. 22 to Apr. 7 2011. The participants were IP officials from the ASEAN Countries,
- WIPO Training Course on Trademark Examination, Apr. 24 to May 2. The participants were Trademark Examiners from the developing countries.
- Training Course for IP5 Examiners,
- - WIPO-Korea Summer School, June 18 to 29 for Senior Students and Young Professionals.

The Institute offers special training courses to help KIPO staff and other officials achieve a world-class standard of patent administration.

By providing new and supplementary educational courses for examiners and administrative judges at different career levels, the Institute raises professional examination and judgment manpower (Courses for new examiners, Courses for mid-grade examiners, Courses for Administrative judges, etc.)

To improve the professionalism of examiners and administrative judges, Institute provides in-depth educational courses on fundamental legislation such as Civil Law etc.

To enhance the professionalism and to raise the capabilities of examiners and administrative judges, Institute offers intensive courses in which case studies and on-the-job training are involved (Basic & advanced courses for Patent Law and Trademark Law, Basic & advanced courses for PCT examination, Practical courses for patent litigation, etc.)

#### International Education

The purpose of international education at the IIPTI is to promote international cooperation and to make Korea an IP hub of international IPR education.

In cooperation with WIPO, Institute operates international seminars (2 to 4 times a year) and also runs courses for developing and least developed countries. (1 to 2 times a year)

#### E-learning Education

The purpose of e-learning education is to create advanced online IPR education through high-level IPR education information systems.

By operating an e-learning education center on IP (IP Academy), the Institute endeavors to maximize educational efficiency and user convenience.

#### Training programs

IIPTI organizes diversified training programs to meet the various and ever changing needs for training. The programs consist of domestic and foreign training programs. Domestic training programs are divided into those for government officials and those for private sector personnel.

##### *Government Sector Training Courses*

Training courses for government officials are largely categorized into the following five sections.

1. Courses for examiners & trial examiners at KIPO

These courses aim to improve the legal and technical ability of examiners & trial I examiners and to enhance the qualitative level of the examination. The courses cover a wide scope of topics including IP related laws, criteria of examination, and case studies.

2. Courses for officials involved in economic affairs.

These courses aim to offer to officials in related ministries background knowledge and perspectives on intellectual property. The courses help them explore appropriate economic policy directions within the context of an international environment of technological competition.

3. Course for Judicial trainees.

This course is designed for judicial trainees who are to become judges, prosecutors and lawyers. The course intends to increase litigation and judgment skills and is taught through case analysis and judicial precedents in intellectual property disputes.

4. Course for enforcement officials.

The aim of this course is to increase the efficiency of IPR enforcement. It is designed for customs officials, police, and other officials. It provides systematic enforcement skills and techniques in anticipation of various IPR infringements including counterfeit trademarks and the import/export of counterfeits.

5. Courses for educators

These courses offer basic knowledge on intellectual property and case-centered lectures on invention techniques to the education managers and teachers in charge of “invention clubs”; in the primary, middle, and high schools.

Private Sector Training Courses.

Various levels of training courses each with differing scope are available for the private sector:

1. Course for the patent attorneys in apprenticeship
2. Courses for IP specialists
3. Course for researchers at research institutes
4. International training courses.

## **Japan**

Intellectual Property Training Program (Term: 9 months (320 Hr.))

Stage I : Intellectual Property Laws & Treaties

- Introduction to Law
- Intellectual Property (IP) Law
- IP Law and Civil Code
- IP Law & Civil Procedure Code
- IP Law & Antitrust Act
- Unfair Competition Law
- International Protection
- Treaty & Patent Law

Stage II : IP Management & License Agreement

- R&D Activities and IP Management
- Employee's Invention
- Patent Filing and Examination Procedure etc

Stage III : Patent Litigation Infringement Lawsuits

## **6. The difference between training of government officials and other categories of trainees**

*China* - Government officials - general policy. Specified courses and practices -students and entrepreneurs.

*China* - Government officials – Policy and administration executive. Other trainees – knowledge and practice

*Peru* - Government officials are not well motivated

*Thailand* - Level of knowledge

*Thailand* - Level of IPR and IP management.

*Chile* – they have more experience facing problems related to funding and deciding real cases. They have liability related to their decisions

*Chile* – Because of the public goals involved in the public functions, government officials tend to have a wider view of things. As such, where IP training among private lawyers can be seen as a working tool to satisfy the needs of a client, relevant public officials may need IP knowledge for public policy design and planning in, for example, the economic field. The needs of these two groups of trainees are different and may justify some differences in training.

Accordingly, other relevant differences between other groups and government officials may justify other training differences.

*Indonesia* - Because of the difference of audience, the training should be given according to their needs

*Indonesia* - For government officials: how to administrate regulation for entrepreneurs and implementing regulation in IPR

*Mexico* – Mainly that government officials work with recourses from the state. *Russia* - The difference is that government officials are not practiced in some areas of IP. For example – in IP valuation, IP management

*Russia* - Because of the difference of audience, the training should be given according to their needs

## **7. The basic blocks of the training program in the field of management and IP commercialization for government officials**

*China* -

- 1) 7 PR principles
- 2) The utilization of IPR
- 3) How to manage IPR
- 4) Commercialization strategy

*China* -

IPR concept and principle  
Utility of IPR  
Solution means of IPR in reality

*Peru* - My training programs do not include such a topics

*Thailand* -

Understand the basic of IP  
Use IP as a tool for management  
Get benefit from using IP

*Chile* - Fundamentals of patents and trademarks, IP laws in Chile, IP law compared, International IP law.

**Indonesia** - Development and utilization for economy

**Mexico** - Use of Patent Information in the context of the value of the technology and also in the context of the free use of technologies as an opportunity for the SME's and for Universities as a tool for R&D Protection strategies.

**Russia** -

1. State policy on the use of results of scientific and technical activities
2. Legal and normative basis for the use of the results of scientific and technical activities
3. Account, inventory and evaluation of IP
4. Patent information research of intellectual property objects
5. Mechanisms of bringing intellectual property objects into commercial circulation
6. Innovation risks
7. Economical and organizational means of IP rights protection

## 8. The methodologies on IPR evaluation in the economy

China	-
China	-
Peru	-
Thailand	-
Thailand	+
Chile	-
Chile	-
Indonesia	-
Indonesia	+ How long the mark has been registered How long the mark has been used in market The opinion of the consumers
Japan	-
Mexico	-
Viet Nam	-
Russia	+
Russia	+ IP valuation and EPO program IPscore

## 9. The duration of the training course for government officials

Most of respondents consider as the most optional term of training course of government officials the medium term courses.

Most respondents felt that the training of government officials should be at least 1-2 times a year.

It is recommended to implement the long training during the employment of government official and then conduct short training at least 1 time per year.

## 10. Government authorities involved in IPR management and commercialization

**China** - Patent office, Copyright administration, Trademark administration, Commerce ministry, scientific development authority

**China** - Commerce ministry, State IP office, State Administration of Industry and Commerce, National Copyright Administration etc

**Peru** - Only INDECOPI and some extent production ministry

**Thailand** - Funding Agency

**Thailand** - University

**Chile** - CORFO, Ministry of Economy

**Indonesia** - Ministry of Industry, Ministry of Research and Technology, Ministry of Education and Culture, Ministry of Small and Medium Enterprises, Indonesian Institute of Sciences

**Indonesia** - Ministry of Trade and Commerce (Primaniarta award program)

**Japan** - Japan Patent Office (dealing with rights of patents, utility models, designs, and trademarks), Ministry of Economy, Trade and Industry (Unfair Competition Prevention Act), Software Information Center (layout-design exploitation right), Agency for Cultural Affairs (copyright), Ministry of Agriculture, Forestry and Fisheries (breeder's right), and other authorities.

**Mexico** - Ministry of Economy, the National Council of Science and Technology

**Viet Nam** - NOIP, Ministry of Science and Technology, Copyright Office of Viet Nam (COV), Ministry of Culture, Sports and Tourism, Plant Variety Protection Office (PVPO), Ministry of Agriculture and Rural Development

**Russia** - Different business structures, universities, federal authorities and others

**Russia** - IP office, Ministry of economic development.

## **11. The Strategy of state innovative development**

**China** - National IPR strategy of China. A formal document issued by China's central government

**China** - National IPR strategy of China. A formal document issued by China's central government

**Peru** - It is in construction

**Thailand** - Bring research to market

**Thailand** - Product from innovation and research development of university

**Chile** - The strategy is based on three pillars – high quality life-long learning, a science and technology system oriented towards economic and social needs and a proactive and innovative business enterprise sector. The governance structure established for the Strategy involved the Consejo Nacional de Innovacion para la Competitividad (CNIC) as strategic advisor to the Government, and the Committee of Ministers of Innovation (MCI) for to undertake policy design and implement the strategy.

**Indonesia** - The Agency for the Assessment and Application of Technology had drafting an academic paper on strengthening the national innovation system.

**Japan** - The Intellectual Property Strategy Headquarters, under the Prime Minister of Japan and His Cabinet, has developed the Intellectual Property Strategic Program 2012.

<http://www.kantei.go.jp/jp/singi/titeki2/ipsp2012.pdf>

**Mexico** - Yes. National Plan of Development and the National Plan of Innovation

**Viet Nam** - +

**Russia** - the Strategy of innovation development of Russia

**Russia** - it is developing now

## **12. Educational programs related IPR management and commercialization, carried out in the economy**

### **China**

Traditional

Some specialized training agencies

-Diploma degree

-Seminars

-Courses

-Workshops

2-3 weeks

### **China**

Enterprisers, governmental departments

Traditional and on line education

-Diploma degree

-Seminars

-Courses

-Workshops

2 years, 2-3 weeks, 2 days etc

### **Thailand**

SMEs' / researcher

Traditional

Department of IP

Seminar

5 days/ 2-3 days

Certificate

### **Thailand**

Student, Researcher

line education

IP expert

Workshops

2-3 days

### ***Chile***

Workshops carried out or INAPI

- 1) - Target audience – Technical Professional of CORFO
  - Traditional and/or on line education – Traditional
  - Who provides the training – Professional of INAPI
  - Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) - workshops
  - Duration - 1 day
  - Program - technical and legal aspects of IPR,
  
- 2) - Target audience - Professional of Internal Revenue Service
  - Traditional and/or on line education - Traditional
  - Who provides the training - Professional of INAPI
  - Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) - workshops
  - Duration – 2 days
  - Program -technical and legal aspects of IPR

### ***Indonesia***

- 1) - Target audience - Government Officials
  - Traditional and/or on line education - Traditional
  - Who provides the training - DGIP and other government body
  - Level(PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) –  
Seminars/Courses/workshops
  - Duration - 1 Week
  - Program – IPR

### ***Indonesia***

- Target audience - Government Officials
- Traditional and/or on line education – Traditional
- Who provides the training - DGIP and other government body
- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) - Seminars/Courses/workshops
- Duration – 1 Week
- Program – Law Enforcement, the benefit of IP for economy

### ***Japan***

- 1) Explanatory Meeting on the IPR System
  - Target audience - Anyone can participate
  - Traditional and/or on line education - On-site training

- Who provides the training - JPO officials etc.
- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) - Introductory Level
- Duration – Half a day
- Program – JPO's Specialist for Industrial Property Rights conducts a lecture on the following topics in each prefecture of Japan.
- Outline of the IPR System (patent, utility model, design and trademark rights)
- Introduction of support measures related to IP rights

## 2) Training on Utilization of Intellectual Property(Utilization of IP course)

- Target audience - Mainly owners of SMEs and venture companies (others)
- Traditional and/or on line education - On-site training
- Who provides the training - Attorneys, university officials, and businesspeople
- Duration – One day
- Program - Introduces various case examples where SMEs/venture companies succeeded by utilizing intellectual property and examples where they were not able to do so. Furthermore, develops the participants' judgment ability for making use of intellectual property in management through studying the issue among the participants.

## 3) Training on Utilization of Intellectual Property (Search course)

- Target audience - Mainly owners or staff in charge of intellectual property at SMEs and venture companies (others)
- Traditional and/or on line education - On-line training
- Duration - Three days
- Program - Lecture concerning patent law. Search practice using Industrial Property Digital Library (IPDL). Group discussion among participants. etc. The aim is to foster the ability of conducting a search in order to determine the theme of R&D and the necessity of the request for examination of patent applications.

There are many more programs.

## **Mexico**

With protlcuem

[http://www.protlcuem.gob.mx/swb/es/Protlcuem/p\\_act\\_Propiedad](http://www.protlcuem.gob.mx/swb/es/Protlcuem/p_act_Propiedad) (Project of Facilities for the Treaty of Commerce with the European Union) given by IMPI and the Ministry of Agronomy and the Ministry of Sanitary and the complete program was from 2006 to 2010

Several programs with UNAM (national Autonomous University of Mexico) and with the IPN (National Polytechnic Institute) as Diploma Degree or as Subject Master in Masters for Example \_Technologic Management with a duration of 2 years and in the Law faculty of the UNAM <http://132.248.183.20/posgrado/especialidad/pdf/mapas/PIn.pdf> with a duration of 576 hrs.

By the National Council of Science and Technology with JICA \_\_\_\_\_ [http://www.conacyt.gob.mx/Convocatorias/Paginas/Convocatoria\\_Becas.aspx](http://www.conacyt.gob.mx/Convocatorias/Paginas/Convocatoria_Becas.aspx) with a duration of 6 months

Viet Nam

Training of trainers program on effective intellectual property asset management by small and medium-sized enterprises.

Seminar on Commercialization of IPR

Seminar on intellectual property education, training and research

### 13. The best practice guidelines

China	-
China	-
Peru	-
Thailand	-
Thailand	-
Chile	+ The INAPI's Patent Division has drafted Examination Guidelines, in order to define the technical criteria, and to provide guidance and become a reference material for our technical professionals and users.
Chile	+ THE INAPI'S PATENT DIVISION HAS DRAFTED EXAMINATION GUIDELINES, IN ORDER TO DEFINE THE TECHNICAL CRITERIA, AND TO PROVIDE GUIDANCE AND BECOME A REFERENCE MATERIAL FOR OUR TECHNICAL PROFESSIONALS AND USERS. INAPI'S TRADEMARS DIVISION IS ALSO IN THE PROCESS OF FINISHING GUIDELINES FOR SUCH TYPES OF PROCESSES. FINALLY, INAPI HAS DRAFTED GUIDELINES FOR USERS ON THE PCT SYSTEM.
Indonesia	-
Indonesia	+ Trademark Law No. 15 year 2001 Civil Law of Indonesia
Japan	+ (1) Basic Knowledge One Should Know About Patent Licensing Agreements Explanation on (i) Basic knowledge on agreements, (ii) Basic knowledge on patent licensing agreements, and (iii) Overseas licensing agreements (2) Case Studies for Promoting Open Innovation from an IP Strategy Perspective Introduction of case studies on licensing in/licensing out technology
Mexico	-
Viet Nam	-
Russia	+ licensing guideline

## **II. Results of the training**

### **Program of the training**

The program of the training (Annex 5) was drafted upon the results of the comparative analysis of the capacity building practices and development of programs of intellectual property training for government employees in the APEC economies and also upon the results of the analysis of the “Input testing”.

It was considered necessary and appropriate to give the trainees information on the results of the comparative analysis of the capacity building practices and development of programs of intellectual property training for government employees in the APEC economies.

Upon the results of the “Input testing” and also taking into consideration one of the goals of the project – “Organization of a special training for trainers, at which the representatives of the APEC economies will receive information on the best practices and will be able to: coordinate their respective training programs, thus reducing the number of redundant training and raising their efficiency, and also develop their own training programs” it was considered efficient to include into the Program of the training execution of individual and group assignments.

## **III. Recommendations regarding training programs in economies**

Mr. Boris Simonov,  
Doctor of Engineering

### **Methodology of training on Identification and Provision of legal protection of the results of Intellectual activities**

#### **The role of government officials in management of the results of Intellectual activities**

##### **Analysis of the existing programs**

Orientation of the program:

- general issues of intellectual property management at the corporate, industry, regional, national, and international levels;
- specifics of the legal, economic, financial, organizational intellectual property management.

##### **Target audience:**

- managers and specialists of governmental and business structures involved in the issues of creation, commercialization and management of intellectual property;
- managers and specialists of small innovative enterprises, small innovative enterprises’ support infrastructure;

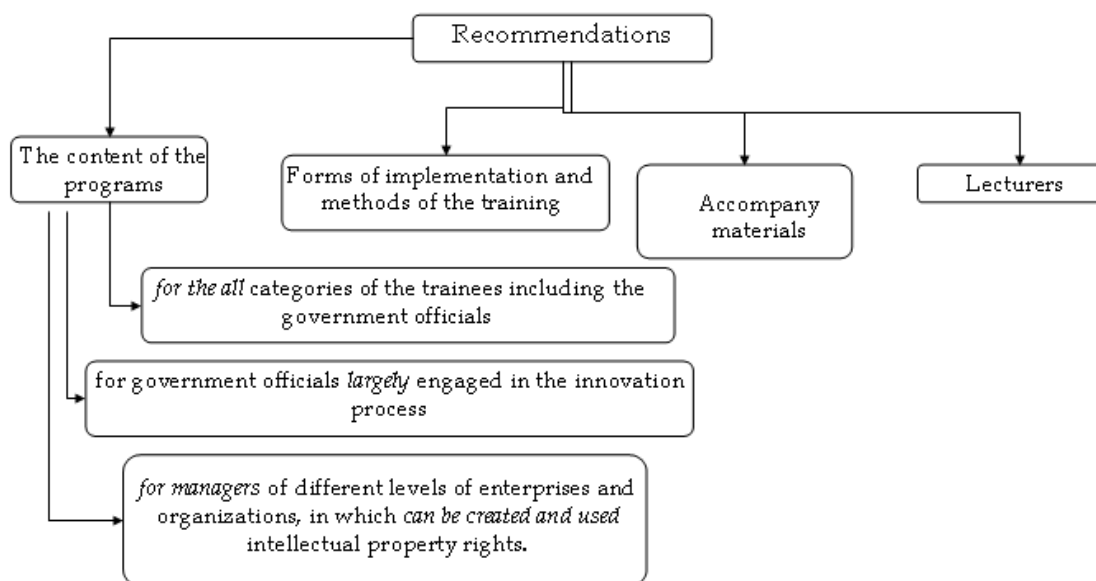
- managers of innovative and technological enterprises, strategic development units, analytical and marketing services of organizations, experts, specialists dealing with intellectual property and strategic development of enterprises.

**The aim of teaching** any course should be: the assimilation of the theoretical framework and practical skills through active learning.

**This goal is realized through the following objectives:**

- The application of Active Learning aimed for maximizing the involvement of all students in the learning process;
- The review and analysis of the practical problem situations related to the solution of professional problems in the process of learning and mastery of knowledge;
- The involvement of students in the scientific work in order to improve the effectiveness of training;
- The organization of the listener's self-evaluation process and the result of a specific task, which is similar to the real conditions;
- Maximum practical nature of the discipline, based on the use of examples from the national and international level;
- The implementation of continuous monitoring of the level of students' knowledge, consideration and evaluation through tests, exams, writing scripts.

**Recommendations for the teaching programs**



**Content presentation logics**

Unit based system of developing courses for different categories of trainees:

1. General issues of creation and development of a national innovation system.
2. General issues of creation of an IP management system: state level, regional level, corporate management level, commercial enterprise level (separate entity).
3. Specialized courses on separate aspects of intellectual property management.

**THE PROGRAMMS FOR THE MANAGERS**

Programs should take into account:

- the level of manager, who makes strategic decisions,
- employee level in the department who is in charge of intellectual property,
- level of the head office who is in charge of intellectual property,
- economic issues of licensing,
- economic advantages of this mechanism comparing to other ways of commercialization of intellectual property,
- the compulsory licenses issue.

The feature of such programs is the *shift of focus from legal issues to the economic issues* of the intellectual property.

## **TEACHING PROGRAMS FOR EMPLOYEES OF ECONOMIC DEPARTMENTS**

Special attention is paid to:

- understanding of the role of research and development in the creation of knowledge-based competitive products;
- learning of the need of government regulation of the creation intellectual product;
- mastering the patent activities fundamentals, methods of patent information research, based on patent examination;
- understanding of the role of intellectual property in the development of business and economic growth of the country;
- learning IP categories as a corporate asset;
- formation the concept of IP economy as a basis for ensuring business enterprises;
- understanding of the need of integrated IP management in the company (corporation);
- stages of the capitalization of IP of high-tech businesses;
- procedure for IP valuation, approaches and methods of valuation, national and international standards for IP valuation;
- the use of IP rights as intangible assets, accounting intangible assets in accordance with national and international standards.

## **AIMS OF NONSPECIALIZED TEACHING PROGRAMS**

**General purpose:**

- to show the importance of intellectual property rights in the development of the national economy,
- to give an idea of the place of intellectual property law in the system of national law,
- to acquaint students with the international agreements on intellectual property, their impact for the national legal regulation,
- to acquaint students with various objects of intellectual property, their legal regime, the order and the terms of legal protection, regular and exceptional conditions for their use;
- to describe a system of national government agencies dealing with intellectual property rights;
- to pay attention to the current emphasis of the use of intellectual property by small and medium-sized enterprises

EXPANSION PROGRAM GOALS for government officials: consideration of socio-economic factors

## **EXAMPLES OF SPECIALIZED PROGRAMS**

- "Management of intellectual property in the small and medium innovative enterprises"
- "Mechanisms for the commercialization of intellectual property"
- "Technology transfer"
- "IP valuation"
- "Economics and Management of Intellectual Property"
- "Accounting of Intellectual Property"
- "Means of individualization in entrepreneurship"

## FORMS OF IMPLEMENTATION OF THE TRAINING PROGRAMS

- Forms of implementation of the training program may be training courses (mid-term and short-term), vocational training (1-2 years), seminars and conferences.
- Classes may be taught in educational institutions and businesses - in the morning or evening hours.
- In some cases quite reasonable is the use of distance learning on selected topics.

## FORMS OF IMPLEMENTATION OF TRAINING:

1. **Lectures.** Issue-specific lecture, lecture with intentional errors, press-conference lecture can be used as active training methods.
2. **Seminars.** Round tables, discussions, self-work with literature can be used as active training methods.
3. **Practical training.** Business games, practical situations, pedagogical tasks, imitation of various activities can be used as active training methods.

The trainers should be well experienced lecturers and practitioners (government patent office, the competition authority, customs, police, judges, patent attorneys, IP valuers, experts).

Active training methods may be used at various stages of the training process:

**1 stage** – initial receipt of knowledge;

**2 stage** – knowledge control (fixation);

**3 stage** – development of skills and abilities on the basis of the knowledge received and development of creative abilities;

**4 stage** – development of professional competence at the final stage of training.

## RECOMMENDATIONS FOR THE MATERIALS ACCOMPANYING TRAINING

As these materials can be used a variety of materials, both on paper and in electronic media.

It is needed to develop textbooks, study guides, workbooks for students.

Very effective are computer slides.

On the study lessons of illegal actions on protected IP objects the special interest is shown to the samples of counterfeit goods.

In the practical training may be used games “patent applications”, trademarks, etc., license agreements, contracts between employer and employee.

## TRAINING PROGRAMS IMPLEMENTED FOR THE ROSPATENT GOVERNMENT OFFICIALS IN 2012:

- Managing the region development: content, technology, performance criteria
- Corruption: causes, essence, counteraction
- Psychological support of government officials
- Management of investment and innovation
- Technology of human resources management in the state and municipal management
- Foreign policy and international relations of Russian Federation
- Conflict management in the government service
- Russian Federation's economy and the World Trade Organization (WTO)

### **Training of government officials on management and commercialization of copyright and related rights**

- Overview of various training programs on management and commercialization of copyright and related rights:

1. Program *“Current trends of development of copyright and related rights ”*,

2. Program *“Exceptions and limitations of rights”*,

Program *“The role of collective management societies”*.

- Recommendations on development and implementation of programs for government officials.

### **The Role of Government Officials in Ensuring Copyright and Related Rights Protection**

Copyright and related rights in the modern world are forming up a big industry comprising a number of sub-industries: book publishing, movies, business software and computer games, audio and video recordings. Objects of copyright are a part of economic turnover, they become goods, start functioning in the market. Such objects should and could be protected by the state, by the society.

Experience of a number of countries shows that return from the exploitation of copyright and related rights' subject matter is possible when a single principle system of protection of intellectual property is in place. Due to the creation of such a system the USA, Japan, Republic of Korea, the EU countries have reached within the past **10-15 years** an increase in the share of the gross national product related to **“production based on copyright” from three to twelve percent**. This input into the social production of the country is bigger than that of any processing industry, including the production of airplanes, electronic and other industrial equipment.

The effect of the “secondary return” from copyright and a great number of productions based on it should also be taken into account. Copyright subject matter plays a role in the life of society which is in no way less important than that of industrial property (patent law subject matter, trademarks). It is trade in copyright subject matter and not patents and trademarks that accounts for biggest profits in the US. The amount of trade in copyrights only in the US is 36,2 billion USD, which is higher than the returns from automobile industry exports.

Considering the economic effects of copyright on the economy in a broader sense, we should note the role of copyright in the amelioration of wellbeing, growth and economic development, because these categories are immediately connected with the use of creative potential. This role of copyright has significantly increased in Russia as well.

### **Recommendations concerning the training programs in the field of copyright and related rights and the training program “Commercialization of copyright and related rights”**

#### **Purpose of the training program “Copyright and related rights”**

- studying of Russian Federation legislation in the field of copyright and related rights, including the laws and regulations in the field;
- assimilation of essence, guidelines, principles and norms of the modern Russian law on copyright and related rights;

- formation student's professional legal awareness;
- formation the skills of a highly qualified specialist in the legal protection of copyright and related rights by studying, in particular, comparative legal approach to the analysis of copyright and related rights in order to use received knowledge in future practice.

### **Objectives of the training program “Copyright and related rights”**

- explore the sources and the system of legal protection of works and objects of related rights at relevant stage;
- learn the basic concepts of the types of subjects, types of objects and relations in the content of the legal protection of works and objects of related rights;
- clarify the nature and essence of the legal relations in the creation, use and transfer of objects protected under the laws of copyright and related rights;
- understand the key issues and features of author's rights and other holders of copyright and related rights in the Russian Federation and abroad;
- adopt legal rules different branches of law to prepare for practical work;
- familiarize with the existing legal practice in Russia and abroad in the field of legal protection of works and objects of related rights.

### **Training requirements**

As a result of the training, students must:

1. have an idea about the subject of copyright and related rights;
2. know and understand the basic principles of copyright and related rights, the rule of law and the legislation on copyright and related rights;
3. acquire skills in regulations;
4. be able to apply the rules of copyright and related rights to individual cases, given the relationship of copyright and related rights with the norms of other branches of substantive and procedural law;
5. be able to use creative the knowledge and skills obtained in the protection of human rights;
6. continue the process of self-study of copyright and related rights in accordance with practical needs as well as the changes in legislation.

### **Training program “Commercialization of copyright and related rights”**

#### **The place of the program in the professional development**

The relevance of the course is determined by all the increasing importance of knowledge of modern forms and methods of commercialization of copyright and related rights, as well as about the actual problems arising in this area.

The objects of copyright and related rights are used in almost all sectors of the economy, becoming increasingly important in international economic relations and have the strong impact on economic development and competitiveness of national economies.

The training should help students with not an only good understanding of the processes taking place in the economy and the legal protection of copyright and related rights, but also with the ability of effectively use the appropriate knowledge in their daily activities.

#### **Purpose of the training “Commercialization of Copyright and related rights”**

- analysis of the current legislation and the main trends of economic relations development in the field of copyright and related rights;
- formation student's professional legal awareness;
- the ability to use this knowledge in their practice.

### **Objectives of the training “Commercialization of Copyright and related rights”**

- provide specific knowledge about the processes of commercialization of copyright and related rights;
- highlighting the role and importance of copyright and related rights in the economic development and growth of innovative capacity of the company;
- uncover the mechanisms of decision-making IN the commercialization of copyright and related rights;
- show the relationship of economic and legal aspects of the commercialization of copyright and related rights;
- uncover the mechanisms of valuation, assessment and inventory of copyright and related rights;
- develop practical skills in decision-making in the commercialization of copyright and related rights and the valuation of their effectiveness.

### **Training requirements**

As a result of the training, students must:

#### **a) to know:**

- applicable laws on copyright and related rights, litigation, regulations on assesment, inventory, valuation, management, including collective management, taxation, and calculating royalties, especially making different kinds of agreements on the creation and subsequent use of copyright and related rights;
- regulations relating to anti-piracy.

#### **b) be able to:**

- interpret and apply the laws and regulations;
- legally correct to classify the facts and circumstances;
- properly evaluate the economic consequences of legal actions with the objects of copyright and related rights, make management decisions and perform business transactions in respect of copyright and related rights,
- make contracts, calculations on payment of royalties; other necessary documents;
- evaluate the effectiveness of the proposed options of commercial use of copyright and related rights.

#### **c) have an idea about:**

- the economic role of copyright and related rights in the economy of Russia and foreign countries;
- the basics of the assessment of the economic role of copyright in the Russian economy,
- basis of accounting, inventory and valuation of copyright and related rights;
- the main features of the commercialization of copyright and related rights in Russia and abroad.

#### **d) possess knowledge of:**

- terminology and basic concepts used in the law on copyright and related rights;
- methods of analysis of judicial practice;
- methods of accounting and inventory of objects of copyright and related rights;
- methods of economic valuation of copyright and related rights;
- methods of decision-making in choosing the most effective options for commercialization of copyright and related rights;
- skills of professional work.

**Thematic plan of the training program**  
**“Commercialization of Copyright and related rights”**

**Topic 1. The concept of copyright, the order of granting legal protection**

The concept of copyright and its place in the intellectual property system. Sources of copyright. The history of copyright law in Russia. The objects of copyright and their main types. The general concept of science, literature and art, the main approaches to classification.

Subjects of copyright: the authors and subjects, managing authors' rights on a collective basis. The rights of creators.

The concept of the protection, the order of its presentation. International treaties for the protection of copyright.

**Topic 2. The concept of related rights, the order of granting legal protection**

The concept and nature of related rights and their relation to copyright. Derivation and dependence related rights from the rights of the creators of creative works. Objects of related rights. The rights of performers. Producers of phonograms. The rights of broadcasting and cable broadcasting.

Subjects related rights.

The procedure for providing legal protection of related rights.

International agreements in the field of related rights.

**TOPIC 3. The role of copyright and related rights in the Russian economy and the prospects for their use in specific industries**

The economic nature of copyright and related rights, their role in the creation of products, works and services.

Research of the significance of copyright in national economies, held under the auspices of WIPO. The research basis for the value of copyright in the economy. Methodological approaches of the World Intellectual Property Organization. Features of the methodology of WIPO in Russia. The main findings and the ensure their comparability.

The contribution of copyright and related rights sectors in the generalized economic development indicators: turnover, gross domestic product, employment and foreign trade.

The main research findings of the copyright and related rights importance in the economy of the United States, European countries, Russia and countries in transition.

**Topic 4. Features of commercial use of copyright and related rights**

The concept of economic turnover of copyright and related rights. Features of the complex objects creation. The usage of copyright. Reproduction, copying and printing. Citation and adoption.

Publishing. Reprographic reproduction activities of copyrighted works. Phonograms producers activities. The performers activities.

The features of the creation and use of copyrighted works.

The features of the creation and use of objects of related rights.

The concept of income from the use of copyrighted works. Revenues from the use of related rights.

Specificity of the use of copyright and related rights as collateral objects. Limitations on the use of copyright and related rights as collateral object and the instances of possible use of collateral transactions.

The transfer of exclusive rights to third parties on the basis of concluded license agreements. The features of the transfer of rights of copyright and related rights under the contract of commercial concession (franchising), the complexity of the contract.

Organization of making copyright and related rights as non-monetary contribution to the assessed capital (share) of commercial organizations.

The addition of copyright and related rights, as a contribution to a partnership agreement to work together.

The procedure for determining the valuation of the contributions of partners and their use in the joint venture.

#### **Topic 5. Features of the copyright and related rights accounting**

The statistical account of copyright and related rights. Reporting forms. Features of statistical observation.

Requirements for the organization of the account of copyright and related rights from the copyright holders - legal entity. Organization of registration of copyright and related rights. The features of the organization of accounting in the organizations of collective management of copyright and related rights. Features of income accounting from the commercial use of copyright and related rights.

Forms of primary accounting documents for the registration of copyright and related rights objects.

Organization of accounting the settlement with authors and owners.

Features of accounting and payment of royalties.

The calculation and payment of tax on income of the the authors.

#### **Topic 6. Features of the copyright and related rights management**

The system of economic indicators which characterize the condition and dynamics of the copyright and related rights use.

Features of the organization and implementation of the economic analysis of the use of copyright and related rights. The indicators system and features of the analysis of the dynamics copyright and related rights portfolio, its structure, profitability and liquidity.

Identification of the most effective ways of commercial use of copyright and related rights.

Protection of the rights of organizations, in respect of copyright and related rights.

Creation of economic, legal and institutional environment for the development of a creative atmosphere.

Stimulate creativity, respect for the rights of authors and people assisting in the creation and use of copyright and related rights objects.

Features of the management organization in the field of collective management of authors' rights and copyright holders.

#### **Topic 7. Features of remuneration for the creation and use of objects of copyright and related rights**

Characteristic of creativity motivating. Economic-recovery of costs incurred by the authors in the process of creativity. Problems of proportionality and fairness of the remuneration. Market and non-market methods of fixing remuneration.

The grounds for the payment of author's fee.

Characteristic of the payment author's fee for the works created in the field of science.

Remuneration for authors of copyrighted works. The minimum rates of remuneration. Features of the remuneration for reproduction of a work for private purposes without the author's consent.

Remuneration for related rights subjects - performers, producers of phonograms, broadcasting organizations and cable broadcasting. Features of calculating the compensation amount for different types of use and reproduction of objects.

The role of the societies for the collective management of copyright and related rights in the organization of the collection and payment the remuneration to owners.

### **Topic 8. Features of contracts of the transfer and assignment of copyright and related rights**

The author's agreement, its main content. Types and forms of author's agreement. The author obligations. The user's obligations. The responsibility of parties for failure to comply the obligations. Termination of author's agreement.

Agreements with the rights holders to transfer the authority to collective management organizations as a legal basis for their activities.

Agreements between the employee (the author of the work) and the employer - the customer of the work made for hire relative to remuneration.

The copyright agreement. The form of copyright agreement, the material terms of the agreement: the size and determination of remuneration, procedure and terms of payment, terms of the rights transferred.

Agreement on the alienation of the exclusive right in copyright law.

### **Topic 9. The government regulation of relations in commercialization of copyright and related rights field**

Legal protection of copyright and related rights. General characteristics. Civil protection methods.

Administrative and criminal liability for violation of copyright and related rights.

International agreements in the field of copyright and related rights.

The main directions of the state policy on commercializing of copyright and related rights objects.

### **MAGIOR INTERNATIONAL AGREEMENTS IN THE FIELD**

- Berne Convention for the Protection of Literary and Artistic Works (September 9, 1886),
- World Copyright Convention (6 September 1952),
- The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) (1961),
- Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms (done at Geneva on 29/10/71),
- Agreement on cooperation in the field of copyright and related rights on September 24, 1993,
- The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), adopted 04/15/94, in Marrakech,

- The WIPO Copyright Treaty (Geneva, December 20, 1996),
- The WIPO Performances and Phonograms Treaty (Geneva, December 20, 1996) ([www.wipo.org](http://www.wipo.org))

#### **MAIN LEGISLATIVE ACTS IN RUSSIAN FEDERATION IN THE FIELD**

- The Constitution of the Russian Federation (December 12, 1993),
- The Civil Code of the Russian Federation. Part one. (November 30, 1994),
- The Civil Code of the Russian Federation. Part Four. (18 December 2006),
- Code of Administrative Offences (December 30, 2001),
- The Criminal Code of the Russian Federation (June 13, 1996),
- The Criminal Procedure Code of the Russian Federation (December 18, 2001).

Political, economical and legal changes of the last two decades typical for the transition period have substantially changed the role, mission and functions of the state bodies and government officials responsible for copyright. This was due to the following reasons and in the following manner:

- division in a majority of countries of the functions of public administration and collective management (direct public management was replaced by missions of legitimate creation and functioning of collective management organizations);

- elimination of interference of state into contractual system – contractual relations (and where such interference is necessary – transfer of regulation of respective relations from government employees to legislative bodies);

- increase of the contribution of the copyright related activities into national economy (partially due to the transition to market economy and partially due to impressive technical and industrial development which in general took place in the same timeframe);

- increase in the role of international cooperation (due to the globalization trends as in trade relations, as in creation and exploitation of cultural and informational materials and services);

- need for struggle against piracy, which became more widespread due to the advent of market economy and the decrease in the management of certain aspects, which are important from the view point of copyright and related rights protection.

Currently in Russia and in a number of countries (especially with economies in transition) the place of the state bodies for copyright within the framework of governmental structure has also changed. A trend has appeared where in different countries the coordination of policy formulation in the field of intellectual property is entrusted to one organization, typically, an intellectual property office or a patent office (the latter with the same title, but with broader competence). Evidently, it is a result of recognition of certain trends of approximation between the two main branches of intellectual property: industrial property on the one hand and copyright and related rights on the other hand, issues of legal and organizational aspects of protection and implementation of rights.

Entrustment of coordination of policy in the field of intellectual property to one body may also be considered as a reaction to similar convergent organizational trends at the international level. The activities of both WIPO and WTO cover equally industrial property and copyright, and also administrative functions of the TRIPS Agreement covering all the respective intellectual property rights are carried out by single governing bodies and the operation is subject to a single dispute settlement mechanism.

The competence of the intellectual property offices is defined in such a way that they are responsible for both industrial property and copyright, which is quite typical for new independent states. Such system was in place in Russia up to 2004.

The reference to the abovementioned convergent trends simply helps describe certain organizational trends. It, however, does not intend to imply that this model is better or is preferable. Such tasks can be fulfilled on the basis of various organizational models. Moreover, it is also possible that different functions are carried out by government employees of different ministries and/or governmental establishments, and this model already exists in practice.

In our opinion the tasks of the civil servants of the governmental structures in the field of copyright which are usually executed in the countries irrespective of the applied organizational structure are the following:

- advising the government in decision-making and policy-making in the field of copyright (to that end governmental body responsible for copyright must comprise respective highly qualified staff; it is also recommended to create such consultative bodies as Council on copyright, consisting of experts and practitioners on copyright issues and representatives of various partners interested in the existence of effective, yet balanced copyright system);

- introducing and drafting legislative proposals necessary for the improvement of copyright legislation in accordance with international obligations;

- representation of the state in such international organizations as WIPO, WTO and UNESCO, and also in the competent bodies of those regional organizations to which the country is party or in the work of which it participates; participation in negotiations and discussions on new international, regional and bilateral agreements,

- authorization of creation of collective management organizations and control of there activities in order to guarantee that there activities are in compliance with the legislation and international norms and the interests of both rightsholders and users of works and related rights subject matter are taken into due consideration; performing the functions of the coordinator in the process of creation of collective management societies in cases they are not yet in place and are necessary for the adequate execution of certain rights;

- creation and management of dispute settlement systems (like mediation or arbitration); in particular with an aim to settle disputes between collective management organizations and users of works and related rights subject matter concerning the tariffs and other licensing terms;

- in certain cases, the preparation of expert opinions for courts, law enforcement bodies and other government bodies (to this end a structure similar to the Council on copyright law acting as a consultative body to the government may be used) ;

- coordination and participation in the struggle against piracy and other illegal activities;

- conduction of awareness campaigns on the necessity of adequate protection of copyright and related rights.

In certain countries there are governmental bodies, the employees of which are responsible in the field of copyright, but also perform other types of activities. Two such types of activities are to a certain extent typical and deserve special mentioning. The first consists not only of coordination of antipiracy activities, but also in execution of certain specific tasks, such as issuing means of identification of legitimate copies (e.g. holograms); and the second provides for activities as a registration body. In both cases – issuing identification means and

acting as a registration body – it is important to note that it should not be understood as a *de jure* or *de facto* formality.

**Ms. Veronika Smirnova, Doctor of Economic**

**Training of government officials on**

**“Management of the results of intellectual activities”**

Management of the results of intellectual activity is planning and control of activity on creation and exploitation of the results of intellectual activity (RIA), performed on the basis of considering the information on legal, organizational, economical, including accounting, nature of IPO and other RIA.

When creating training programs for government officials one should take into account:

- scope of activity
- duration of training program
- level of knowledge in the field of intellectual property

Scope of activity:

- Programs for all government officials
- Programs for government officials of the offices actively involved in innovation process
- Programs for government officials of some offices, where intellectual property objects can be created and/or utilized
- Programs for government officials who make decisions at various levels

**Duration of training programs:**

<b>Program</b>	<b>Number of hours</b>	<b>Issued document</b>
Patent specialist	Over 1000 (1020)	Diploma with additional qualification «Patent specialist»
Legal protection and enforcement of intellectual property	Over 500 (516)	Diploma
Intellectual property in innovation activity of enterprise	20	Certificate
IP management on enterprises with different forms of ownership	20	Certificate
Current issues of legal protection of intellectual property (problematic seminar)	2	RGAIS Certificate
Lecture and seminar «Possibilities of legal protection of computer software»	8	RGAIS Certificate

**The contents of training course should:**

- Identify the place of intellectual property in the development of the national innovative system;
- Characterize the problems and the perspectives of the market of intellectual property;
- Give perception on the most important directions of state innovation policy and policy in the field of intellectual property management;
- Introduce the normative basis in the field of intellectual property management;
- Give perception on the innovation process and identify the place of intellectual property at different stages of such innovation process;

- Give perception of intellectual property management, the use of systematic approach in the IP management.

Categories of students:

**1. All government officials**

- Basics of IP
- Legislation (national and international) in the field of innovations and IP
- General issues of IP management
- National innovation system
- IP management at the governmental level

**2. Government officials of authorities that are actively involved in innovation process**

- Basics of IP
- General issues of IP management
- National innovation system
- Management of government rights to RIA
- IP management at various stages of innovation process

**3. Government officials of some authorities, where IP objects can be created or/and used**

- Basics of IP
- Specific issues of IP management:
  - Methods of RIA detection, choice of form of legal protection,
  - IP audit, placing to balance sheet, IP evaluation,
  - Mechanisms of commercialization, strategic management in the field of IP

**4. Government officials, who make decisions at various levels**

- Basics of IP
- General issues of IP management
- Management of government rights to RIA
- Theory and practice of decision-making
- Strategies in the field of IP

Educational programs on management of the results of intellectual activity, including mechanism of IP commercialization and management of innovation risks.

**Block system of formation courses for various students:**

- Common issues of establishment and development of the national innovation system. Legislative support of innovation activity. The role of IP in innovation process. Problems and prospects of IP market (legal, finance, organizational aspects).
- Common issues of establishment of management system of RIA. State level, regional level, corporate level, level of economic entity (separate enterprise).
- Specialized courses on specific aspects of RIA management: establishment of RIA management system; commercialization of rights to RIA; IP accounting, inventory and evaluation; IP management in the framework of innovation projects implementation; patent information support of RIA management process; innovation risks; IPR enforcement; licensing activity.

**Management of rights to RIA includes:**

- Building-up of patent-licensing policy of the company;
- Establishment of accounting system for IP products and other results of RIA;
- Provision of confidentiality regime in relation to RIA, including those created in the course of R&D;
- Patent information support of R&D (patent, marketing and conjuncture researches, etc);
- Timely identification of patentable RIA;
- Registration of RIA;
- Settlement agreements with regards to relations associated with creation and utilization of IP objects and RIA, received at the expense of the federal budget and/or other contractor;
- Evaluation and tax accounting of IPO;
- IPO protection in administrative order and in courts.

**Process of RIA management:**

- Identifying and ensuring of legal protection
- Detection of RIA
- Choosing of type and form of legal protection
- Ensuring legal protection to RIA
- Accounting of rights to RIA
- Corporate accounting of rights to RIA
- Accounting of rights to RIA of a particular enterprise
- Disposal of rights to RIA
- Preparing for technology commercialization with regard to disposal of rights to RIA
- Drafting contracts on acquisition of rights to RIA of third parties
- Drafting contracts on disposal of rights to RIA within the industry
- Drafting contracts on disposal of rights to RIA outside the industry



**IPO utilization in economic activity of enterprises allows to:**

- Obtain competitive advantages on advanced technology;
- Receive additional revenue from transfer of IPR;
- Invest into start-ups and jointly ventures without diverting funds;
- Optimize the database for tax purposes;
- Adjust the volume of enterprise's net assets;
- Increase the investment attractiveness of enterprise

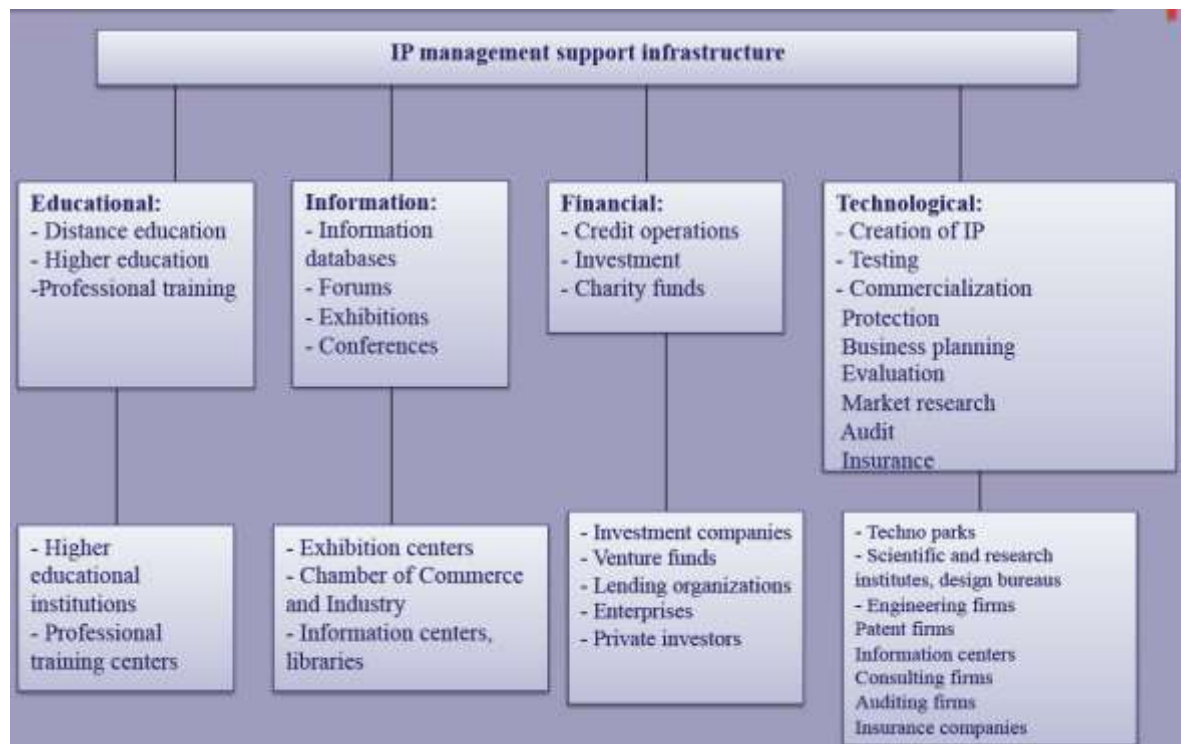
**Management of rights in the Russian Federation includes:**

implementation of measures on registration of RIA, utilized and/or received in the framework of state contracts;  
 organization of activities on evaluation and accounting of rights to RIA;  
 public accounting of RIA;  
 management of RIA owned by the Russian Federation;  
 organization of RIA utilization

**Formation of IPR portfolio assumes:**

Systematic identification of patentable RIA;  
 Determination of legal protection forms;  
 Obtaining legal protection on industrial property objects in the Russian Federation;  
 Selection of objects to be patented abroad, countries and patenting procedures;  
 Decisions on maintenance of enterprise's patents;  
 Obtaining of IPR, owned by other enterprises and provision of IPR to other users.

### Model of IP management system support infrastructure:



### When choosing the form of legal protection one should consider:

- Object of protection (device, process, design etc);
- Procedures of right obtaining (registration, transfer of rights);
- The term of protection;
- The level of IPR protection received;
- Methods of IPR utilization;
- Actions recognized as violation of IPR;
- The availability of alternative forms of IPR protection.

When creation and use of IPR and other RIA one should settle the following relationships:

Between a state customer and a performer;  
Between authors and a right holder(-s)  
Between an author and an employer;  
Between co-authors;  
Between patent co-owners;  
Between a right holder and users

The accounting system of IPR should provide:

Introduction of internal accounting and building-up of internal reporting in accordance with the order adopted by the enterprise;  
Providing the information in the Federal accounting system;  
Providing the statistical reporting

Accounting of IP objects as well as other RIA should be carried out systematically on all stages of R & D product life cycle.

Internal accounting of information on RIA must provide storage, processing, analysis, and rapid access to information on RIA, owned and used by the organization.

In the scope of information it is necessary to include:

Information of legal character taking into consideration the type of IPO:

Information on use of RIA:

1) Information on use of RIA by the right holder in home manufacture

2) Information on use of IPO by other users

3) Information on the present suggestions regarding acquisition of rights on use of IPO, made by third parties

Information on accounting of rights on IPO as part of business property as well as expenses under the contracts for R&D

Accounting of IA assumes:

- identification of optimal schemes of reflecting in the accounting the rights to IPO,
- Building-up full and trustworthy information on the enterprise's IA that is necessary to internal users to accounting reports – managers, founding shareholders, partners and property owners as well as external users – investors, creditors and other users of accounting reports,
- Identification of the scope of IA,
- Identification of inventory items,
- Accounting of operations related to purchasing, use and retirement of IA,
- Prevention of negative results of economic activity of the enterprise and revealing internal reserves of ensuring its financial stability,
- Selection of amortization policy of IA,
- Evaluation of IPR cost for the purposes of accounting and tax accounting as well as estimation of the market price of RIA to include them in economic turnover,
- Participation in building-up policy on involvement of IPO in economic turnover.

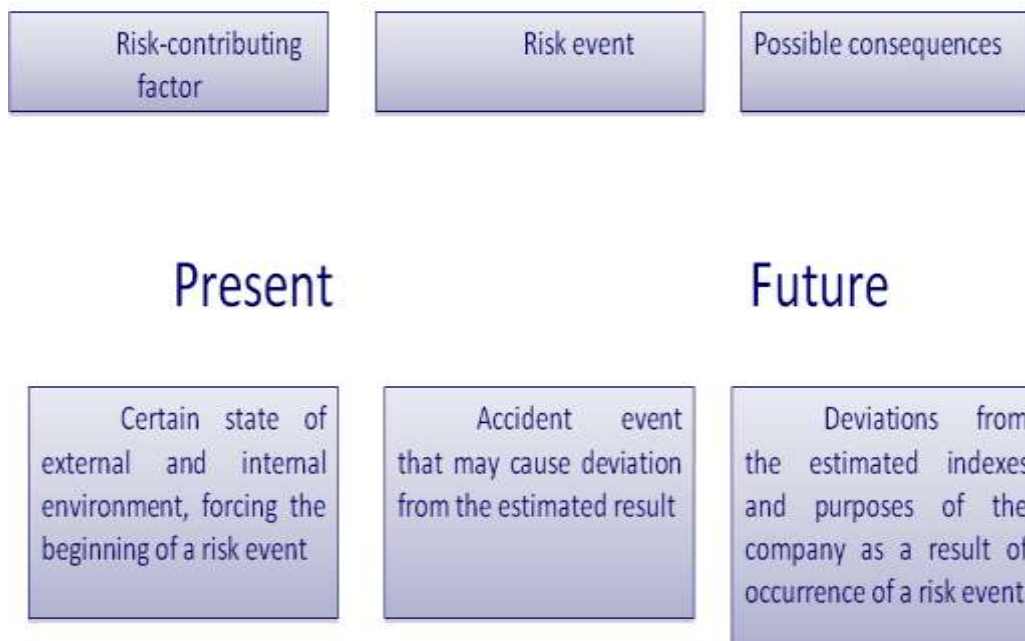
#### **Example of course contents «Innovation risks management»:**

- Introduction. Definitions: risk, innovation risk, risk management, innovation risk management system
- Correlation of definitions: risk and uncertainty. Classification of innovation risks (practical work)
- Risk management process (theory, practical exercises on risk evaluation)
- Risk management system creation
- Final task: to identify risks, to create a map of risks, to evaluate risks, to reason methods of risk minimization, to create a project management risk system for a certain innovation project.

#### **Definitions:**

- Risk – it is an event in the future that may influence on accomplishing by the company of its objectives. Risks may possibly occur and are characterized by a degree of influence on the company targets.
- To manage risks means to forecast development of events in the future and take measures to enhance the positive effect and reduce negative one in the process of reaching the targets of the company.
- The risk management system – it is a mechanism that allows to minimize risks (main elements: risk model of the company, management structure, protocols, IT system that provides work on risk management in the company).

#### **Risks management:**



**Process of risks management includes:**

- Planning of risks management
- Identification of risks
- Qualitative analysis of risks
- Quantitative analysis of risks
- Creation of a plan to respond to risks
- Risks control and monitoring

**Example of risks identification:**

Risk	Risk-contributing factors	Methods of risk management
Receiving of negative result under carrying out R&D (economic risk)	Wrong interpretation of results and/or selection of route of implementation of fundamental researches on which R&D is based; failure to implement the result of work with process monitoring of R of research; miscalculations, mistakes & D	Carrying out of patent researches and forecasting of utilization of R & D, integral system of organization
Absence of result of R&D within a prescribed period (organizational)	Mistakes in evaluation of terms completion of R & D; mistakes evaluation of resources for R & completion	Work planning considering necessary in resources, reports on completing of Devery stage of work and on plan adjustment, creating of a back-up system and a plan of its use in the crisis situations

Receiving of non-patentable result (legal)	Presence of analogues; compliance with patentability requirements	non-Early recognition of analogues, competitor intelligence, insurance of intellectual property
---	---	---

**Intellectual property management. Model training course:**

1. State policy on the use of results of scientific and technical activities
2. Legal and normative basis for the use of results of scientific and technical activities
3. Accounting, inventory and evaluation of IP
4. Patent information research of IPO
5. Mechanisms of bringing IPO into commercial turnover
6. Innovation risks
7. Economical and organizational means of IPR

**Problems:**

- Forming of groups, motivation
- Logics of course building
- Teaching materials
- Final control
- Feedback

**Ms. Marina Ivanova**  
**Phd. in Economic**

**The training of government officials on common approaches to evaluation of the results of intellectual activity**

**I. Educational programs on qualitative evaluation of rights to intellectual property objects. Methodology of training.**

**1.1. Marketing researches of potential segment of intellectual rights' market on the basis of patent information.**

Educational programs on management of the results of intellectual activity include recommendations on development of marketing strategies in order to increase competitiveness of enterprise.

Marketing strategies, developed by enterprise at three levels, are distinguished:

- Corporate
- Functional
- Instrumental

At the beginning of building up the strategy the main strategic direction of common activity of enterprise is defined of three potential:

- Business development (offensive)
- Keeping current position (defensive)
- Winding down of enterprise (exit, liquidation)

Corporate strategies of marketing define the manner of interaction with market, ways of the best use of enterprise resources in order to meet the needs of market and align the potential of the enterprise with its requirements.

They are directed to solution of tasks related to process of increasing the volume of business activity, efforts to meet the market demand, creating new fields of activity, stimulation of creative initiatives of employees on a deeper analysis of consumer demand.

There are three groups of marketing strategies at the corporate level:

- Competitive strategies (ensuring of competitive advantage on the market from the standpoint of attracting more potential consumers + policy with relation to competitors)

- Growth strategy (direction of enterprise development from the standpoint of better compliance to the market requirements taking into account the level of in-house resources – external acquisition and diversification of its activities)
- Portfolio strategies (including management of patent portfolio)

Management of various fields of enterprise activity from the standpoint of its place and role in meeting market needs and capital investing in each of the fields.

Functional marketing strategies allows the enterprise to choose target market and develop marketing activities specially for them (including promotion of new technologies to the market taking into account patent mapping).

There are three directions of marketing strategies at the functional level:

- Market segmentation strategies (selection of market participants segmented by various characteristics)
- Positioning strategies (opportunity to find an attractive position for the enterprise's products in the chosen market segment in comparison with competitor's products in the eyes of potential customers)
- Marketing mix strategies build up a set of measures, which provides for solving tasks on sales growth, achieving of a certain market share and creating positive attitude of customers to the products.

Instrumental marketing strategies allows to enterprise to choose the ways of best use of separate components in marketing mix.

There are four groups of strategies at the instrumental level:

- Product strategies provide for compliance of range and quality of goods with the utility expected by customers.
- Price strategies allow to communicate to consumers the information about the product value.
- Distribution strategies allow to arrange products so that they were available to consumers at the right time and place.
- Promotion strategies communicate to consumers the information about useful properties of all the elements of marketing mix.

Sale of the products, created on the basis of innovation technologies, is characterized by development of typical baseline strategies:

- Leadership in cost reduction
- Differentiation
- Focusing (specialization, concentration)

## **MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION**

The main marketing steps on evaluation of commercialization possibility of new technology is usually as follows:

- description of technology and analysis of its technical level;
- determination of potential market for technology;
- evaluation of influence of external marketing environment on technology commercialization;
- evaluation of influence of external marketing environment on commercialization process, including influence of government policy, in which commercial use of technology is supposed;
- analysis of commercial potential of technology;
- development of the model for technology commercialization (technology transfer) on internal and world markets and working out of recommendations regarding the method of technology commercialization;
- analysis of already performed steps in technology commercialization, that were perhaps not successful (attempts to license, negotiations with potential partners or investors, etc.);
- making of business plan or business concept.

*The main components of technology evaluation and steps on carrying out the analysis usually are the following:*

- description of technology and analysis of its technical level;
- determination of potential market for technology;
- evaluation of influence of external marketing environment on technology commercialization;

- evaluation of influence of external marketing environment on commercialization process, including influence of government policy, in which commercial use of technology is supposed;
- analysis of commercial potential of technology;
- development of the model for technology commercialization (technology transfer) on internal and world markets and working out of recommendations regarding the method of technology commercialization;
- analysis of already performed steps in technology commercialization, that were perhaps not successful (attempts to license, negotiations with potential partners or investors, etc.);
- development of project summary
- making of business plan or business concept.

The recommendations on technology description for various types of presentations are given, for example:

- description of the most important technical characteristics of the product or technology in a language understandable by a non-professional, description of advantages and disadvantages (if there are any) of technology in comparison with those on the market; if a brand new product for a new market is under consideration, then it's almost impossible to make such a comparison and one has to be guided by expected needs (or even by unstated needs) of customers;
- technology description not from the viewpoint of characteristics, but from the viewpoint of solving the problems faced by customers, that can't be solved by other products or technologies, description of new opportunities that are offered by the technology and that are not yet requested by the market;
- description of competitive technologies' customers and of how they use these technologies;
- description of how the technology and its advantages can be presented to potential customers in most illustrative manner;
- description of the state of play with intellectual property, related to technology (product), protectability of technology or product to the date of consideration and making strategy of intellectual property enforcement;
- description of necessary specification of technology or product for various markets and of main step that should be taken in this direction;
- analysis of commercial potential of technology;
- development of the model for technology commercialization (technology transfer) on internal and world markets and working out of recommendations regarding the method of technology commercialization;
- analysis of already performed steps in technology commercialization, that were perhaps not successful (attempts to license, negotiations with potential partners or investors, etc.);

Besides:

It would be rather good to present the description of technology on three levels:

**a)** brief summary for one page or less, which is correspondent to part of business plan summary in a language understandable by non-professional in technical field;

**b)** sufficiently detailed description of technology, still in a language understandable for non-professionals with a large number of tables that compare all possible characteristics of suggested technology (or product) with characteristics of products existing on the market with which it's expected to compete, or with expected needs of consumers, if the product is brand new to the market;

**c)** the third level of technology description is annexes, which allow professionals in this field to analyze the technology in detail. The information being commercial secrets, scientific secrets, etc., can be included in description, but it can be requested for analysis of technology after conclusion of agreement on confidentiality

#### Determining of technology market potential

Determining of technology market potential is very important for making decision on the possibility to search for strategic partner or investor. It's clear that no matter how good the technology is, it will be very hard to develop, if consumers' market of this technology is small.

Very often the authors of developments, including very good developments, don't realize that money is invested not in interesting development and that no one focuses mainly on the level of development, but money is invested in enterprise, which will bring large profits because of large market for its products (and the market is usually defined inter alia by the level of development, though not only by that).

Main elements and steps on market evaluation are usually as follows:

- description of methodology (technology, procedure) for carrying out of market research;
- definition of what will be an end product to be sold on the market, how it will be sold, what market (government, corporate or public market) the end product will be focused on, markets of which countries it will be focused on;
- description of methodology (technology, procedure) for testing the product on the market;
- evaluation of state and perspectives of government, industry, groups of population that will provide the market for technology under consideration or evaluation of possibility of creation a new branch of industry or groups of population, that would form the basis for the market of this technology;
- determination of demand for technology (product, service) and trends in market volume change for technology.

Market for technology or product determines the interest of partner or investor, that's why it's important to evaluate it as much precisely and analyze as much in detail as possible. This is the key information for people making decisions whether to support technology commercialization or not and whether it's worth doing.

#### Evaluation of influence of external marketing environment on technology commercialization

Technology development and commercialization take place in the constantly changing internal and external environment and if the internal environment can be controlled, the external environment can be only considered. For successful technology commercialization it's very important to understand the role, in the first place, of the state in the change of conditions of external marketing environment, then the other factors of environment should be considered, such as demographic, cultural, etc., that affects the change of external marketing environment.

Within this section of the project the following should be analyzed

- how the government supports and funds developments in the field, in which the considered technology was created, who (what organizations) carries out researches in interested field and how it may affect commercialization of suggested technology;
- how government policy in the field technology commercialization and support of science and engineering promotes or hinders commercialization of suggested technology and what means can be used to speed up technology commercialization, to put the project on technology development and commercialization in various government programs;
- how government policy basically affects technology commercialization on international market (tariffs, joint research works, joint funding of enterprises, critical and dual technology, transfer of intellectual property as contribution to the joint enterprise, etc.);
- influence in positive and negative directions of the most important but not the main factors of government policy on the process of technology commercialization;
- further the influence of the other main factors of external marketing environment (demographical, cultural, etc.) on the process of technology commercialization should be considered.

In fact, we already started the analysis of influence of external marketing environment to the development of production; now we just need to cover all the issues, related to the influence of external environment to technology commercialization, in more structured manner on above-listed directions and to analyze all risks related to this process in order to convince the future partner or investor with the help of figures that the project, technology, product is worthwhile, risks are low and no matter how the conditions of external environment and decisions of governments will change the business will be successful.

In practice, here we need to make evaluation of project sustainability to the changes of external environment similar to one that is made when analyzing the financial sustainability of a project.

#### Analysis of commercial potential of technology

To draw a conclusion on commercial potential of technology, first of all, it's necessary to consider earlier market assessments and technology competitiveness basing on technical specifications. It should be remembered that the existing large company, which works with high-tech product or technology, and which has an established network of distribution for its product and service and promotion of the product to the market, doesn't make a large quantitative changes in characteristics; improvements can be 20-30% or less. For a company that only enters the market it is essential that its product is better and significantly cheaper, usually 2-3 times less. When selling licenses for a product, the company that has earlier produced a similar product, may have a less difference in quality and may be satisfied by 20-30%, but it won't be a new company.

Further there are the following recommendations:

- to analyze the barriers to enter the market (patent barriers on the market, competition law, type of the market – close to free competition, oligopolistic or monopolistic market, cultural traditions, etc.); these barriers are hard to be listed generalized, for some products or technologies they can be rather specific, thus, the analysis of what barriers exist and are important is needed;
- to analyze the risks;
- to determine the key unique competence of the product (technology or future company), that should ensure the success on the market;
- to evaluate capital and labour resources for implementation of the process of commercialization (here it's reasonable to make calculations of cash flows and analyze project sustainability);
- to make conclusions on commercial potential of the project in the form of possible returns from the technology and what is the most important to justify the decision on whether to start the process of commercialization or not.

The final element of the analysis should be the findings of the feasibility or non-feasibility of the technology commercialization, i.e. how profitable the investment of money in the technology commercialization in comparison, let's say, than a bank deposit.

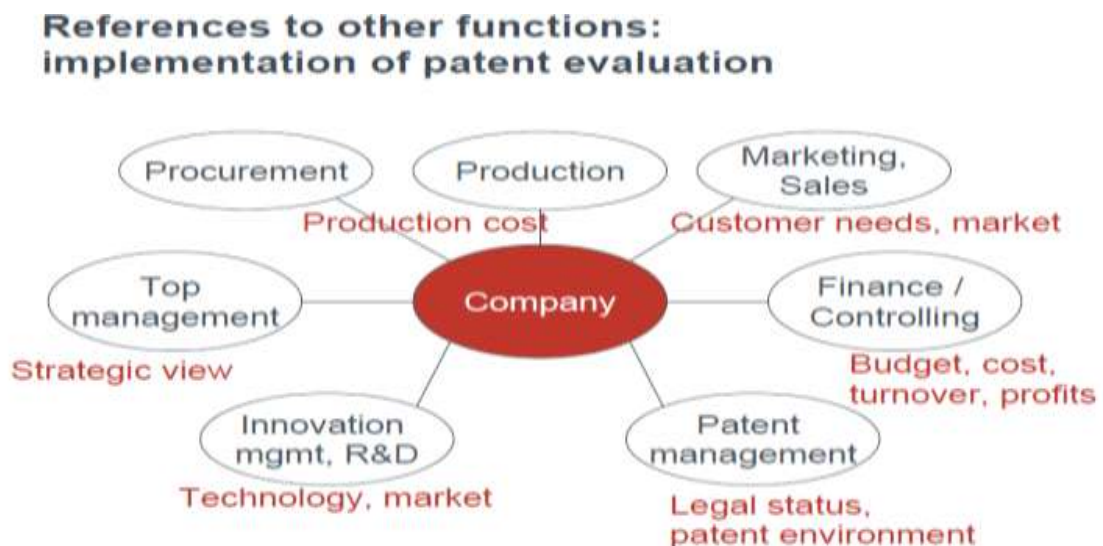
### 1.2. Software used in qualitative evaluation of rights to intellectual property objects.

Marketing evaluation of intellectual rights' market segment and management of patent portfolio using IPScore, developed by the European Patent Office (the EPO) experts.

This program consists of two blocks that allow making both qualitative and quantitative evaluation of each patent, possibility of its realization on this or that market. This program is based on the developments of Boston consulting group on evaluation of attractiveness of various market segments. The experts of the EPO developed matrix of evaluation qualitative criteria (40 criteria), evaluation of which is made using expert methods of evaluation, the bounds of evaluation are defined for each criterion by 5-choice questions.

Cost evaluation of patents is made on the basis of international standards of evaluation using income approach and discounting method of cash flow.

### MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPScore

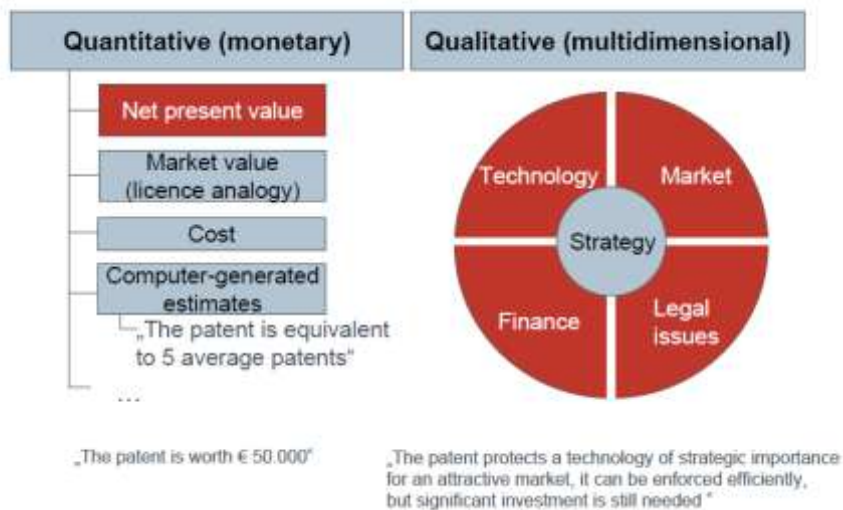


The analysis of the market is made in the following sequence

## Evaluation topics



## Methods for the evaluation of patents



When making qualitative evaluation of patent competitiveness level and feasibility of its commercialization according to the developed program, it's necessary to provide the expert evaluation (answer to one of five options) on influence of the following factors:

## Legal status

### Evaluation factors

- A1 What is the status of the patent?
- A2 What is the patent's legal position of strength?
- A3 For how long is the patent still valid?
- A4 How broad and comprehensive are the patent claims?
- A5 Does the patent's geographical coverage include the relevant markets?
- A6 Are patents monitored to identify infringements?
- A7 Are disputes and legal proceedings customary in the operative markets?
- A8 Does the company have the means to enforce patent rights?

### Comment

- Shows the real extent of the legal protection of the patent
- Relevance of individual questions varies with industry and company  
e.g. frequency of patent infringement lawsuits

### Relevance

Factual protection (time leads, network effects) can be more powerful in some cases  
Secrecy is usually an option only for 12...18 months (effectively a time lead)

## Technology

### Evaluation factors

- B1 Is the invention a unique technology?**
- B2 Is the invention technically superior to substitute technology?**
- B3 To what extent has the invention been tested?
- B4 Does the patented technology call for new skills, or prod. equipment?**
- B5 How much time is required before the pat. techn. can be commercially used?
- B6 Are infringing copycat products easy to produce?
- B7 Are products of infringing nature easy to identify?
- B8 Does use of the techn. depend on license agreements with others?**
- B9 Does the technology have marketing value?**

### Comment

- Described the technical content of the patent
- This technical description is understandable for non-experts
- Ensures the comparability of the patents in the portfolio

### Relevance

This section concerns the invention itself.  
All other sections „only“ concern its environment

## Market conditions

### Evaluation factors

- C1 What are the marketing options?**
- C2 What is the market growth in the business area where the pat. technology is utilised?**
- C3 What is the life expectancy of the patented technology in the market?
- C4 Are competitive or substitute products active in the market?**
- C5 What ultimate sales price is the consumer willing to pay compared to existing known products?**
- C6 What is the potential extra turnover to be obtained within the business area when utilising the patented technology?**
- C7 What knowledge does the company have of appl. potential and comm. opp.?**
- C8 Does the patented technology embody potential revenue from licensing agreements?
- C9 Do commercial activities require special permits/ licences?

### Comment

- Shows, whether the patent can be used („marketed“) in a sensitive way
- Estimates the expected profit margin and the impact on turnover
- Estimates the (market) risk of not being able to successfully commercialize the patent

### Relevance

At the end, it is the market (the customer) who determines the value of the patent

# Finance

## Evaluation factors

- D1 Can the existing business area output in the relevant market be maintained without utilising the patented technology?**
- D2 What are the necessary future development costs?**
- D3 What is the index for cost of production when implementing the pat. tech.?**
- D4 What investment is necessary for production equipment?**
- D5 Does the company have the financial capacity to cover patent renewal fees in the relevant markets?**
- D6 What is the patented technology's contribution to company profits?**

## Comment

- **Additional estimation – no clear distinction to market conditions**
- **Important input for the estimation of the net present value**
  - In connection with B5, C2, C3, C6: Time to commercialization, growth, usage time, turnover increases
  - Additional input for the estimation of the NPV comes from the balance sheet
- **Additionally, this section also concerns strategic implications**

## Relevance

Completes the picture on the financial impact of the patent

### 1.3. Evaluation of economic feasibility and effectiveness of innovation projects using mathematical method. Methodology of training.

At the initial stage of training on any of the programs, dedicated to economic evaluation of feasibility and effectiveness of innovation projects, trainees are necessarily taught the theory of determining possible returns and effectiveness of investment projects on the basis of financial statistics method. The difficulties with the calculation of profit from using intellectual property objects (IPO) are identified.

The problem of evaluation the attractiveness of investment project is to determine the level of its return (rate of return).

There are two basic approaches to this problem, according to which the methods of evaluation of investment effectiveness is suggested to divide into two groups:

1. simple (statistical) methods;
2. discount methods.

Methods of the first category operate on separate, "point" (statistical) values of initial indicators. Using this methods doesn't take into account the whole duration of innovation project life as well as nonequivalence of cash flows, that appears at different moments at time. Nonetheless, due to it simplicity and illustrativeness these methods are widely spread, though they are used mainly for a quick project evaluation at the preliminary stages of development.

Second group includes methods of investment projects' analysis, that operate on the notion of "time series" and require the use of special mathematical tool and more thorough preparation of initial information.

#### Simple methods of effectiveness evaluation

Among simple methods to determine the feasibility of placement capital in investment project two is more often used: calculation of simple profit rate and calculation of payback period.

Simple rate of return is an analogue of capital profitability index. The difference between simple rate of return (SRR) and profitability ratio is that the first one is calculated as the ratio of net profit (NP) for some period of time (usually 1 year) to overall volume of investment expenditures (IE):

$$SRR = NP / IE.$$

To make easier the calculation of total net profit it is often not adjusted for value of interest payments.

#### Discount methods

The problem of adequate evaluation of project attractiveness, related to capital investment, is to determine to what extent the future returns justify current expenditures. As the decision has to be made “today”, all indicators of the future activity of investment project should be adjusted taking into account the reduction of value (significance) of monetary resources as distancing operations, related to their expenditure or receipt. Practically the adjustment is putting all values, characterizing the financial side of project implementation, in scale of prices which is comparable with available “today”. The operation of such recalculation is called “discounting”.

The calculation of adjustment ratios in practice of investment projects’ evaluation is made on the basis of so-called “rate of discount”. The meaning of this indicator is to measure the rate of decrease of the monetary resources value in course of time. Therefore, the value of recalculated ratios should always be less than one.

The value itself of the rate of discount (RD) combined of three components:

$$RD = IR + MRR * RI,$$

where IR - inflation rate, MRR - minimal rate of return, RI – ratio (multiplier), which takes into account risk of investments.

The problem of calculating the profit (respective part of the returns) from use of right to intellectual property objects (IPO)

The methodology of calculating the profit (respective part of the returns) from use of right to IPO is not established at the regulatory level.

For this reason there is often a substitution of notions between “profit from use of IPO” and “profit from sale of products produced with use of IPO”.

Thus, profit from use of a particular IPO is determined as a part of profit, made on sale of products produced with use of this IPO.

#### Profit of enterprise

Profit of enterprise (PE) is formed of profit from sales of various products (PSP), produced at the enterprise, including those that are produced with use of IPO:

$$PE = PSP1 + PSP2 + \dots + PSPN$$

The calculation of real effect from use of IPO (including those created from budget resources) is made in the following way:

Profit (respective part of the returns) from use of IPO is determined on the basis of direct comparison of value, risk and time of receipt of cash flow from use of IPO with value, risk and time of receipt of cash flow that would be received by the rightholder in case of non-use of IPO. If there is no opportunity to determine the profit from use of IPO by means of direct comparison before and after its use, this profit is calculated on the basis of analysis and evaluation of value of all enterprise assets.

#### General Conclusions

In order to determine the profit (relevant part of returns) from use of a particular result of intellectual activity, to which the legal protection is granted, it’s necessary to know:

- market value of tangible assets;

- market value of current assets;
- market value of intangible assets;
- rate of return on tangible assets;
- rate of return on current assets;
- rate of return on a particular IPO.

Thus, the key section of any program on evaluation of commercial value of a patent or patent portfolio is the section on methods of IPO cost evaluation.

## **II. Training programs on cost evaluation of protected results of intellectual activity - intellectual property objects and intangible assets. Specific features of training the issues.**

### **2.1. MAIN PROVISIONS OF EDUCATIONAL PROGRAMS, RECOMMENDATIONS ON DEVELOPMENT**

Cost evaluation of protected results of intellectual activity at the enterprises is taught with the AIM to:

- form for trainees the concept of intellectual property economics as a basis for ensuring commercial activity of enterprise;
- understand intellectual property role in business development and economic growth of the country;
- learn the essence of intellectual property category as corporate asset;
- understand the role of scientific researches and developments in creating knowledge-based competitive products;
- understand the necessity to create integrated management system for intellectual property system in companies (corporations) taking into account cost evaluation of returns from IPO commercialization.

This aim is implemented through solving the following pedagogical TASKS:

- use of active methods of training aimed at maximum involvement of all trainees in training process;
- consideration and analysis of practical problem situations related to solution of professional problems in the process of learning and reinforcement of learning;
- involvement of trainees in educational and research work in order to improve training effectiveness;
- establishment of interdisciplinary connections when studying the discipline on issues of legal nature;
- organization of work on self-evaluation of the process and the result of individual activity by a student in order to solve a particular economic problem that is maximum close to the real conditions;
- maximum practical orientation of studying of a discipline that is based on use of example from Russian and international practice;
- carrying out of continuous monitoring of a level of trainees' knowledge formation, accounting and evaluation of results.

\*\*\* Specific character of training the issues related to IP economics is caused by the complexity of object of study.

In order to achieve more efficiency of perception of necessary knowledge and skills in the field of evaluation of protected results of intellectual activity one can use:

1. Traditional lectures with use of innovative methods of presentation of the material: lectures – presentations with use of visual accents and presentation of the material in the form of logic schemes.
2. Active methods of training

ACTIVE METHODS OF TRAINING		
NOT IMITATING METHODS	IMITATING METHODS	
A lecture press conference	GAME METHODS	COLLECTIVE INTELLECTUAL ACTIVITY
Lecture with analysis of concrete practical situations	Role-playing games	Brainstorming
Thematic seminar	Imitation games	

(selection by students of practical examples to prove the theory)		
---	--	--

The programs of various level are developed for government officials depending on involvement of their offices in innovation process:

**Programs of level I** – general information about the system of intellectual property legal protection, enforcement and management and common approaches to evaluation of intellectual property rights. Mode of study – distance.

**Programs of level II** – methods of qualitative and cost evaluation of intellectual property rights. Mode of education – classroom training partially off-the-job.

**Programs of level III** – professional retraining on the program “Business evaluation” that includes section on intangible assets evaluation. Mode of education – classroom and practical training partially off-the-job, writing of final thesis work.

**Programs of level IV** – additional programs on problematic issues in the field of intellectual property rights evaluation on demand of particular government authorities and government corporations.

*The contents of programs of all levels include legal basis of intellectual property.*

Intellectual property is results of intellectual activity (RIA) and means equated to them of individualization (MI) of legal entities, goods, work, services and enterprises that are granted legal protection (Article 1225 of the Civil Code of the Russian Federation).

RIA and MI can't be alienated or otherwise transferred from one person to another, however, the rights to such results and means, as well as tangible forms in which these results or means are reflected, can be alienated or otherwise be transferred from one person to another in cases or manner provided for the Code.

For RIA and MI intellectual rights can be recognized that include exclusive right, that is a proprietary right, and, in cases provided for by the Code, also personal non-proprietary rights and other rights (droit de suite, right of access, and others).

Personal non-proprietary rights:

- copyright
- right of integrity (one's own style)
- right to name (pseudonym)
- right to disclosure

Personal non-proprietary rights are not alienable from the author and not limited in time

Exclusive right:

- rightholder has a right to use RIA and MI at his discretion in any manner that doesn't contravene the law;
- rightholder can dispose of the exclusive right to RIA and MI;
- rightholder at his discretion can allow or prevent to other persons to use RIA and MI. Absence of a ban is not considered as a consent.

The aims of cost evaluation is more clearly understood by students when studying the basis of management of the results of intellectual activity using the specific examples of enterprises.

Process “RIA management”

- I. Identification and provision of legal protection to RIA
  1. Identification of RIA among the results of innovation project
  2. Selection of type and form of legal protection
  3. Provision of RIA with legal protection

- II. Accounting of rights to RIA
4. Corporate accounting of rights to RIA

### III. Disposition of rights to RIA

5. Preparation to technology commercialization in a part of disposition of rights to RIA
6. Drafting of agreements on acquisition of rights to RIA by the third party
7. Drafting of agreements on disposal of rights to RIA within the industry
8. Drafting of agreements on disposal of rights to RIA out of the industry
9. Monitoring of RIA movements and effectiveness management

Obligatory contents of programs in shortened or expanded form provide for consideration of economic substance of IPO and methods of IPO commercialization aimed at receiving of profit.

<b>RIGHTHOLDER IN HIS BUSINESS ACTIVITY</b>	<b>RIGHTHOLDER IN CIVIL TURNOVER</b>
- IPO commercialization	Licensing operations with IPO
- Form of IPO use	
- Free use of IPO	
- Right of prior use	
- Right of after use	
- Output of IPO from economic turnover	

#### **Use of IPO by the rightholder in his business activity**

An important place in the procedure of **IPO commercialization** takes legality of such action, i.e. prevention of infringement of exclusive right owned by other persons. IPO commercialization includes the start of such actions as production, usage, import, storage, offer for sale, sale of the product created with use of protected knowledge, and usage of method protected by a patent. The procedure of IPO commercialization is generated by an order of an enterprise and is reflected in accounting policies of an enterprise, it confirms physical opportunity, financial feasibility and reasonable justification of IPO use for increasing enterprise turnover.

#### **Use of IPO by the rightholder in civil turnover**

##### **Licensing operations with IPO**

License agreement is an agreement according to which one side - rightholder of exclusive right for IPO (licensor) provides or obliges to provide other side (licensee) the right to use this IPO within the ambit of agreement. Licensee can use the IPO only within the limits of those rights and ways that are provided for by the license agreement.

By volume of transferred rights license agreement can be of following types:

- 1) Simple non-exclusive license: Licensor, providing licensee the right to use of IPO, preserves all rights, confirmed by protective document, including the right to grant licenses to third parties.
- 2) Exclusive license: licensee is provided with the right to use of IPO (including granting of sublicenses) within the ambit of the agreement, preserving the rights of licensor to its use to the extent that is not transferred to licensee and without preserving the right of licensor to grant licenses to other persons.
- 3) Open license: Granting the right to use IPO to any person. Patent owner should conclude an agreement with a person, who expressed a desire to use IPO. License agreement is concluded on the conditions of simple non-exclusive license. If patent owner provides an open license, he has favorable conditions for keeping patent in force. If within 2 years there are no offers on purchasing open license, patent owner can withdraw an open license.
- 4) Alienation of rights in full scope (contract for alienation of exclusive rights): Transfer by the rightholder of all owned rights to IPO, confirmed by protective document, in full scope to other person.
- 5) Compulsory license: Form of simple non-exclusive license for the right to use IPO that is concluded under authorization of competent government authorities or determination of the court. A person who claims a compulsory license should indicate in his claim the anticipated requirement for granting such license including the volume of use, amount and timing of payments.

If within 3 years the patent holder won't use by himself and won't grant a license, then anyone can apply to the court to grant a compulsory license.

The licensor is forced to sign an agreement on terms affirmed by court and suggested by licensee.

#### Types of license remuneration

Royalty is a type of license remuneration which represents periodic payments, expressed in percentage of results of license use (revenue, profit, costs).

Lumpsum payment is a form of payment under license agreement according to which to have the right to use the subject of license agreement one should pay fixed pre-determined amount of remuneration regardless of the volume of production under license.

Lumpsum payment can be made at a time or by installments.

The form of current payments can be indicated as:

- systems of linear current payments
- systems of regressive remuneration
- systems of progressive remuneration
- remunerations based on profits
- temporary special types of remuneration.

Forms of remuneration as a lump sums applicable when:

1. the basis of calculation as royalty can not be determined in practice (patent that are not for production)
2. there are no means of control for determination of proportional remuneration
3. expenses on accounting and control operations are disproportionally large in comparison with expected results
4. method and conditions of use make it impossible to apply the rule of proportional remuneration.

The important section of educational programs is to define the goals of evaluation of intellectual property rights.

The goals of evaluation of intellectual property rights (IPR) and intangible assets (IA)

#### **I. Accounting:**

- 1.1. Placing of intellectual property on balance sheet as an intangible asset
- 1.2. Strategic planning by changing priorities
- 1.3. Forming the price policy
- 1.4. Separation of enterprise property
- 1.5. Merging of enterprises
- 1.6. Liquidation of enterprise
- 1.7. Hypothecating to receive a loan
- 1.8. Rights' insurance
- 1.9. Intangible assets recognition
- 1.10. Capital investment in an enterprise

#### **II. Taxation:**

- 2.1. Tax planning
- 2.2. Financial analysis of assets following the results of enterprise work

#### **III. Transfer (change of owner):**

- 3.1. Buy and sell of rights of use through license
- 3.2. Entering to charter capital
- 3.3. Privatization with limited rights
- 3.4. Privatization without limited rights
- 3.5. Commercial concession
- 3.6. Cession of rights
- 3.7. Selling of surplus assets
- 3.8. Transfer without charge
- 3.9. Gifting of rights
- 3.10. Inheriting rights

#### **IV. Court practice:**

- 4.1. Losses (actual damage and loss of profit)
- 4.2. Profit of violator of rights
- 4.3. Compensation for rights violation

## **2.2. COST EVALUATION OF INTANGIBLE ASSETS AND INTELLECTUAL PROPERTY RIGHTS (COMMON APPROACHES)**

### **Stages of making evaluation of IA and IPR:**

1. Identification of evaluated IA, i.e. it is a confirmation of existing object (who owns the rights, when the rights appeared, etc.)
2. Identification of rights that belong to the object of evaluation
3. Identification of evaluation goal and method of usage of its results (when using results of evaluation as accounting in the balance sheet, it's better to evaluate IA by cost approach)
4. Determination of the basis for evaluation and type of calculated cost (bases of evaluation: market cost and bases that differ from market cost)
5. Determination and analysis of the market, which the object of evaluation is related to (in the market analysis it's necessary to analyze market of inventions, number of purchases and sales of patents on the market of evaluated industry)
6. Statement of substantial facts affecting the amount of evaluated property, identifying all possible circumstances and limitations (if the ordering customer changes the goal of evaluation, the cost can reduce, i.e. the evaluation is made for pre-agreed specific goals)
7. Setting the date for evaluation
8. Receiving and analysis of data and conditions that are substantial for making the evaluation
9. Making calculations using the chosen approaches and methods of evaluation
10. Adjustment of the results and definition of final amount of desired cost of the evaluated object
11. Declaration on conformity of the made evaluation to the requirements of standards and other legal acts and documents (standards and rules of SRO as well as IVS)
12. Drafting the evaluation report

The main section of educational program contents on cost evaluation of IP rights is consideration of various approaches and methods to evaluation and peculiarities of their application.

**In the process of training the emphasis is on the solution of practical issues on cost evaluation of rights for various IPO.**

### **Evaluation methods of IA (IP)**

There are the following evaluation methods of IA (IP):

1. Evaluation methods of IA, identified separately
2. Evaluation methods of inseparable IA (goodwill)

Evaluation methods of **IA, identified separately** are:

- methods of income approach
- methods of cost approach
- methods of comparative approach

Evaluation methods of **inseparable IA (goodwill)** are:

- accounting method
- surplus profit method
- symbolic method

### **Income approach to evaluation of IA and IP**

IA costs as much as it brings profits, criteria are returns, cash flows from IA usage. Returns from using IA is a difference between cash receipts and cash payments (cash flow), that the rightholder receives for the granting of right to use IA on the certain territory during the certain period of time.

Income approach is one of approaches to determining the market cost of IA, in which the data on returns and expenditures related to evaluated IA are considered and the calculation of cost through the process of capitalization is made. Capitalization relates income (usually, net profit after payment of taxes) to cost by converting the amount of income in calculated amount of cost.

Thus, this approach provides for determination of value of the exclusive right to IPO through calculation made to the current moment of cost of expected benefits from the use of evaluated IPO.

For clearness and simplicity of learning the material tables or schemes are used for its presentation.

INCOME APPROACH	
DIRECT CAPITALIZATION METHOD	DISCOUNTING METHOD OF CASH FLOW
INCOME (BENEFITS ) FROM IA	
Methods based on determination of real effect from IA:	Methods based on conditional allocation of effect from IA:
1. Method of real license payments	1. Method of allocating the share of licensor in the profit of licensee
2. Cost benefit method	2. Method of exemption form royalty
3. Premium profit method	
4. Method of savings in operation costs	
etc.	

### Direct capitalization method

This method assumes that in the future all income of the enterprise from the usage of tangible asset will have a constant amount or constant growth rates in finite or infinite number of periods.

Calculating procedures of the method:

1. Identifying of source of income from using of tangible asset;
2. Defining of annual net profit brought by IA;
3. Defining of net profit capitalization rate brought by IA;
4. Market cost is calculated as quotient of dividing net profit by capitalization rate

$$C=NP/CR$$

The sources of income from usage of IA can be:

- income from receiving of real payments, from granting other persons of license to use IPO;
- increase of profit or cost effectiveness of production and selling of products produced with the use of IA;
- reduce of cost value of products produced with the use of IPO by saving labor, materials, expenditures to energy resources, time of production;
- increase in volume of products' sales by using IPO;
- reduce of operating costs by using products produced on the basis of evaluated IPO;
- other incomes from using IPO in economical activity or civil turnover.

### Method of real license payments (only for fixed payments)

- by this method the value of exclusive right to IPO is calculated, when the rightholder doesn't use patented object in his economical activity by himself, but grant this right to other persons on the licensing conditions.

From the terms of license agreement the dates, procedures, frequency of receiving payments and its amount in current prices can be determined.

Capitalized in the future cash flow from granting the license to use IPO is the real payments received by licensor, the expenditures on providing acting legal protection and fulfillment of commitments made by the licensor according to the concluded agreement should be excluded form the payments.

Such expenditures can be patent fees for maintaining the patent in force, fee for registration of the license agreement in Rospatent, fees related to extension of the exclusive right and of protecting document certifying this right, etc.

As license receipts are the income for rightholder, he should also pay profit tax.

### Discounting method of cash flows

Procedures of the method:

- 1) Determining of effects from use of IA;
- 2) Determining of forecast period of IA use within the remaining period of exclusive rights to the evaluated IA in force;
- 3) Evaluating by a year of forecast period the future cash receipts from selling the products produced with the use of evaluated IA;
- 4) Calculating of the amount of income that is accounted for by evaluates IA;
- 5) Calculating of expenditures on providing the acting legal protection to evaluated IA
- 6) Determining expenditures on profit tax;
- 7) Determining cash flow as net profit from the usage of tangible asset;
- 8) Determining the discounting period;
- 9) Determining the discounting rate;
- 10) Determining the factor of current cost as the function of period and discounting rate
- 11) Determining the current cost of calculated net profit from the usage of IA
- 12) Determining the cost of effect from IA as a sum of current values of calculated net profits from the usage of IA;
- 13) Determining the share of rightholder in additional income generated by the evaluated IA, if it doesn't taken into account in the parameter of effect from the usage of IA;
- 14) Determining the benefit from amortization of evaluated IA depending on the volume of evaluated rights to IA;
- 15) Market cost of IA is calculated as a sum of effect for rightholder from the usage of IA and benefit from amortization of evaluates IA.

#### **Cost benefit method (rule of 25%)**

In some cases IA can allow to save on expenditures. Cost benefit can be created by the system of saving labor, materials, energy resources, time for production or assembly of products.

Application of this method supposes the finding of the amount of cost benefit for the period of use of evaluated IA and its capitalization.

Procedures of the method:

- 1) Carrying out of comparable analysis of cost of products produced with the use of IA with cost of analogue products produced without use of IA;
- 2) Determining of amount of saving in the cost that is expected to be received from the selling of products produced with the use of IA;
- 3) Determining the period, in which the evaluated IA provides identified benefit;
- 4) Market cost of IA is defined as a current value of cost benefit received during the period of useful life of IA use through capitalization in accordance with the procedures, applied when using discounting method of cash flow.

#### **Premium profit method**

Premium profit is that, caused by evaluated IA, additional net profit that is received by the enterprise, which sells some products, in comparison with the enterprise, which produces similar products but doesn't have such an IA.

In absence of such data on similar enterprises such comparison can be made within one enterprise, comparing production of products before and after using IA.

Such advantage can be based on both historical and expected during the period of remaining time of IA life, ratios of profit.

Procedures of the method:

- 1) Carrying out comparable analysis of received profit from selling of products, produced with the use of IA, in comparison with the similar products, produced without use of IA;
- 2) Determining of additional profit that is expected to receive from selling of products produced with the use of IA;
- 3) Determining of period, during which the evaluated IA provides identified premium profit;
- 4) Market cost of IA is defined as the result of capitalization of additional profit received during the period of useful life of IA use.

capitalization is made in accordance with the procedures, applied when using discounting method of cash flows.

#### **Method of savings in operation costs**

In some cases IPO can save in costs made in the process of operation of products produced with the use of IPO. Applying of the method provides for the finding of amount of savings in operation costs for the period of operation of licensed products.

When evaluating the market cost of IPO using this method, the following actions are taken:

- 1) Carrying out of comparative analysis of operation costs of products, produced without the use of evaluated IPO in comparison with operation costs when producing products with the use of IPO.
- 2) Determining the amount of savings in operation costs that are expected to receive during the period of operation of products, produced with the use of evaluated IPO\$
- 3) Determining of the production volume of licensed products for the period of useful life of evaluated IPO;
- 4) Determining of cash flow as net profit from savings in operation costs through out the object of production of licensed products for the period of useful life of IPO;
- 5) Determining of discounting period and rate;
- 6) Market value of exclusive rights to IPO is determined as a result of cash flow capitalization from operation in operation costs.

#### **Method of exemption from royalty**

The method assumes that IA protected by a patent doesn't belong to the true owner, but granted to him on the basis of license for certain percentage allocations from return, i.e. royalty. Therefore, the true owner should pay royalty for the right to use patented object. Due to the fact that a patent is actually is a property of its true owner he doesn't need to pay royalty, hence the name of the method – exemption from royalty.

Procedures of the method of exemption from royalty:

- 1) Determining the useful life of IA in forecast period within remaining period of exclusive rights to the evaluated IA;
- 2) Making a forecast of the volume of production of licensed products in kind and value terms or on the basis of royalty. The values of these indicators are the basis for calculating the possible payments of royalty for the use of evaluated IA;
- 3) Determining the estimated royalty rate;
- 4) Calculating of possible payments of royalty by calculating percentage allocations from the volume of production and realization of licensed products;
- 5) Determining all expenditures related to providing the efficient legal protection and exclusive right to evaluated IA;
- 6) Determining income tax expense;
- 7) Determining cash flow as net payments of royalty;
- 8) Determining period, discounting rate and corresponding factor of present value;
- 9) The market value of IA as a result of capitalization of net payments of royalty, received during the period of useful life of evaluated IA. Capitalization is made in accordance with the procedure applied when using the discounting method of cash flows.

**For clearness and simplicity of learning the material tables or schemes are used for its presentation.**

#### **Methods of calculating returns (benefit, effect) from using of IA (IP)**

Collecting and analyzing of initial data and indicators for calculation

Are there any data on real effect, generated by IA (IP)?

Yes

Method

Cost benefit method

Premium profit method

Method of savings in operation costs

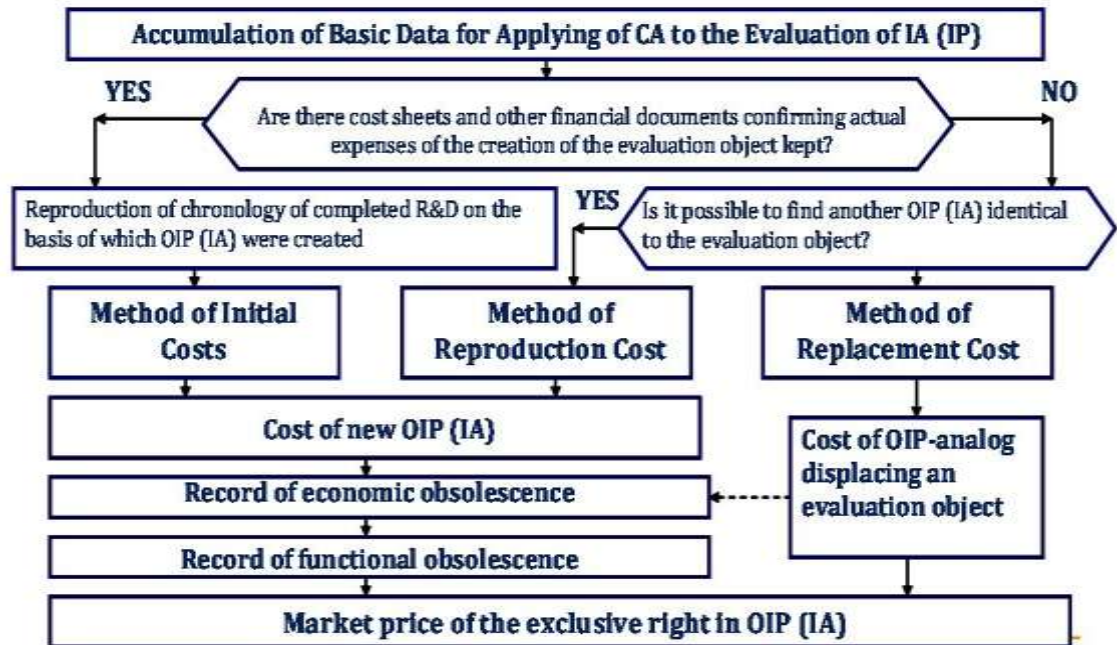
Method of real license payments

No

Are there any recommended (standard) royalty rates for licensed products?

Yes  
 Method of exemption from royalty  
 No  
 Method of allocating the share of licensor in the profit of licensee  
 Calculation of cash flow, formed by evaluated IA (IP)

### Methods of cost approach



### Peculiarities of RIA evaluation using the cost approach

While applying *cost approach* measures of RIA costs are based on reproduction costs and/or replacement costs.

Reproduction costs represent costs for creation of an exact copy of initial technology (the same principle of work, the same performance level and etc.).

The methods based on replacement costs are represented by calculating the cumulative costs necessary for creation of technology, characteristics of which are similar (from the point of view of productivity and consumer properties of the output production) to characteristics of the technology which are subject to an evaluation. As the replacing asset is created with use of more modern technology it is expected that it can show bigger commercial potential and technological possibilities. In this connection, cost of evaluated technology should be corrected on losses in economic cost due to its functional, technological and economic obsolescence.

It is necessary to note that definition of cost of not-generally available (internal) technologies can lead to certain problems as such technologies can be unique and non-replaced.

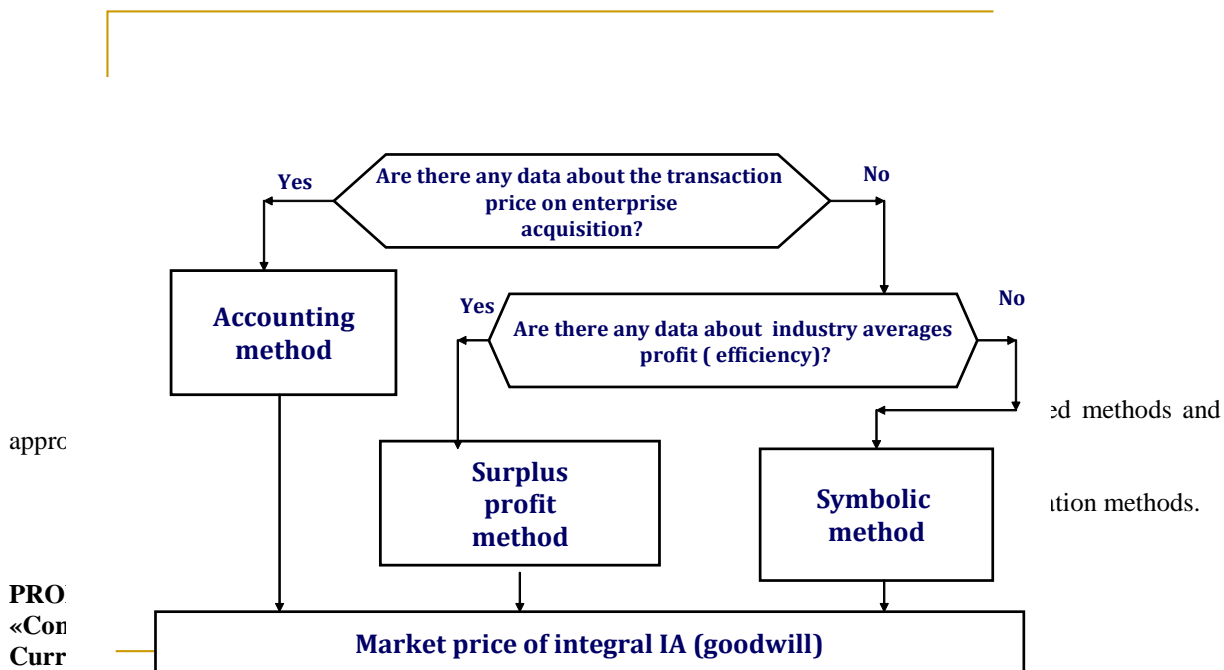
### Peculiarities of RIA evaluation by the comparative approach

There are following conditions of applicability of the comparative approach to RIA evaluation:

- Existence of a large amount of cases of sale of objects with similar designation and/or having comparable utility in the market;
- Availability of the information on the prices and the acting conditions of contract with them or about the prices of offers (or demand) on similar objects;
- Existence of the analytical information on the influence of distinctive features and characteristics of the objects similar to the evaluated object, on their cost.

It is impossible to carry out adjustment of the costs of analogues in the absence of abovementioned data.

Special place in the training program on cost evaluation of IPO takes the evaluation of integral (not identified) IA – goodwill.



Goal: professional development of specialists on the issues of commercialization of goods to the results of intellectual activity (RIA) and its qualitative and cost evaluation

Category of students: Government officials, patent specialists, employees of patent offices, scientific workers and technical specialists, performing contracts on research and development aimed at creating of RIA

Duration: hours, 2 weeks,

№	Name of sections and disciplines	Total, hour	Including		Form of control
			Lectures	Practical studies	
1	Economic nature of intellectual property. Rights to the results of intellectual activity and means of individualization.	4	4	-	
2	Intellectual property as a product of innovation activity.	6	6	-	
3	General provisions and basics of intellectual property objects commercialization.	8	8	-	
4	Specific features of intellectual property marketing.	4	6	2	
5	Corporate policy in the field of intellectual property.	4	4	-	

6	Main directions and legal basics of commercialization of rights to intellectual property objects.	2	18	4	
7	Reflection of intangible assets and intellectual property objects in accounting policy of enterprise		86	2	
8	Intellectual property as an important corporate asset. Exploitation of rights to intellectual property objects (IPO) as an intangible assets (IA). Other types of IA.		44	-	
9	Marketing researches of the assumed segment of market of intellectual rights, used as an object for commercialization. Marketing researches on the basis of patent information. Main approaches to qualitative evaluation of patent competitiveness.	6	18	8	
10.	1 Software used in qualitative evaluation of intellectual property objects.	6	18	8	
1.	1 Cost evaluation of intangible assets, rights to intellectual property				
1.1	1 Determination of evaluation goals		22	-	
1.2.	1 Evaluation methods in income approach: method of direct capitalization and discounting method of cash flows. Specific features of methods, cases of application		84	4	
1.3	1 Method of comparative approach. Specific features of methods, cases of application		84	4	
1.4	1 Methods of cost approach. Specific features of methods, cases of application		84	4	
1.5	1 Evaluation methods of integral intangible assets		42	2	
1.6	1 Concept of summing up the results of intangible assets evaluation by various methods, justification of final evaluation result.		42	2	
16.	Examination, discussion of problematic issues		4-	4	Exami nation
	Total:	20	180	40	exami nation

## Use of Business Games in the Process of Training of Trainers on Intellectual Property Issues

To learn new knowledge and skills can be used a variety of techniques and methods, but the most effective of these are business (sometimes called management) games.

Giving a general definition of the business game, you can say it - a method of simulation (role models, images, reflection) of decision-making in different situations by playing on a given situation and/or the situation created by the participants.

Traditional lectures and seminars are well-suited for learning, practicing skills with the information, but do not show the actual practice of management, not allow you to apply a creative approach to finding innovative decision but these are the requirements for managers in modern organizations. To learn new skills and knowledge experts and business leaders can use a variety of methods and techniques, the most effective of which is a business (or management) game. In view of these circumstances, it is appropriate to use in teaching management disciplines active forms of learning: business games, training sessions, which also allow students to maintain a thirst for knowledge, to find additional incentives and motivation for learning, allow more actively involve students in the learning process.

Business games are primarily intended for the design and management decisions that find place in various areas of human activity. Therefore, the range of the use of gaming in teaching of various specialists is very broad. However, there are four main areas or scope of business games:

- Decision making in industrial and economic situations, especially taking into account many factors, not all of which can be uniquely identified;
- In research, where certain problems, hypotheses and theoretical concepts are examined and analyzed by the gaming simulation;
- During the selection of rational options in exploring solutions of organizational problems (design games);
- The training of students in universities and students of special schools, as well as the training and selection of managers, especially in advanced training in the institutions.

Business games are designed for development and decision-making in various fields of activity. However, each game requires the original documentation, where is recommended to add the dictionary of key words: the object and processes modeled in the game, the players, the scenario of a business game, the rules, play activities, etc.

First, for each game you need to develop documentation, which identifies *the object or process*, modeled in the game. This object can be an organization as a whole and its individual units (departments, section).

*The prospectus* discloses gaming concept, its content, the conditions of use or the need for its implementation. It is also indicated whose government official's activities are modeled in this game (managers, business owners).

*The scenario of the business game.* It describes the object of the game, set the rules, defined roles. Students in the class also have the opportunity to make suggestions regarding organizational aspects, roles, regulations and rules of the game.

In early studies after determining the simulated object, students receive a script and prospect of the business game.

*Playing situation* involves the use of various documents, computer modeling of space and situation of students.

Then form teams and play the roles of between players. The number of teams and players depend on the nature and content of the game.

In addition to describing the roles, the students in the business game use techniques, orders, regulations, laws, and other materials that regulate the activities of all the members of the collective.

To resolve disputes and conflict situations, as well as evaluation of the game you can set up an expert group by determining its composition, the level of training required, the amount and type of work.

Business games, like other active learning methods have a number of features that differentiate them from traditional teaching methods:

1. Targeted activation of thinking, when the student has to be active regardless of his wishes.
2. Quite a long time of student activity (during the game)/
3. Independent creative development of solutions, high degree of motivation and emotion of learners.
4. Constant interaction of students and teachers through backward and forward linkages, the free exchange of ideas about how to solve a particular problem.

Business games in any case not replace traditional methods of teaching, and are only rational complement to them.

However, before you turn on a business game in the learning process, it is necessary to clearly define what it is advisable to teach educational material using business games, for which enrollment of students can be used the business games, how to link to other ways of learning included in the curriculum.

The main criterion for determining the proper use of business games in the learning process is the achievement of the learning goals.

Formulation of goals of the game should be given special importance. Before answering the question, how will go on the game, you need to formulate precisely the problem: what we intend to teach in the game.

At least there are several levels of knowledge of the material:

- A general acquaintance with the subject, the topic;
- Clarification of the specific provisions for decision-making in a given situation;
- The ability to apply this knowledge in practice;
- Analysis of the results in order to develop new, more informed decisions.

**Business game is one of the methods for receiving knowledge and skills**

Use of business games in educational programs and management activity is necessary for:

1. Forming student's factual understanding about the real practical use of previously received knowledge;
2. Creating of additional motivation for studying;
3. Developing the most effective creative approach to finding of innovative solutions.

**Applying business games in practice**

1. In commercial activity of economic entity;
2. During training of students at universities and special educational institutions;
3. During competition (selection) of managers, especially when organization of authority for innovation project management;
4. In scientific researches, when certain problems, hypothesis and theories are studied and analyzed through method of game simulation;
5. When selecting rational alternative solutions in elaboration of organizational issues;

**Business game is characterized by the following common features:**

- vitality and typicalness of a particular situation, studied in business games, presence of circumstances in which it's necessary to carry out an analysis of problem situation and make decisions;
- absence of full information, decision-making in conditions of uncertainty, risk or resistance, inability to fully formalize the task;
- there are conflict and hidden resources;
- dynamic process of management, possibility to influence previously made decisions, change of situation in the future;
- there are characters: players, who perform the role of officials, players-authors, players-organizers and other players who prepare materials for business game, give information and guide the course of the game;
- there are rules and regulation of the game.

### **Methodology of business game on protection and enforcement of rights to the results of intellectual activity**

1. Theoretical part
2. Establishing of main goals and objectives
3. Preparing the scenario of business game
4. Familiarization of all participants of business game with the scenario and assignment of roles
5. Holding of business game
6. Summarizing the results of business game

#### **Business game: "Protection and enforcement of rights to the results of intellectual activity"**

1. Checking of theoretical knowledge necessary to participate in the game
2. Clarifying to players of the main goals and objectives of the game.
3. Familiarizing of players with the scenario of the game and assignment of roles (Participants of the game receive roles that define difference in their interests and motivations in the game).
4. Holding the business game "Protection and enforcement of rights to the results of intellectual activity":
  - Dividing of players into teams
  - Defining for each team of the goal (sometimes directly opposite to the goal of other team)
  - Forming the package of simulated documents necessary for each team depending on its goal
  - Simulation of conflict by a trainer (violation of rights to the results of intellectual activity)
  - Discussion and formulating within each team of the most effective strategy to achieve the goal, set to the team
  - Checking of chosen strategy by each of the team to the possibility of its application in this conflict situation
  - Application by the team of adjusted strategy based on the results of interaction with other teams
  - Identifying the team that applied the most correct game strategy
  - Analysis of the results of business game (mistakes), working out of suggestions on strategies' improvement
  - Results evaluation of work of each business game participant

#### **Business game: "Enforcement of rights to the results of intellectual activity in court"**

*Goal:* Receiving the experience of constructive opposition and participation in session of the court as well as studying various strategies of discussion on disputed issues

*Scenario:* Splitting into three, the participants stage a conflict in the field of violation of rights to RIA (it's preferred that the subject of conflict is real). Two participants, one-by-one, represent the conflicting parties, the third becomes a judge. it's important that each participant tried both roles: authoritarian and self-confident "attacker" and apologetic "passive manipulator". Group discussion of role game results is necessary.

#### **IV. Conclusion – Proposals on the further development of training the trainers of the APEC economies in the field of intellectual property**

The comparative analysis undertaken and the training for the trainers in the field of intellectual property prove the apparent interest in the issue of government employees' training in the field of intellectual property.

The response of the participants showed high evaluation of the content of the held training, the professionalism of the tutors, and high quality of their presentations.

The trainees received the proposed recommendations with great interest; they performed individual and group tasks with professional interest. At the same time the results of the testing showed that the trainers along with recommendations on the content of the programs, methodology and methods of training, composition of the invited lecturers, materials to be used, etc. need in some cases detailed information on the content of certain issues of programs.

The responses of the participants to the questions of the "output testing" contain suggestions on the introduction of additional sections into the training programs for government employees.

There are also suggestions with respect to development of educational and supplied materials.

In this connection, it is proposed to consider the conducted training as a one step of the series of training for trainers from APEC economies for the purposes of training the government officials in intellectual property.

Envisaging a possibility of training the intellectual property trainers from the APEC economies at the training programs held at Russian State Academy of Intellectual Property (RSAIP).

Within the next stage of training it is envisaged to prepare a set of educational and supplied learning materials that can be distributed to the trainees in the course of implementation of training programs for government employees.

## The Training Program

**October 29 - 31, 2012**

**Day 1 – October 29**

<b>08:30 – 09:00</b>	<b>Registration</b>
<b>09:00 – 9:30</b>	<p><b>Welcome remarks</b></p> <ul style="list-style-type: none"> <li>- <i>Mrs. Pajchima Tanasanti, Director General of the Department of Intellectual Property of Thailand</i></li> <li>- <i>Mr. Boris Simonov, Director General of Federal Service for Intellectual Property of the Russian Federation</i></li> </ul> <p><b>Introduction of Trainers and Trainees</b></p> <ul style="list-style-type: none"> <li>- <i>Ms. Anastasia Filichkina, Project Leader</i></li> </ul>
<b>9:30 – 10:00</b>	<p><b>Practice of training of government officials in APEC, including the practice of the Russian State Academy of Intellectual Property (RGAIS).</b></p> <p>Current trends of development of higher professional and further vocational education in Russia. Results of the APEC project “Enhancing of APEC Capacity Building for Intellectual Property Protection and Utilization: Training for Trainers”.</p> <p><i>Mr. Ivan Bliznets, Rector of RGAIS, Professor, Doctor of Law, Full member of Russian Academy of Natural Sciences (RANS)</i></p>
<b>10:00 – 10:15</b>	<b>Q &amp; A Session</b>
<b>10:15 – 10:30</b>	<b>Coffee Break</b>
<b>10:30 – 11:45</b>	<p><b>Methodology of training on identification and provision of legal protection of the results of intellectual activities. The role of government officials in management of the results of intellectual activities:</b></p> <ul style="list-style-type: none"> <li>- at macro level;</li> <li>- at the industrial level;</li> <li>- at the level of organizations, including state corporations.</li> </ul> <p><i>Mr. Boris Simonov, Director General of Federal Service for Intellectual Property of the Russian Federation, associated professor of department “Innovation Management and IP Commercialization” of RGAIS, Doctor of Engineering</i></p>
<b>11:45 – 12:00</b>	<b>Q &amp; A Session</b>
<b>12:00 – 13:30</b>	<b>Luncheon</b>
<b>13:30 – 14:45</b>	<p><b>Training of government officials on management and commercialization of copyright and related rights:</b></p> <ul style="list-style-type: none"> <li>• Overview of various training programs on management and commercialization of copyright and related rights: <ul style="list-style-type: none"> <li>❖ <i>Program “Current trends of development of copyright and related rights</i></li> </ul> </li> </ul>

	<p>” ❖ Program “Exceptions and limitations of rights”, ❖ Program “The role of collective management societies”.</p> <ul style="list-style-type: none"> <li>• Recommendations on development and implementation of programs for government officials.</li> </ul> <p><i>Mr. Ivan Bliznets, Rector of RGAIS, Professor, Doctor of Law, Full member of Russian Academy of Natural Sciences (RANS)</i></p>
14:45 – 15:00	<b>Q &amp; A Session</b>
15:00 – 16:15	<p><b>Training of government officials on “Management of the results of intellectual activities”:</b></p> <ul style="list-style-type: none"> <li>• Various training programs on management of the results of intellectual activities, including mechanisms of IP commercialization and innovation risk management</li> <li>• Various training programs on the use of patent information for promotion of innovations</li> <li>• Recommendations on development and implementation of programs for: <ul style="list-style-type: none"> <li>❖ all government officials,</li> <li>❖ government officials of authorities, that actively involved in innovation process,</li> <li>❖ government officials of some authorities, in which IP objects may be created and/or used</li> <li>❖ government officials making decisions at different levels</li> </ul> </li> <li>• Recommendations for trainers on: <ul style="list-style-type: none"> <li>❖ content of programs,</li> <li>❖ forms of its implementation,</li> <li>❖ materials that accompany training.</li> </ul> </li> </ul> <p><i>Ms. Veronika Smirnova, pro-rector for research of RGAIS, head of department “Innovation Management and IP Commercialization”, Doctor of Economic</i></p>
16:15 – 16:30	<b>Q &amp; A Session</b>
16:30 – 16:45	<b>Coffee Break</b>
16:45 – 18:00	<p><b>Training of government officials on common approaches to evaluation of the results of intellectual activities:</b></p> <ul style="list-style-type: none"> <li>• Educational programs on qualitative evaluation of IP rights. Methodology of training on: <ul style="list-style-type: none"> <li>❖ marketing researches of potential IP market segment;</li> <li>❖ evaluation of economic feasibility and effectiveness of innovative projects using mathematical models.</li> <li>❖ software used for qualitative evaluation of IP rights.</li> </ul> </li> <li>• Educational programs for cost evaluation of protected results of intellectual activities in enterprises. Specificity of teaching IP cost evaluation.</li> <li>• Recommendations for development and implementation of programs for: <ul style="list-style-type: none"> <li>❖ government officials of authorities, that actively involved in innovation process,</li> <li>❖ government officials of some authorities, in which IP objects may be created and/or used</li> <li>❖ government officials making decisions at different levels</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Recommendations for trainers on: <ul style="list-style-type: none"> <li>❖ <i>content of programs,</i></li> <li>❖ <i>forms of its implementation,</i></li> <li>❖ <i>materials that accompany training.</i></li> </ul> </li> </ul> <p><i>Ms. Marina Ivanova, director of Institute of Advanced Training and Professional Retraining of RGAIS, professor of department “Innovation Management and IP Commercialization”, Doctor of Social Science, Ph.D. in Economics</i></p>
<b>18:00 – 18:15</b>	<b>Q &amp; A Session</b>

## Day 2 – October 30

<b>09:00 – 10:15</b>	<p><b>Use of simulation exercises in the process of training the trainers on IP issues:</b></p> <ul style="list-style-type: none"> <li>• on the example of training the issues related to IP protection and enforcement;</li> <li>• on the example of training the issues related to economic aspects of licensing;</li> <li>• Recommendations for trainers on: <ul style="list-style-type: none"> <li>❖ <i>content of programs,</i></li> <li>❖ <i>forms of its implementation,</i></li> <li>❖ <i>materials that accompany training.</i></li> </ul> </li> </ul> <p><i>Ms. Liubov Tsitovich, associated professor of department “Copyright, relate rights and private law disciplines” of RGAIS, leading legal council of RGAIS, Ph.D. in Law</i></p>
<b>10:15 – 10:30</b>	<b>Q &amp; A Session</b>
<b>10:30 – 10:45</b>	<b>Coffee Break</b>
<b>10:45 – 12:00</b>	<p><b>Training of Government Officials (USA experience)</b></p> <p><i>Mr. Paolo Trevisan, Patent Attorney, Office of Police and External Affairs, United States Patent and Mark Office.</i></p>
<b>12:00 – 12:15</b>	<b>Q &amp; A Session</b>
<b>12:15 – 13:45</b>	<b>Luncheon</b>
<b>13:45 – 15:00</b>	<p><b>Training of Government Officials (Japan experience)</b></p> <p><i>Mr. Takao Ogiya, Executive Counselor of Japan Institute of Invention and Innovation (JIII), Director General of Intellectual Property Research Center(IPRC)and Asia-Pacific Industrial Property Center(APIC)at Japan Institute for Promoting Invention and Innovation (JIPII), Bachelor’s Degree in Engineering</i></p>
<b>15:00 – 15:15</b>	<b>Q &amp; A Session</b>
<b>15:15 – 15:30</b>	<b>Coffee Break</b>

<b>15:30 – 16:45</b>	<b>Training of Government Officials (Korean experience)</b>  <i>Mr. Kijoong Song, Deputy Director of Korean Patent Office.</i>
<b>16:45 – 17:00</b>	<b>Q &amp; A Session</b>
<b>17:00 – 17:30</b>	<b>Forming of groups. Assignment of Trainer-Supervisor. Receiving Group Tasks.</b>

**Day 3 – October 31**

<b>9:00 – 11:00</b>	<b>Work in Groups. Discussion of Developed Programs</b>
<b>11:00 – 11:15</b>	<b>Coffee Break</b>
<b>11:15 – 12:30</b>	<b>Discussion of the Problems Encountered</b>
<b>12:30 – 13:00</b>	<b>Luncheon</b>
<b>13:00 – 13:30</b>	<b>Results Discussion</b>
<b>13:30 – 14:00</b>	<b>Output Testing</b>
<b>14:00 – 14:30</b>	<b>Farewell remarks</b>

## Annex 1

### INPUT TESTING

#### I. PERSONAL INFORMATION

1. Name:
2. Organization, position:
3. Economy:
4. How long do you teach in IPR field?
  - ☐ Up to 5 years
  - ☐ From 5 to 15 years
  - ☐ More than 15 years
5. Do you specialize in teaching some of the aspects of IPR?
  - ☐ Yes
  - ☐ No

If your answer is «yes», please, indicate:

- ☐ Economic aspects
- ☐ Law aspects
- ☐ Other (indicate)

6. Do you have your own books (educational supplies, including practical guides, monographs) in IPR?
  - ☐ Yes
  - ☐ No

If your answer is «yes», please, provide their short description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Which books/educational supplies would you recommend to the trainees?
  - ☐ Developed by yourself
  - ☐ Developed by your colleagues
  - ☐ Other (*such as: professional magazine, articles in newspaper/internet...*)

8. Do you take part in working out of the training programs?
  - ☐ Yes
  - ☐ No

If your answer is «yes», please, provide their short description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Did you participate in training of government officials?
  - ☐ Yes

☐ No

If your answer is “yes”, please, indicate, which government bodies were represented by the trainees \_\_\_\_\_

\_\_\_\_\_

10. Are you engaged in practical activity in IPR field (consulting, expert activity, judicial disputes related to IPR, etc)?

☐ Yes

☐ No

## II. THE TRAINING SPECIFICITY

11. According to your opinion, is there any difference between training of government officials and of other categories of trainees (students, entrepreneurs, etc.)?

☐ Yes

☐ No

If your answer is “yes”, please, indicate this difference \_\_\_\_\_

\_\_\_\_\_

12. Were there any specialists from the Patent Office or any other government bodies among your trainees?

☐ Yes

☐ No

13. Please, describe which basic blocks do your training programs in the field of management and IP commercialization for government officials consist of?

\_\_\_\_\_

14. Are there any methodologies of training on IPR evaluation in your economy?

☐ Yes

☐ No

If your answer is “yes”, please, indicate, the basic blocks of these methodologies \_\_\_\_\_

\_\_\_\_\_

## III. THE PRACTICE OF IPR TRAINING

15. Please, indicate which basic blocks of trainings for government officials in your University were implemented by

☐ trainers of your University:

☐ trainers of other Universities:

☐ experts in IPR

☐ other \_\_\_\_\_

16. According to your opinion, what is optimal duration of the training course for government officials?

- ☐ short (1-2 days)
- ☐ medium (1-2 weeks)
- ☐ long (1 month)

17. According to your opinion how often should training courses/advanced training of government officials, working in the field of management and IP commercialization, be carried out?

---



---

18. Do you practice “business games” with your trainees?

- ☐ Yes
- ☐ No

19. Would you like to take part in “business game” in the framework of the upcoming training?  
If “yes”, please, indicate on which subject.

---



---

20. Does your university have a system of education quality control or measuring system of training effectiveness for government officials? If you answer is “yes”, please, provide short description \_\_\_\_\_

---



---



---

#### IV. OTHER

21. What state authorities are involved in IPR management and commercialization in your economy?

---



---

22. Does your economy have the Strategy of state innovative development?

- ☐ Yes
- ☐ No

If your answer is «yes», please, provide short description \_\_\_\_\_

---



---

23. Please describe educational programs related to IPR management and commercialization, carried out in your economy, sponsored or funded by the government.

- 1) - Target audience -
  - Traditional and/or on line education -
  - Who provides the training -
  - Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) -
  - Duration -
  - Program -

---



---



---

- 2) - Target audience -
  - Traditional and/or on line education -
  - Who provides the training -
  - Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) -
  - Duration -

- Program -

---

---

---

3) - Target audience -

- Traditional and/or on line education -

- Who provides the training -

- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshops) -

- Duration -

- Program -

---

---

---

24. Does the government (e.g. IP office) provide for any best practice guidelines on how to draft IP licenses?

If affirmative, please elaborate \_\_\_\_\_

---

---

## **Annex 2**

### **Output testing**

1. Name (non-obligatory)

2. Organization, position (non-obligatory)

3. Do you think it is useful to carry out such trainings?

☐ yes

☐ no

If your answer is “no” please, indicate why

4. Do you think that the recommendation received during the training will be useful for training of government officials in your economy?

☐ yes

☐ no

If your answer is “no” please, indicate why

5. Do you think that educational programs presented during the training could become a basis of training programs for government officials in your economy?

☐ yes

☐ no

If your answer is “no” please, indicate why

6. According to your opinion, which educational programs presented during the training could be the basis for development of training programs for government officials in your economy? Please, indicate them.

7. For which educational programs, according to your opinion, is it necessary to develop relevant practical guidelines? Please indicate what guidelines exactly.

8. Do you use in the framework of your national educational programs something presented by the lecturers during the training?

- ☐ yes  
☐ no

9. Which methodologies of training of government officials that you learned during the training are you going to use in your work?

10. Please, evaluate the presentations of speakers from 1 to 5:

Mr. Ivan Bliznets	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>
Mr. Boris Simonov	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>
Ms. Veronika Smirnova	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>
Ms. Marina Ivanova	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>
Ms. Liubov Tsitovich	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>
Mr. Paolo Trevisan	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>
Mr. Takao Ogiya	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>
Mr. Kijoong Song	1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/>

### Annex 3

№	Question / Вопрос	Participant / Участник	Answers / Ответ			Grand total / Общий итог
1	2	3	4			5
1	<i>How long do you teach in IPR field?</i>	<b>Participant</b>	<b>Up to 5 years</b>	<b>From 5 to 15 years</b>	<b>More than 15 years</b>	<i>Of the 14 respondents: More than 5 years – 7 from 5 to 15 – 6 more than 15 years - 1</i>
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	+	-	-	
		2. Hu Xiaoxu The Ministry of Commerce China	+	-	-	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), INDECOPI (IP office) Peru	-	+	-	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	+	-	
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	+	-	-	
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	-	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF	+	-	-	

		OF STAFF CHILE						
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	+	-			
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	-	+	-			
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	-	+			
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	+	-			
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	-	-			
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	-	+	-			
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	-			
2	Do you specialize in teaching some of the aspects of IPR?	Participant / Участник	Specialization		Specialization aspects			Of the 14 respondents: 10 respondents specialize in
Yes	No		Law aspects	Econom ic aspect	other			

	Специализируетесь ли					<b>s</b>		specific IP issues, including: in law - 7 participants, in economic issues - 3 people, the rest – 2.
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	+	-	+	-	-	
		2. Hu Xiaoxu The Ministry of Commerce China	-	+	-	-	-	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	+	-	+ Substan tive analysis	+ Technol ogy transfer	+ Technol ogical Informat ion	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	+	-	-	-	
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	+	-	-	-	
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	+	-	-	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	+	-	+	-	-	
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	+	-				
		9. Ignatius MT. Silalahi	+	-	+	-	-	

		Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia						
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+				Developing human resources in the field of IP - Formulating the government's IP policies, etc.	
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	+	-	-	-	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	-	+	-	-	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	-	+	-	

		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	+	+	-	
3	Do you have your own books (educational supplies, including practical guides, monographs) in IPR?	<b>Participant / Участник</b>	<b>Yes</b>	<b>No</b>	<b>Description of book</b>			Of the 14 respondents: 5 people have the author books, among them are - how to get the benefits of IP protection in Peru and abroad, a comparison of IP laws of Indonesia and ect.
1. Wenhua Ji Ministry of Commerce, Deputy division director, China		-	+					
2. Hu Xiaoxu The Ministry of Commerce China		-	+					
3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru		+	-	Guidelines to apply for patent protection in Peru and abroad				
4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand		-	+					
5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand		-	+					
6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE		+	-	POWER POINT PRESENTATIONS, WIPO MATERIAL, PAPERS.				
7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE		-	+					
8. Hotman Togatorop,		+	-	“Compilation Laws of Republic of				

		Patent Examiner in Directorate of Patent, DGIPR, Indonesia			Indonesia on Intellectual Property Rights”	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	-	+		
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	+		
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	+		
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+		
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	Vidyakina O. V. Formation of patent policy of University: Monography. – Moscow: information and publishing center PATENT, 2012. – 120 pages.	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	educational supplies Transfer of Technology	
4	Which books/educational supplies would you recommend to the trainees?	<b>Participant / Участник</b>	<b>Developed by yourself</b>	<b>Developed by your colleagues</b>	<b>Others</b>	14 respondents recommended books/educational supplies developed independently - 4
			-	-	+	

	1. Wenhua Ji Ministry of Commerce, Deputy division director, China				<i>people, developed by colleagues - 5 people, other authors – 12.</i>
	2. Hu Xiaoxu The Ministry of Commerce China	-	-	+	
	3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	+	+	+	
	4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	-	+	
	5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	-	+	
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	+	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-	+	-	
	8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	-	+	
	9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP	-	-	+	

		Indonesia				
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	-	+	
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	-	+	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	+	+	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	+	+	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	-	+	-	
5	Do you take part in working out of the training programs?	<b>Participant / Участник</b>	<b>Yes</b>	<b>No</b>	<b>Description of programs</b>	Of the 14 respondents: in the development of educational programs are attended – 7 people (most of the development programs in the field of IP law, advising small-medium enterprises)
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	-	+		
		2. Hu Xiaoxu The Ministry of Commerce China	-	+		
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions	+	-	Several programs for training patent specialists	

	(Patent office), Indecopi (IP office) Peru				
	4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	+		
	5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	+		
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	PREPARATION OF CONTENTS AND MATERIALS.	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-	+		
	8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	+		
	9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+	-	Giving explanation about law enforcement in IPR	
	10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+	-	-Consulting for small and medium- sized enterprises -Conducting research surveys on IP	
	11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI),	+	-	Preparing PowerPoint materials for (i) refresher courses for Intellectual Property Compliance Officers from various government bureaux and	

		ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO			departments and (ii) seminars for educational institutions and business associations.	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+		
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	Valuation of intellectual property	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	I take part in working out the training program of Transfer of Technology	
6	Did you participate in training of government officials?	<b>Participant / Участник</b>	<b>Yes</b>	<b>No</b>	<b>Kind of government bodies</b>	14 respondents: 9 people have participated in the training of government officials (often local training of a local nature). 1 person participated in the course of WIPO.
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	+	-	Local authorities in charge of commerce and development	
		2. Hu Xiaoxu The Ministry of Commerce China	+	-	Local Commercial Department of Government	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	+	-	Production Ministry (Industry), Universities, Research Institutions	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	+	-	WIPO courses – Training for the trainer	
		5. Punthara Khamkhiao	-	+		

		Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand				
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	INNOVA CHILE (GOV. BODY IN CHARGE TO PROMOTE AND FUND INNOVATION), CONICYT (GOV. BODY IN CHARGE TO PROMOTE AND FUND SCIENCE AND TECHNOLOGY), INTERNAL REVENUE SERVICE	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-	+		
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	+	-	.“Counterpart Training for Substantive Examination”, JICA, Tokyo-Japan, February-March 1997. “The Introductory Seminar on Industrial Property”, WIPO, Geneva-Switzerland, 3-5 September 1997. “A Training Course on Patent Documentation and Information”, WIPO, Vienna-Austria, 8-26 September 1997. “Workshop Claim for Divisional Application”, DVA, Beijing-China, 21 March-4April 1998. “Short Course for Intellectual Property Rights Group I”, IASTP-II, Sydney-Australia, October-December 2000. “Training Course for Patent Examiners in the Optical Devices Technology”, Tokyo-Japan, 25 February – 3 March	

					2009.	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+	-	Directorate General of Intellectual Property, Ministry of Law and Human Right of Indonesia, and Ministry of Trade of Indonesia etc	
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	+		
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	+	-	Various government bureaux and departments	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+		
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	-	+		

7	Are you engaged in practical activity in IPR field (consulting, expert activity, judicial disputes related to IPR, etc)?	<b>Participant / Участник</b>	<b>Yes</b>	<b>No</b>	<b>Consulting</b>	<b>Expert activity</b>	<b>Judicial disputes related to IPR</b>	<b>other</b>	11 out of 14 respondents are involved in practical activities
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	-	+					
		2. Hu Xiaoxu The Ministry of Commerce China	-	+					
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	+	-					
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	+	-					
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	+	-					
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-					
		7. JUAN CRISTÓBAL GONZÁLEZ	+	-					

		SEPULVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE						
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	+	-				
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+	-				
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+	-				
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	+	-				
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	-				
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	+			
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	-	+				
8	According to your opinion, is there any difference	Participant / Участник	Yes	No	Differences			14 respondents:
		1. Wenhua Ji	+	-	Government officials -			14 reported that the training of

<p>between training of government officials and of other categories of trainees (students, entrepreneurs, etc.)?</p>	Ministry of Commerce, Deputy division director, China			general policy. Specified courses and practices - students and entrepreneurs.	<p>government officials is different from teaching other categories of students. The reasons are different.</p>
	2. Hu Xiaoxu The Ministry of Commerce China	+	-	Government officials – Policy and administration executive Other trainees – knowledge and practice	
	3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	+	-	Government officials are not well motivated	
	4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	+	-	Level of knowledge	
	5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	+	-	Level of IPR and IP management.	
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	THEY HAVE MORE EXPERIENCE FACING PROBLEMS RELATED TO FUNDING AND DECIDING REAL CASES. THEY HAVE LIABILITY RELATED TO THEIR DECISIONS	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	+	-	BECAUSE OF THE PUBLIC GOALS INVOLVED IN THE PUBLIC FUNCTION, GOVERNMENT OFFICIALS TEND TO HAVE A WIDER VIEW OF THINGS. AS SUCH, WERE IP TRAINING AMONG PRIVATE LAWYERS CAN	

					BE SEEN AS A WORKING TOOL TO SATISFY THE NEEDS OF A CLIENT, RELEVANT PUBLIC OFFICIALS MAY NEED IP KNOWLEDGE FOR PUBLIC POLICY DESIGN AND PLANNING IN, FOR EXAMPLE, THE ECONOMIC FIELD. THE NEEDS OF THESE TWO GROUPS OF TRAINEES ARE DIFFERENT AND MAY JUSTIFY SOME DIFFERENCES IN TRAINING. ACCORDINGLY, OTHER RELEVANT DIFFERENCES BETWEEN OTHER GROUPS AND GOVERNMENT OFFICIALS MAY JUSTIFY OTHER TRAINING DIFFERENCES.	
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	+	-	Because of the difference of audience, the training should be given according to their needs	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+	-	For government officials: how to administrate regulation for entrepreneurs an implementing regulation in IPR	
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+	-	Training created for government officials needs to be directly related to legal measures and policies, taking into consideration the entire nation with a broad view and understanding global trends. On the other hand, training for	

					enterprises and such needs to include curriculum on IP strategies and how these connect to their business and R&D strategies. Training for students emphasizes ease of understanding, avoiding the use of too many technical terms as possible. For all training programs, it is important to introduce case examples and practice exercises. In addition, it is also important to allow the participants to express their opinions as much as possible.	
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	+	-	MAINLY THAT GOVERNMENT OFFICIALS WORKS WITH RESOURCES FORM THE STATE	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	-		
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	The difference is that government officials are not practiced in some areas of IP. For example – in IP valuation, IP management	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	Because of the difference of audience, the training should be given according to their needs	
9	Were there any specialists	<b>Participant / Участник</b>	<b>Yes</b>		<b>No</b>	14 respondents:

	<i>from the Patent Office or judges among your trainees?</i>	1. Wenhua Ji Ministry of Commerce, Deputy division director, China	+	-	<i>11 had such trainees</i>
		2. Hu Xiaoxu The Ministry of Commerce China	+	-	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	-	+	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	+	
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	+	-	
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	+	-	
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	+	-	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP	+	-	

		Indonesia			
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+	-	
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	+	-	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	-	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	-	+	
10	Please, describe which basic blocks do your training programs in the field of management and IP commercialization for government officials consist of?	1. Wenhua Ji Ministry of Commerce, Deputy division director, China	1) 7 PR principles 2) The utilization of IPR 3) How is manage IPR 4) Commercialization strategy		9 people gave responses to this question. .
		2. Hu Xiaoxu The Ministry of Commerce China	IPR concept and principle Utility of IPR Solution means of IPR in reality		
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office)	My training programs do not include such a topics		

	Peru		
	4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	Understand the basic of IP Use IP as a tool for management Get benefit from using IP	
	5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	FUNDAMENTALS OF PATENTS AND TRADEMARKS, IP LAWS IN CHILE, IP LAW COMPARED, INTERNATIONAL IP LAW.	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	FUNDAMENTALS OF PATENTS AND TRADEMARKS, IP LAWS IN CHILE, IP LAW COMPARED, INTERNATIONAL IP LAW.	
	8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	
	9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	Development and utilization for economy	
	10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	
	11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican	Use of Patent Information in the context of the value of the technology and also in the context of the free use of technologies as an opportunity for the SME's and for	

		Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	Universities as a tool for R&D Protection strategies.			
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-			
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	1. State policy on the use of results of scientific and technical activities 2. Legal and normative basis for the use of the results of scientific and technical activities 3. Account, inventory and evaluation of IP 4. Patent information research of intellectual property objects 5. Mechanisms of bringing intellectual property objects into commercial circulation 6. Innovation risks 7. Economical and organizational means of IP rights protection			
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	-			
11	Are there any methodologies of training on IPR evaluation in your economy?	Participant / Участник	Yes	No	Methodologies	14 respondents: 5 – exist 9 - do not exist.
	Wenhua Ji Ministry of Commerce, Deputy division director, China	-	+	-		
	Hu Xiaoxu The Ministry of Commerce China	-	+	-		
	Sergio Gilberto Rodriguez Soria	-	+	-		

		Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru				
		Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	+	-	
		Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	+	-	-	
		CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	-	+	-	
		JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-	+	-	
		Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	+	-	
		Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+	-	How long the mark has been registered How long the mark has been used in market The opinion of the consumers	
		Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+	-	There are various organizations that provide training programs and each uses different methods to carry out evaluations. As one example, an organization surveys participants of training programs, evaluating actual numerical	

					results in terms of how well the participants' knowledge and capacity improved as a result of their taking the training. The organization also solicits opinions from trainees, asking suggestions for improvements and requests for future programs.			
		ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	+	-			
		PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+	-			
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	-			
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	IP valuation and EPO program IPscore			
12	Please, indicate which basic blocks of trainings for government officials in your University were implemented by?	Participant / Участник	Trainer s of your Universi ty	Trainer s of other Universi ties	Experts in IPR	Other	No answer	14 respondents: did not answer - 2 people; lecturers from the own university - 6 person, experts in the field of IP-7 responses.
		1. Wenhua Ji Ministry of Commerce, Deputy division director,	-	-	-	-	+	

	China						
	2. Hu Xiaoxu The Ministry of Commerce China	-	-	+	-	-	
	3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	-	-	-	-	+	
	4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	+	-	-	-	-	
	5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chiangmai University, Assistant Project Management Thailand	+	-	-	-	-	
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	-	-	+	-	-	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-	-	+	-	-	
	8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	-	+	-	-	
	9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+	-	+	-	-	
	10. Takao Ogiya Director General, Asia-Pacific Industrial	-	-	+	-	-	

		Property Center Japan						
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	-	+	-	-	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	-	-	-	-	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	+	+	-	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	+	+	+	-	
13	According to your opinion, what is optimal duration of the training course for government officials?	<b>Participant / Участник</b>	<b>Short (1-2 days)</b>	<b>Medium (1-2 weeks)</b>	<b>Long (1 month)</b>	14 respondents: considered the most optional: - Short courses – 1, - Medium - 10, - Long-term - 3 people. 		
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	-	+	-			
		2. Hu Xiaoxu The Ministry of Commerce China	-	+	-			
		3. Sergio Gilberto Rodriguez Soria	-	+	-			

		Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru				
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	+	-	-	
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	-	+	
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	-	+	-	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-	+	-	
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	+	-	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	-	-	+	
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	-	+	
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican	-	+	-	

		Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO				
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+	-	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	-	+	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	-	+	-	
14	According to your opinion how often should training courses/advanced training of government officials, working in the field of IPR, be carried out?	<b>Participant / Участник</b> 1. Wenhua Ji Ministry of Commerce, Deputy division director, China 2. Hu Xiaoxu The Ministry of Commerce China 3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru 4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	At least every two year for one time  One year  Annual  Once a year			Most respondents felt that the training of government officials should be at least 1-2 times a year. It is recommended to implement the long training during the employment of government official and then conduct short training at least 1 time per year.

	5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	COURSES SHOULD BE A COUPLE OF WEEKS EACH YEAR. REASONS ARE: TECHNOLOGY ADVANCES, CASE LAW, AND INTERNATIONAL DEVELOPMENTS IN THE FIELD OF IP.	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	COURSES SHOULD BE CARRIED OUT AT LEAST TWICE A YEAR, AS A MEANS TO REFLECT AND KEEP UPDATED ON RECENT AND FAST- CHANGING TECHNOLOGICAL INNOVATION, JURISPRUDENCE AND CHANGES IN INTERNATIONAL LAW, THREE OF SOME OF THE MOST DINAMIC FIELDS RELATED TO IP.	
	8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	Depend on necessity	
	9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	once a year	
	10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	I believe that it is good for an organization to conduct the same kind of training program once a year.	
	11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	First a long course for the first time to the personal that will be part of the IPR office and after that a medium course as an actualization and minimum once a year	

		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	One per year					
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	once in 2-3 years					
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	1-2 times a year					
15	<i>Do you practice “business games” with your trainees?</i>	<b>Participant / Участник</b>	<b>Yes</b>	<b>No</b>	<b>Imitation of situation</b>	<b>Role plays</b>	<b>Others</b>	<i>14 respondents: 3 people use in their practice the business games, Others do not use.</i>
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	-	+	-	-	-	
		2. Hu Xiaoxu The Ministry of Commerce China	-	+	-	-	-	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	-	+	-	-	-	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	+	-	-	-	

	5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	+	-	-	-	
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	-	+	-	-	-	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-	+	-	-	-	
	8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	+	-	-	-	
	9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	-	+	-	-	-	
	10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	+	-	-	-	
	11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	+	-	-	-	-	
	12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+	-	-	-	

		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	-	-	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	+	+	-	
16	Would you like to take part in "business game" in the framework of the upcoming training?	<b>Participant / Участник</b>	<b>Yes</b>	<b>No</b>	<b>Subject of "business game"</b>		<b>Nothing</b>	14 respondents: In the "business game" 7 people would like to take part (area of interest is different: licensing, commercialization of the patent and technology transfer agreements, the legal case, green technology). Others: 3 people - do not want to participate, no answer - 4 people.
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	-	-	-		-	
		2. Hu Xiaoxu The Ministry of Commerce China	+	-	-		+	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	+	-	Licensing		-	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	-	-		+	
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chiangmai University, Assistant Project Management Thailand	-	+	-		-	
		6. CARLOS PEÑA VILLABLANCA,	+	-	in commercialization of		-	

		INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE			patents and agreement of technology transfer		
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	+	-	in case law / resolution	-	
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	+	-	-	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+	-			
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	-	-	-	+	
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	+	-	Green technologies	-	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+	-	-	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+	-	IP evaluation		

		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	-	Technology Transfer		
17	Does your university have a system of education quality control or measuring system of training effectiveness for government officials? If you answer is "yes", please, provide short description.	<b>Participant / Участник</b>	<b>Yes</b>		<b>No</b>	<b>Other</b>	14 respondents: One man said that there is a questionnaire developed by the Asian and Pacific Development Centre, which provides the quality control of training and teachers. The others - 8 people said that such a system does not exist at the University, 2 people - do not know the answer.
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	-		+	-	
		2. Hu Xiaoxu The Ministry of Commerce China	-		-	+	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	-		-	Don't know ( I am from the patent office)	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-		+	-	
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-		+	-	
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	-		+	-	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	-		+	-	

		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	-	+	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	-	+	-	
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+	-	-	
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	+	-	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+	-	

		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	-	-	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	-	+	-	
18	<i>What state authorities are involved in IPR management and commercialization in your economy?</i>	1. Wenhua Ji Ministry of Commerce, Deputy division director, China	Patent office, Copyright administration, Trademark administration, Commerce ministry, scientific development authority			<i>Various government agencies operate in the field of IP.</i>
		2. Hu Xiaoxu The Ministry of Commerce China	Commerce ministry, State IP office, State Administration of Industry and Commerce, National Copyright Administration etc			
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	Only INDECOPI and some extent production ministry			
		4.Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	Funding Agency			
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management	University			

	Thailand		
	6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	CORFO, MINISTRY OF ECONOMY	
	7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	CORFO, MINISTRY OF ECONOMY	
	8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	Ministry of Industry Ministry of Research and Technology Ministry of Education and Culture Ministry of Small and Medium Enterprises Indonesian Institute of Sciences	
	9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	Ministry of Trade and Commerce (Primaniarta award program)	
	10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	Japan Patent Office (dealing with rights of patents, utility models, designs, and trademarks), Ministry of Economy, Trade and Industry (Unfair Competition Prevention Act), Software Information Center (layout- design exploitation right), Agency for Cultural Affairs (copyright), Ministry of Agriculture, Forestry and Fisheries (breeder's right), and other authorities.	
	11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	Ministry of Economy , the National Council of Science and Technology	

		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	NOIP, Ministry of Science and Technology Copyright Office of Viet Nam (COV), Ministry of Culture, Sports and Tourism Plant Variety Protection Office (PVPO), Ministry of Agriculture and Rual Development			
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	Different business structures, universities, federal authorities and others			
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	IP office, Ministry of economic development			
19	Does your economy have the Strategy of state innovative development? If your answer is «yes», please, provide short description	<b>Participant / Участник</b>	<b>Yes</b>	<b>Description</b>	<b>No</b>	In all economies, there is a state strategy of innovative development. The strategy combines the activities of science and industry. In one economy (Peru), this strategy is under development.
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	+	National IPR strategy of China. A formal document issued by China’s central government	-	
		2. Hu Xiaoxu The Ministry of Commerce China	+	National IPR strategy of China. A formal document issued by China’s central government	-	
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	-	It is in construction	+	
		4.Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	+	Bring research to market	-	

		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	+	-	
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	+	-	

			GOVERNANCE STRUCTURE FOR THE STRATEGY INVOLVES THE “CONSEJO NACIONAL DE INNOVACION PARA LA COMPETITIVIDAD” (CNIC), AS STRATEGIC ADVISOR TO THE GOVERNMENT, AND THE COMMITTEE OF MINISTERS OF INNOVATION (MCI), TO UNDERTAKE POLICY DESIGN AND IMPLEMENT THE STRATEGY.		
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	+ The Agency for the Assessment and Application of Technology had drafting an academic paper on strengthening the national innovation system.	-	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+ The Agency for the Assessment and Application of Technology had drafting an academic paper on strengthening the national innovation system.	-	
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+ The Intellectual Property Strategy Headquarters, under the Prime Minister of Japan and His Cabinet, has developed the Intellectual Property Strategic Program 2012. <a href="http://www.kantei.go.jp/jp/singi/titek">http://www.kantei.go.jp/jp/singi/titek</a>	-	

			i2/ipsp2012.pdf		
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	+ Yes. National Plan of Development and the National Plan of Innovation	-	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	+	-	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	+ the Strategy of innovation development of Russia	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+ it is developing now	-	
20	<i>Please describe educational programs related to IPR management and commercialization, carried out in your economy, sponsored or funded by the government.</i>	<b>Participant / Участник</b>	<b>Description of program</b>	<b>Nothing</b>	
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	Traditional Some specialized training agencies -Diploma degree -Seminars -Courses -Workshops 2-3 weeks	-	
		2. Hu Xiaoxu The Ministry of Commerce	Enterprisers, governmental departments	-	

		China	Traditional and on line education -Diploma degree -Seminars -Courses -Workshops 2 years, 2-3 weeks, 2 days etc		
		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru		-	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	SMEs'/ researcher Traditional Department of IP Seminar 5 days/ 2-3 days Certificate		
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	Student, Researcher line education IP expert Workshops 2-3 days		
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	Workshops carried out or INAPI 1) - Target audience – Technical Professional of CORFO - Traditional and/or on line education – Traditional - Who provides the training – Professional of INAPI - Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshop s) - workshops		

			<ul style="list-style-type: none"> <li>- Duration - 1 day</li> <li>- Program - technical and legal aspects of IPR,</li> </ul> <p>2) - Target audience - Professional of Internal Revenue Service</p> <ul style="list-style-type: none"> <li>- Traditional and/or on line education - Traditional</li> <li>- Who provides the training - Professional of INAPI</li> <li>- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshop s) - workshops</li> <li>- Duration – 2 days</li> <li>- Program -technical and legal aspects of IPR</li> </ul>		
		<p>7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE</p>	<p>Workshops carried out BY INAPI</p> <p>1) - Target audience – CORFO TECHNICAL AND PROFESSIONAL CIVIL SERVANTS</p> <ul style="list-style-type: none"> <li>- Traditional and/or on line education – TRADITIONAL</li> <li>- Who provides the training – INAPI PROFESSIONALS</li> <li>- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshop s) - WORKSHOP</li> <li>- Duration - 1 day</li> <li>- Program – TECHNICAL AND LEGAL ASPECTS OF IP.</li> </ul> <p>2) - Target audience - NATIONAL REVENUE SERVICE CIVIL</p>		

			<p>SERVANTS</p> <ul style="list-style-type: none"> <li>- Traditional and/or on line education - TRADITIONAL</li> <li>- Who provides the training - INAPI PROFESSIONALS</li> <li>- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshop s) - WORKSHOP</li> <li>- Duration – 2 days</li> <li>- Program - TECHNICAL AND LEGAL ASPECTS OF IP.</li> </ul>		
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	<p>1) - Target audience - Government Officials</p> <ul style="list-style-type: none"> <li>- Traditional and/or on line education - Traditional</li> <li>- Who provides the training - DGIP and other government body</li> <li>-Level(PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshop s) –</li> <li>Seminars/Courses/workshops</li> <li>- Duration - 1 Week</li> <li>- Program – IPR</li> </ul>		
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	<ul style="list-style-type: none"> <li>- Target audience - Government Officials</li> <li>- Traditional and/or on line education – Traditional</li> <li>- Who provides the training - DGIP and other government body</li> <li>- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshop s) - Seminars/Courses/workshops</li> </ul>		

			<ul style="list-style-type: none"> <li>- Duration – 1 Week</li> <li>- Program – Law Enforcement, the benefit of IP for economy</li> </ul>		
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	) Explanatory Meeting on the IPR System <ul style="list-style-type: none"> <li>- Target audience - Anyone can participate</li> <li>- Traditional and/or on line education - On-site training</li> <li>- Who provides the training - JPO officials etc.</li> <li>- Level (PHD/Masters/BA/Diploma Degree/Seminars/Courses/workshop s) - Introductory Level</li> <li>- Duration – Half a day</li> <li>- Program – JPO’s Specialist for Industrial Property Rights conducts a lecture on the following topics in each prefecture of Japan.</li> <li>- Outline of the IPR System (patent, utility model, design and trademark rights)</li> <li>- Introduction of support measures related to IP rights</li> </ul> 2) Training on Utilization of Intellectual Property(Utilization of IP course) <ul style="list-style-type: none"> <li>- Target audience - Mainly owners of SMEs and venture companies (others)</li> <li>- Traditional and/or on line education - On-site training</li> </ul>		

			<ul style="list-style-type: none"> <li>- Who provides the training - Attorneys, university officials, and businesspeople</li> <li>- Duration – One day</li> <li>- Program - Introduces various case examples where SMEs/venture companies succeeded by utilizing intellectual property and examples where they were not able to do so. Furthermore, develops the participants' judgment ability for making use of intellectual property in management through studying the issue among the participants.</li> </ul> <p>3) Training on Utilization of Intellectual Property (Search course)</p> <ul style="list-style-type: none"> <li>- Target audience - Mainly owners or staff in charge of intellectual property at SMEs and venture companies (others)</li> <li>- Traditional and/or on line education - On-line training</li> <li>- Duration - Three days</li> <li>- Program - Lecture concerning patent law. Search practice using Industrial Property Digital Library (IPDL). Group discussion among participants. etc. The aim is to foster the ability of conducting a search in order to determine the theme of R&amp;D and the necessity of the request for examination of patent applications.</li> </ul> <p>There are many more programs.</p>		
--	--	--	--	--	--

		<p>11. ALEJANDRO ZANELLI TREJO  INSTITUTO MEXICANO DE LA  PROPIEDAD INDUSTRIAL, (Mexican  Institute of Industrial Property IMPI),  ESPECIALISTA EN PROPIEDAD  INDUSTRIAL MEXICO</p>	<p>With protlcuem  <a href="http://www.protlcuem.gob.mx/swb/es/Protlcuem/p_act_Propiedad">http://www.protlcuem.gob.mx/swb/es/Protlcuem/p_act_Propiedad</a>  (Project of Facilities for the Treaty  of Commerce with the European  Union) given by IMPI and the  Ministry of Agronomy and the  Ministry of Sanitary ant the  complete program was from 2006 to  2010  Several programs with UNAM  (national Autonomous University of  Mexico) and with the IPN (National  Polytechnic Institute) as Diploma  Degree or as Subject Master in  Masters for Example _Technologic  Management with a duration of 2  years and in the Law faculty of the  UNAM  <a href="http://132.248.183.20/posgrado/especialidad/pdf/mapas/PIn.pdf">http://132.248.183.20/posgrado/especialidad/pdf/mapas/PIn.pdf</a> with a  duration of 576 hrs.  By the National Council of Science  and Technology with JICA ____  <a href="http://www.conacyt.gob.mx/Convocatorias/Paginas/Convocatoria_Becas.aspx">http://www.conacyt.gob.mx/Convocatorias/Paginas/Convocatoria_Becas.aspx</a>  with a duration of 6 months</p>		

		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	Training of trainers program on effective intellectual property asset management by small and medium-sized enterprises. Seminar on Commercialization of IPR Seminar on intellectual property education, training and research		
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	-	+	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+	+	
21	Does the government (e.g. IP office) provide for any best practice guidelines on how to draft IP licenses? If affirmative, please elaborate	<b>Participant / Участник</b>	<b>Yes</b>	<b>No</b>	14 respondents: 5 people answered yes (practice guidelines drawn up by the base of IP).
		1. Wenhua Ji Ministry of Commerce, Deputy division director, China	-	+	
		2. Hu Xiaoxu The Ministry of Commerce China	-	+	

		3. Sergio Gilberto Rodriguez Soria Deputy Director, Direction of Inventions (Patent office), Indecopi (IP office) Peru	-	+	
		4. Supat Tangtrongchit Department of Intellectual Property, Trade Officer Thailand	-	+	
		5. Punthara Khamkhiao Technology Licensing Office and University Business Incubator Chianqmai University, Assistant Project Management Thailand	-	+	
		6. CARLOS PEÑA VILLABLANCA, INAPI, PROFESSIONAL OF TRANSFER OF KNOWLEDGE, CHILE	+	-	
		7. JUAN CRISTÓBAL GONZÁLEZ SEPÚLVEDA INAPI, LAWYER, CHIEF OF STAFF CHILE	+	-	

			OUR TECHNICAL PROFESSIONALS AND USERS. INAPI'S TRADEMARS DIVISION IS ALSO IN THE PROCESS OF FINISHING GUIDELINES FOR SUCH TYPES OF PROCESSES. FINALLY, INAPI HAS DRAFTED GUIDELINES FOR USERS ON THE PCT SYSTEM.		
		8. Hotman Togatorop, Patent Examiner in Directorate of Patent, DGIPR, Indonesia	-	+	
		9. Ignatius MT. Silalahi Chief of Legal Opinion and Litigation, Sub. Directorate of Legal Service of DGIP Indonesia	+ Trademark Law No. 15 year 2001 Civil Law of Indonesia	-	
		10. Takao Ogiya Director General, Asia-Pacific Industrial Property Center Japan	+ (1) Basic Knowledge One Should Know About Patent Licensing Agreements Explanation on (i) Basic knowledge on agreements, (ii) Basic knowledge on patent licensing agreements, and (iii) Overseas licensing agreements (2) Case Studies for Promoting Open Innovation from an IP Strategy Perspective Introduction of case studies on licensing in/licensing out	-	

			technology		
		11. ALEJANDRO ZANELLI TREJO INSTITUTO MEXICANO DE LA PROPIEDAD INDUSTRIAL, (Mexican Institute of Industrial Property IMPI), ESPECIALISTA EN PROPIEDAD INDUSTRIAL MEXICO	-	+	
		12. PHAM THANH LOAN Official, National Office of Intellectual Property of Viet Nam (NOIP) Viet Nam	-	+	
		13. Vidyakina Olga Russian State Academy of Intellectual Property, Russia	-	-	
		14. Boeva Nataliya Russian State Academy of Intellectual Property Russia	+ licensing guideline	-	

## Annex 4

### METHODOLOGY OF IP EDUCATION



BORIS SIMONOV  
HEAD OF THE RUSSIAN PATENT OFFICE  
ROSPATENT

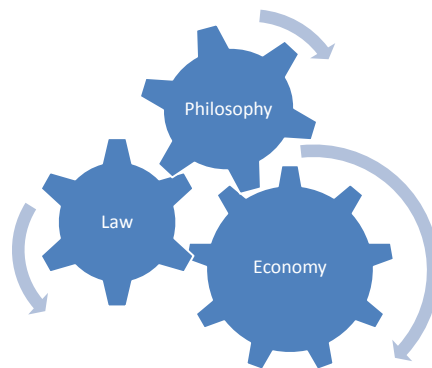


BANGKOK 2012

### IP TERMS AND DEFINITIONS

- Intellectual property
- Copyright
- Patent law
- Innovation
- Knowledge-based Economy
- Technology-based Economy

### Intellectual Property 3 in 1:

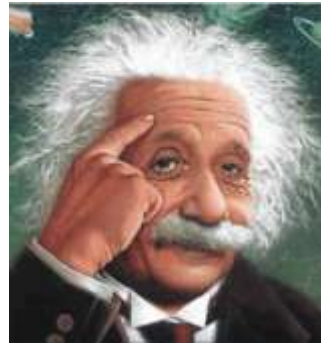


BRAND



SKIN

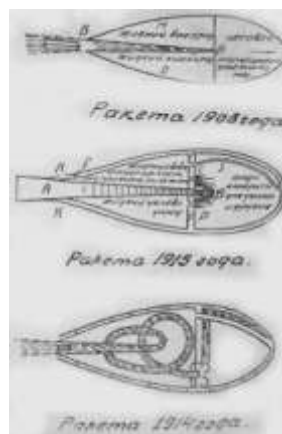
**«IMAGINATION is everything. CREATIVITY is more important than knowledge, for KNOWLEDGE IS LIMITED»**



**Sir Isaac Newton (1666)**



**K. Tsiolkovsky**



## Human space flight (1961)

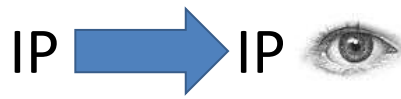


## Inventions that have changed the world

Book printing	Johannes Gutenberg	XV c.	Germany
Pencil	Nicolas-Jacques Conté	1794	France
Dynamite	A. Nobel	1866	Sweden
Electricity (first light bulb)	Alexander Lodygin	1873	Russia
Telephone	A. Bell	1876	USA
Ball-point pen	John Loud	1888	USA
Radio	A. Popov G. Marconi	1895	Russia Italy
Television (Iconoscope)	V.K. Zworykin	1931	Russia
Computer	Max Newman	1943	UK
Internet	Tim Berners-Lee	1989	UK

## Copyright/Industrial property





IP



J.P. Morgan's chief economist, Michael Feroli:

"Calculated using the so-called retail control method, sales of iPhone 5 could boost annualized GDP growth by \$46.2 billion, or \$132.8 billion at an annual rate," Feroli wrote. That 0.33 percentage-point boost, he added, "would limit the downside risk to our Q4 GDP growth protection, which remains 2.0 percent."

## Means of Economic Growth

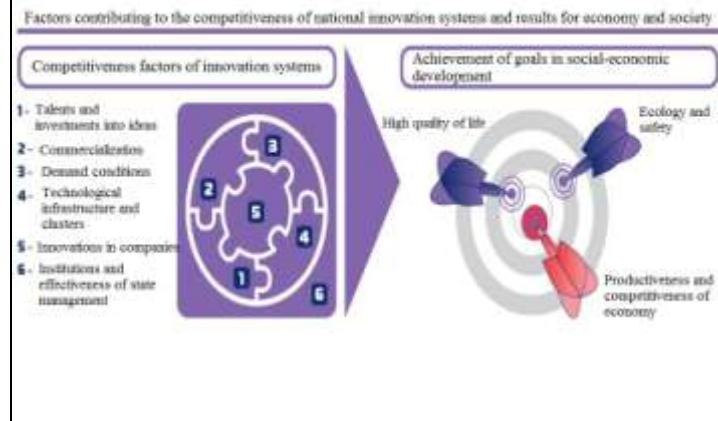
Acceleration of economic growth via borrowing of technology from more advanced states.



Interaction of three sources of economic growth:

1. Investments.
2. Size of workforce.
3. Technological progress.

**Factors contributing to the competitiveness of national innovation systems  
and results for economy and society**




**Types of innovation economies**

**Knowledge-based Economy**

**Technology-based Economy**

## Annex 5



**Training of government officials on  
management and commercialization of  
copyright and related rights.**

**Overview of various training programs on  
management and commercialization of  
copyright and related rights.**

**Recommendations on development and  
implementation of programs for government  
officials.**




Ivan Bliznets  
Rector of RGAIS  
Professor,  
Doctor of Law,  
Full member of Russian Academy of Natural Sciences (RANS)


## **The Role of Government Officials in Ensuring Copyright and Related Rights Protection**

---


Copyright and related rights in the modern world are forming up a big industry comprising a number of sub-industries: book publishing, movies, business software and computer games, audio and video recordings. Objects of copyright are a part of economic turnover, they become goods, start functioning in the market. Such objects should and could be protected by the state, by the society.




Experience of a number of countries shows that return from the exploitation of copyright and related rights' subject matter is possible when a single principle system of protection of intellectual property is in place. Due to the creation of such a system the USA, Japan, South Korea, the EU countries have reached within the past **10-15 years** an increase in the share of the gross national product related to **“production based on copyright” from three to twelve percent**. This input into the social production of the country is bigger than that of any processing industry, including the production of airplanes, electronic and other industrial equipment.



The effect of the “secondary return” from copyright and a great number of productions based on it should also be taken into account. Copyright subject matter plays a role in the life of society which is in no way less important than that of industrial property (patent law subject matter, trademarks). It is trade in copyright subject matter and not patents and trademarks that accounts for biggest profits in the US. The amount of trade in copyrights only in the US is 36,2 billion USD, which is higher than the returns from automobile industry exports.



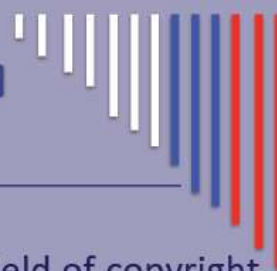
Considering the economic effects of copyright on the economy in a broader sense, we should note the role of copyright in the amelioration of wellbeing, growth and economic development, because these categories are immediately connected with the use of creative potential. This role of copyright has significantly increased in Russia as well.



In my presentation I would like to give some recommendations concerning the training programs in the field of copyright and related rights and the training program “Commercialization of copyright and related rights”.

## **PURPOSE OF THE TRAINING PROGRAM “COPYRIGHT AND RELATED RIGHTS”**

---



- ✱ studying of Russian Federation legislation in the field of copyright and related rights, including the laws and regulations in the field;
- ✱ assimilation of essence, guidelines, principles and norms of the modern Russian law on copyright and related rights;
- ✱ formation student's professional legal awareness;
- ✱ formation the skills of a highly qualified specialist in the legal protection of copyright and related rights by studying, in particular, comparative legal approach to the analysis of copyright and related rights in order to use received knowledge in future practice.

## OBJECTIVES OF THE TRAINING “COPYRIGHT AND RELATED RIGHTS”

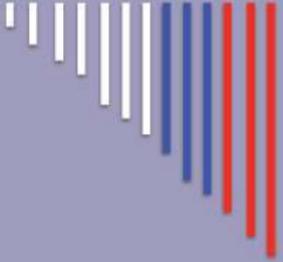
- ✱ explore the sources and the system of legal protection of works and objects of related rights at relevant stage;
- ✱ learn the basic concepts of the types of subjects, types of objects and relations in the content of the legal protection of works and objects of related rights;
- ✱ clarify the nature and essence of the legal relations in the creation, use and transfer of objects protected under the laws of copyright and related rights;
- ✱ understand the key issues and features of author's rights and other holders of copyright and related rights in the Russian Federation and abroad;
- ✱ adopt legal rules different branches of law to prepare for practical work;
- ✱ familiarize with the existing legal practice in Russia and abroad in the field of legal protection of works and objects of related rights.

## TRAINING REQUIREMENTS



As a result of the training, students must:

1. have an idea about the subject of copyright and related rights;
2. know and understand the basic principles of copyright and related rights, the rule of law and the legislation on copyright and related rights;
3. acquire skills in regulations;
4. be able to apply the rules of copyright and related rights to individual cases, given the relationship of copyright and related rights with the norms of other branches of substantive and procedural law;
5. be able to use creative the knowledge and skills obtained in the protection of human rights;
6. continue the process of self-study of copyright and related rights in accordance with practical needs as well as the changes in legislation.



**Training program  
“Commercialization  
of copyright and related  
rights”**

## PLACE OF THE TRAINING PROGRAM IN THE PROFESSIONAL EDUCATION



The relevance of the course is determined by all the increasing importance of knowledge of modern forms and methods of commercialization of copyright and related rights, as well as about the actual problems arising in this area.

The objects of copyright and related rights are used in almost all sectors of the economy, becoming increasingly important in international economic relations and have the strong impact on economic development and competitiveness of national economies.

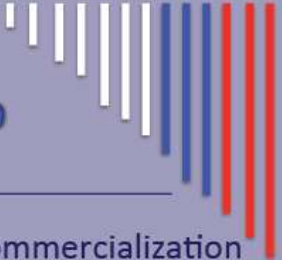
The training should help students with not an only good understanding of the processes taking place in the economy and the legal protection of copyright and related rights, but also with the ability of effectively use the appropriate knowledge in their daily activities.

## **PURPOSE OF THE TRAINING “COMMERCIALIZATION OF COPYRIGHT AND RELATED RIGHTS”**

---

- ★ analysis of the current legislation and the main trends of economic relations development in the field of copyright and related rights;
- ★ formation student’s professional legal awareness;
- ★ the ability to use this knowledge in their practice.

## **OBJECTIVES OF THE TRAINING “COMMERCIALIZATION OF COPYRIGHT AND RELATED RIGHTS”**



- ✱ provide specific knowledge about the processes of commercialization of copyright and related rights;
- ✱ highlighting the role and importance of copyright and related rights in the economic development and growth of innovative capacity of the company;
- ✱ uncover the mechanisms of decision-making IN the commercialization of copyright and related rights;
- ✱ show the relationship of economic and legal aspects of the commercialization of copyright and related rights;
- ✱ uncover the mechanisms of valuation, assessment and inventory of copyright and related rights;
- ✱ develop practical skills in decision-making in the commercialization of copyright and related rights and the valuation of their effectiveness.

## TRAINING REQUIREMENTS



As a result of the training, students must:

**a) to know:**

- applicable laws on copyright and related rights, litigation, regulations on assessment, inventory, valuation, management, including collective management, taxation, and calculating royalties, especially making different kinds of agreements on the creation and subsequent use of copyright and related rights;
- regulations relating to anti-piracy.

**b) be able to:**

- interpret and apply the laws and regulations;
- legally correct to classify the facts and circumstances;
- properly evaluate the economic consequences of legal actions with the objects of copyright and related rights, make management decisions and perform business transactions in respect of copyright and related rights,
  - make contracts, calculations on payment of royalties; other necessary documents;
- - evaluate the effectiveness of the proposed options of commercial use of copyright and related rights.

## TRAINING REQUIREMENTS

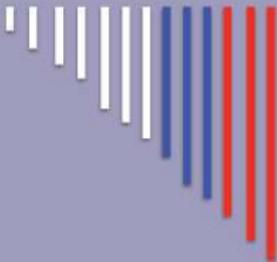


### **c) have an idea about:**

- the economic role of copyright and related rights in the economy of Russia and foreign countries;
- the basics of the assessment of the economic role of copyright in the Russian economy,
- basis of accounting, inventory and valuation of copyright and related rights;
- the main features of the commercialization of copyright and related rights in Russia and abroad.

### **d) possess knowledge of:**

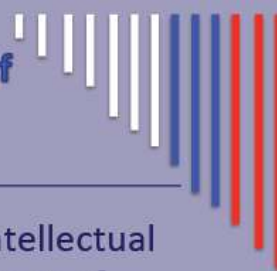
- terminology and basic concepts used in the law on copyright and related rights;
- methods of analysis of judicial practice;
- methods of accounting and inventory of objects of copyright and related rights;
- methods of economic valuation of copyright and related rights;
- methods of decision-making in choosing the most effective options for commercialization of copyright and related rights;
- skills of professional work.



**THEMATIC PLAN OF THE  
TRAINING PROGRAM  
“COMMERCIALIZATION OF  
COPYRIGHT AND RELATED  
RIGHTS”**

## Topic 1. The concept of copyright, the order of granting legal protection

---



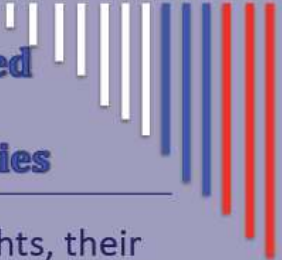
- ✦ The concept of copyright and its place in the intellectual property system. Sources of copyright. The history of copyright law in Russia. The objects of copyright and their main types. The general concept of science, literature and art, the main approaches to classification.
- ✦ Subjects of copyright: the authors and subjects, managing authors' rights on a collective basis. The rights of creators.
- ✦ The concept of the protection, the order of its presentation. International treaties for the protection of copyright.

## **Topic 2. The concept of related rights, the order of granting legal protection**



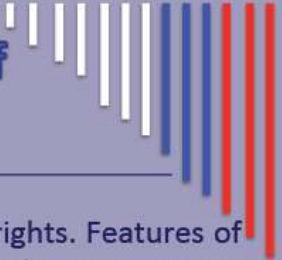
- ★ The concept and nature of related rights and their relation to copyright. Derivation and dependence related rights from the rights of the creators of creative works. Objects of related rights. The rights of performers. Producers of phonograms. The rights of broadcasting and cable broadcasting.
- ★ Subjects related rights.
- ★ The procedure for providing legal protection of related rights.
- ★ International agreements in the field of related rights.

### **TOPIC 3. The role of copyright and related rights in the Russian economy and the prospects for their use in specific industries**



- ★ The economic nature of copyright and related rights, their role in the creation of products, works and services.
- ★ Research of the significance of copyright in national economies, held under the auspices of WIPO. The research basis for the value of copyright in the economy. Methodological approaches of the World Intellectual Property Organization. Features of the methodology of WIPO in Russia. The main findings and the ensure their comparability.
- ★ The contribution of copyright and related rights sectors in the generalized economic development indicators: turnover, gross domestic product, employment and foreign trade.
- ★ The main research findings of the copyright and related rights importance in the economy of the United States, European countries, Russia and countries in transition.

## Topic 4. Features of commercial use of copyright and related rights




- The concept of economic turnover of copyright and related rights. Features of the complex objects creation. The usage of copyright. Reproduction, copying and printing. Citation and adoption.
- Publishing. Reprographic reproduction activities of copyrighted works. Phonograms producers activities. The performers activities.
- The features of the creation and use of copyrighted works.
- The features of the creation and use of objects of related rights.
- The concept of income from the use of copyrighted works. Revenues from the use of related rights.
- Specificity of the use of copyright and related rights as collateral objects. Limitations on the use of copyright and related rights as collateral object and the instances of possible use of collateral transactions.

## **Topic 4. Features of commercial use of copyright and related rights (continuation)**



- ✱ The transfer of exclusive rights to third parties on the basis of concluded license agreements. The features of the transfer of rights of copyright and related rights under the contract of commercial concession (franchising), the complexity of the contract.
- ✱ Organization of making copyright and related rights as non-monetary contribution to the assessed capital (share) of commercial organizations.
- ✱ The addition of copyright and related rights, as a contribution to a partnership agreement to work together.
- ✱ The procedure for determining the valuation of the contributions of partners and their use in the joint venture.

## Topic 5. Features of the copyright and related rights accounting



- \* The statistical account of copyright and related rights. Reporting forms. Features of statistical observation.
- \* Requirements for the organization of the account of copyright and related rights from the copyright holders - legal entity. Organization of registration of copyright and related rights. The features of the organization of accounting in the organizations of collective management of copyright and related rights. Features of income accounting from the commercial use of copyright and related rights.
- \* Forms of primary accounting documents for the registration of copyright and related rights objects.
- \* Organization of accounting the settlement with authors and owners.
- \* Features of accounting and payment of royalties.
- \* The calculation and payment of tax on income of the the authors.

## Topic 6. Features of the copyright and related rights management

- ✳ The system of economic indicators which characterize the condition and dynamics of the copyright and related rights use.
- ✳ Features of the organization and implementation of the economic analysis of the use of copyright and related rights. The indicators system and features of the analysis of the dynamics copyright and related rights portfolio, its structure, profitability and liquidity.
- ✳ Identification of the most effective ways of commercial use of copyright and related rights.
- ✳ Protection of the rights of organizations, in respect of copyright and related rights.
- ✳ Creation of economic, legal and institutional environment for the development of a creative atmosphere. Stimulate creativity, respect for the rights of authors and people assisting in the creation and use of copyright and related rights objects.
- ✳ Features of the management organization in the field of collective management of authors' rights and copyright holders.

## Topic 7. Features of remuneration for the creation and use of objects of copyright and related rights



- \* Characteristic of creativity motivating. Economic-recovery of costs incurred by the authors in the process of creativity. Problems of proportionality and fairness of the remuneration. Market and non-market methods of fixing remuneration.
- \* The grounds for the payment of author's fee.
- \* Characteristic of the payment author's fee for the works created in the field of science.
- \* Remuneration for authors of copyrighted works. The minimum rates of remuneration. Features of the remuneration for reproduction of a work for private purposes without the author's consent.
- \* Remuneration for related rights subjects - performers, producers of phonograms, broadcasting organizations and cable broadcasting. Features of calculating the compensation amount for different types of use and reproduction of objects.
- \* The role of the societies for the collective management of copyright and related rights in the organization of the collection and payment the remuneration to owners.

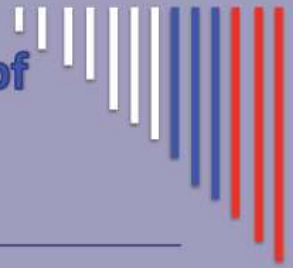
## Topic 8. Features of contracts of the transfer and assignment of copyright and related rights



- ✱ The author's agreement, its main content. Types and forms of author's agreement. The author obligations. The user's obligations. The responsibility of parties for failure to comply the obligations. Termination of author's agreement.
- ✱ Agreements with the rights holders to transfer the authority to collective management organizations as a legal basis for their activities.
- ✱ Agreements between the employee (the author of the work) and the employer - the customer of the work made for hire relative to remuneration.
- ✱ The copyright agreement. The form of copyright agreement, the material terms of the agreement: the size and determination of remuneration, procedure and terms of payment, terms of the rights transferred.
- ✱ Agreement on the alienation of the exclusive right in copyright law.

## **Topic 9. The government regulation of relations in commercialization of copyright and related rights field**

---



- ✳ Legal protection of copyright and related rights. General characteristics. Civil protection methods.
- ✳ Administrative and criminal liability for violation of copyright and related rights.
- ✳ International agreements in the field of copyright and related rights.
- ✳ The main directions of the state policy on commercializing of copyright and related rights objects.

## MAGIOR INTERNATIONAL AGREEMENTS IN THE FIELD



- ✳ Berne Convention for the Protection of Literary and Artistic Works (September 9, 1886),
- ✳ World Copyright Convention (6 September 1952),
- ✳ The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) (1961),
- ✳ Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms (done at Geneva on 29/10/71),
- ✳ Agreement on cooperation in the field of copyright and related rights on September 24, 1993,
- ✳ The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), adopted 04/15/94, in Marrakech,
- ✳ The WIPO Copyright Treaty (Geneva, December 20, 1996),
- ✳ The WIPO Performances and Phonograms Treaty (Geneva, December 20, 1996) ([www.wipo.org](http://www.wipo.org))


## MAIN LEGISLATIVE ACTS IN RUSSIAN FEDERATION IN THE FIELD

---


- ★ The Constitution of the Russian Federation (December 12, 1993),
- ★ The Civil Code of the Russian Federation. Part one. (November 30, 1994),
- ★ The Civil Code of the Russian Federation. Part Four. (18 December 2006),
- ★ Code of Administrative Offences (December 30, 2001),
- ★ The Criminal Code of the Russian Federation (June 13, 1996),
- ★ The Criminal Procedure Code of the Russian Federation (December 18, 2001).

Political, economical and legal changes of the last two decades typical for the transition period have substantially changed the role, mission and functions of the state bodies and government officials responsible for copyright. This was due to the following reasons and in the following manner:


- division in a majority of countries of the functions of public administration and collective management (direct public management was replaced by missions of legitimate creation and functioning of collective management organizations);
- elimination of interference of state into contractual system – contractual relations (and where such interference is necessary – transfer of regulation of respective relations from government employees to legislative bodies);
- increase of the contribution of the copyright related activities into national economy (partially due to the transition to market economy and partially due to impressive technical and industrial development which in general took place in the same timeframe);
- increase in the role of international cooperation (due to the globalization trends as in trade relations, as in creation and exploitation of cultural and informational materials and services);
- need for struggle against piracy, which became more widespread due to the advent of market economy and the decrease in the management of certain aspects, which are important from the view point of copyright and related rights protection.




Currently in Russia and in a number of countries (especially with economies in transition) the place of the state bodies for copyright within the framework of governmental structure has also changed. A trend has appeared where in different countries the coordination of policy formulation in the field of intellectual property is entrusted to one organization, typically, an intellectual property office or a patent office (the latter with the same title, but with broader competence). Evidently, it is a result of recognition of certain trends of approximation between the two main branches of intellectual property: industrial property on the one hand and copyright and related rights on the other hand, issues of legal and organizational aspects of protection and implementation of rights.




Entrustment of coordination of policy in the field of intellectual property to one body may also be considered as a reaction to similar convergent organizational trends at the international level. The activities of both WIPO and WTO cover equally industrial property and copyright, and also administrative functions of the TRIPS Agreement covering all the respective intellectual property rights are carried out by single governing bodies and the operation is subject to a single dispute settlement mechanism.



The competence of the intellectual property offices is defined in such a way that they are responsible for both industrial property and copyright, which is quite typical for new independent states. Such system was in place in Russia up to 2004.




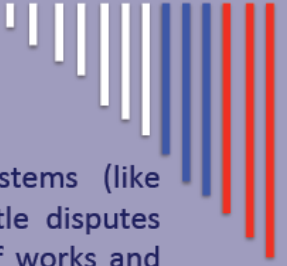
The reference to the abovementioned convergent trends simply helps describe certain organizational trends. It, however, does not intend to imply that this model is better or is preferable. Such tasks can be fulfilled on the basis of various organizational models. Moreover, it is also possible that different functions are carried out by government employees of different ministries and/or governmental establishments, and this model already exists in practice.




In our opinion the tasks of the civil servants of the governmental structures in the field of copyright which are usually executed in the countries irrespective of the applied organizational structure are the following:

- advising the government in decision-making and policy-making in the field of copyright (to that end governmental body responsible for copyright must comprise respective highly qualified staff; it is also recommended to create such consultative bodies as Council on copyright, consisting of experts and practitioners on copyright issues and representatives of various partners interested in the existence of effective, yet balanced copyright system);

- 
- introducing and drafting legislative proposals necessary for the improvement of copyright legislation in accordance with international obligations;
  - representation of the state in such international organizations as WIPO, WTO and UNESCO, and also in the competent bodies of those regional organizations to which the country is party or in the work of which it participates; participation in negotiations and discussions on new international, regional and bilateral agreements,
  - authorization of creation of collective management organizations and control of there activities in order to guarantee that there activities are in compliance with the legislation and international norms and the interests of both rightsholders and users of works and related rights subject matter are taken into due consideration; performing the functions of the coordinator in the process of creation of collective management societies in cases they are not yet in place and are necessary for the adequate execution of certain rights;

- 
- creation and management of dispute settlement systems (like mediation or arbitration); in particular with an aim to settle disputes between collective management organizations and users of works and related rights subject matter concerning the tariffs and other licensing terms;
  - in certain cases, the preparation of expert opinions for courts, law enforcement bodies and other government bodies (to this end a structure similar to the Council on copyright law acting as a consultative body to the government may be used) ;
  - coordination and participation in the struggle against piracy and other illegal activities;
  - conduction of awareness campaigns on the necessity of adequate protection of copyright and related rights.



In certain countries there are governmental bodies, the employees of which are responsible in the field of copyright, but also perform other types of activities. Two such types of activities are to a certain extent typical and deserve special mentioning. The first consists not only of coordination of antipiracy activities, but also in execution of certain specific tasks, such as issuing means of identification of legitimate copies (e.g. holograms); and the second provides for activities as a registration body. In both cases – issuing identification means and acting as a registration body – it is important to note that it should not be understood as a *de jure* or *de facto* formality.

## Training of government officials on “Management of the results of intellectual activities”



Veronika Smirnova, Doctor of Economics



Bangkok, 2012



## **Management of the results of Intellectual activity**

---

- ★ planning and control of activities on creation and utilization of the results of R&D, carried out on the basis of legal, organization and economic information, including accounting information in relation to intellectual property objects and other results of R&D

### **At creation of the training programs for the various categories of listeners you should consider:**

---

- ★ The scope of activity
- ★ Duration of the training program
- ★ The level of knowledge on the filed of IP

## Scope

---

- ★ Programs for all government officials
- ★ Programs for the government officials of the offices, involved in innovation process
- ★ Programs for the government officials of some offices, that can create or utilize IP products
- ★ Programs for the government officials that makes decisions at various levels

## Duration of the training program

Program	Number of hours	Issued document
Patent specialist	Over 1000 (1020)	Diploma with additional qualification «Patent specialist»
Legal protection of IPR	Over 500 (516)	Diploma
IP as a part of innovation activity of enterprise	120	Certificate
IP management on enterprises with different forms of ownership	120	Certificate
Current issues on legal protection of IPR (seminar)	32	RGAIS Certificate
Seminar & lecture on "Possibilities of legal protection of computer software"	8	RGAIS Certificate

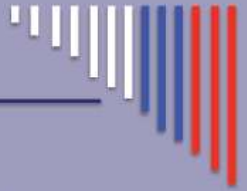


## The contents of the training course must:

---

- ✳ Identify the place of intellectual property in the development of the national innovative system;
- ✳ Characterize the problems and the perspectives of the market of intellectual property;
- ✳ Give perception on the most important directions of state innovation policy and policy in the field of intellectual property management;
- ✳ Introduce the normative basis in the field of intellectual property management;
- ✳ Give perception on the innovation process and identify the place of intellectual property at different stages of such innovation process;
- ✳ Give perception of intellectual property management, the use of systematic approach in the IP management.

# Categories of students



## **1. All government officials**

- Basics of IP
- Legislation (national and international) in the field of innovations and IP
- General issues of IP management
- National innovation system
- IP management at the governmental level

## **2. Government officials of authorities that are actively involved in innovation process**

- Basics of IP
- General issues of IP management
- National innovation system
- Management of government rights to RIA
- IP management at various stages of innovation process

## **3. Government officials of some authorities, where IP objects can be created or/and used**

- Basics of IP
- Specific issues of IP management:
- Methods of RIA detection, choice of form of legal protection,
- IP audit, placing to balance sheet, IP evaluation,
- Mechanisms of commercialization, strategic management in the field of IP

## **4. Government officials, who make decisions at various levels**

- Basics of IP
- General issues of IP management
- Management of government rights to RIA
- Theory and practice of decision-making
- Strategies in the field of IP



Educational programs on management of the results of R&D, including mechanism of IP commercialization and management of innovation risks

## Block system of formation courses for different listeners



- ★ Common questions of establishment and development of the national innovation system. Legislative support of innovation activity. The role of IP in innovation process. Problems and prospects of IP market (legal, finance, organization aspects).
- ★ Common questions of management establishment of results of R&D. State level, regional level, corporate level, level of economic entity (separate enterprise).
- ★ Specialized courses on specific aspects of R&D management: establishment of R&D management system; commercialization of R&D rights; IP accounting, inventory and evaluation; IP management in the framework of innovation projects; patent information support of R&D management; innovation risks; IPR protection; licensing activity.

## IP Management includes:

---

- ✳ Building-up of patent-licensing policy of the company;
- ✳ Establishment of recording system for IP products and other results of R&D;
- ✳ Provision of confidentiality regime in relation to results of R&D, including those created in the course of R&D;
- ✳ Patent information support of R&D (patent, marketing research, etc);
- ✳ Timely identification of patentable results of R&D;
- ✳ Registration of results of R&D;
- ✳ Settlement agreements with regards to relations associated with creation and utilization of IP objects and results of R&D, received at the expense of the federal budget or other contractor;
- ✳ Evaluation and accounting of IPR;
- ✳ IPR protection in administrative order and in courts.

## The process of IP management

### ***1. Identifying and ensuring of legal protection:***

- ✱ Detection of RIA
- ✱ Choosing of type and form of legal protection
- ✱ Ensuring legal protection to RIA

### ***2. Accounting of rights to RIA***

- ✱ Corporate accounting of rights to RIA
- ✱ Accounting of rights to RIA of a particular enterprise

### ***3. Disposal of rights to RIA***

- ✱ Preparing for technology commercialization with regard to disposal of rights to RIA
- ✱ Drafting contracts on acquisition of rights to RIA of third parties
- ✱ Drafting contracts on disposal of rights to RIA within the industry
- ✱ Drafting contracts on disposal of rights to RIA outside the industry

← Monitoring of RIA movement and effectiveness management →

## The use of IPR in the economic activity of the enterprise allows:



- ✳ Obtain competitive advantages on advanced technology;
- ✳ Receive additional revenue from transfer of IPR;
- ✳ Invest into start-ups and jointly ventures without diverting funds;
- ✳ Optimize the database for tax purposes;
- ✳ Adjust the volume of enterprise's net assets;
- ✳ Increase the investment attractiveness of enterprise.



## Management of IPR of Russian Federation includes:

---

- ✳ implementation of measures on registration of R&D results, utilized or received in the framework of state contracts;
- ✳ public accounting of the results of R&D;
- ✳ accounting and valuation of R&D results;
- ✳ management of results of R&D owned by the Russian Federation;
- ✳ Organization of R&D utilization

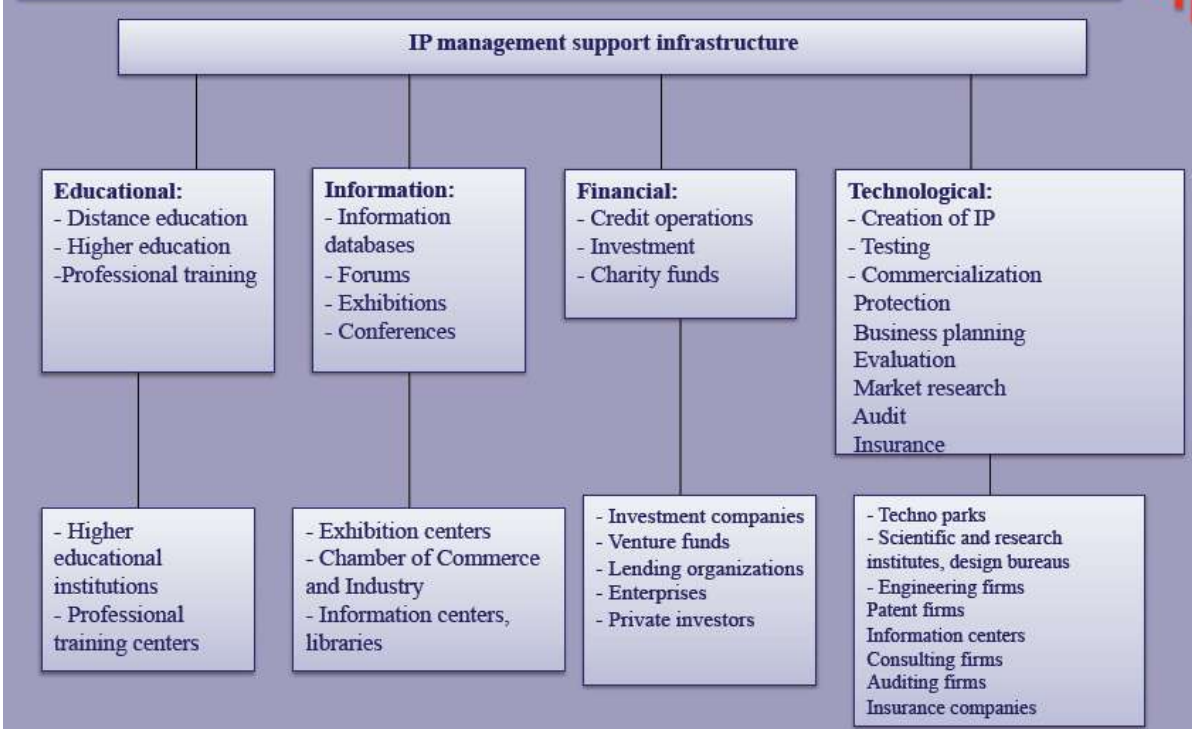


## The formation of IPR portfolio assumes:

---

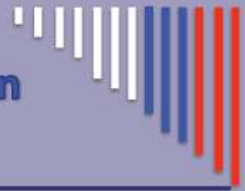
- ✳ Systematic identification of patentable R&D;
- ✳ Determination of legal protection forms;
- ✳ Obtaining legal protection on industrial property objects in the Russian Federation;
- ✳ Selection of objects to be patented abroad, countries and patenting procedures;
- ✳ Decisions on maintenance of company's patents;
- ✳ Obtaining of IPR, owned by other companies and provision of IPR to other users.

# Model of infrastructure for the promotion of IP management



## When choosing the form of legal protection you should consider:

---



- ✱ Object of protection (device, process, design etc);
- ✱ Procedures of right obtaining (registration, transfer of rights);
- ✱ The term of protection;
- ✱ The level of IPR protection received;
- ✱ Methods of IPR utilization;
- ✱ Actions recognized as violation of IPR;
- ✱ The availability of alternative forms of IPR protection.



**At the moment of the creation  
and the usage of IPR you should settle the  
following relationships:**

---



- ✦ Between a state customer and a performer;
- ✦ Between authors and a right holder (right holders)
- ✦ Between an author and an employer;
- ✦ Between co-authors;
- ✦ Between patent co-authors;
- ✦ Between a right holder and users.



## The accounting system of IPR should provide:

- ✱ Introduction of internal accounting and building-up of internal reporting in accordance with the order adopted by the company;
- ✱ Providing the information in the Federal accounting system;
- ✱ Providing the statistical reporting

Reporting of IP objects as well as other R & D results should be carried out systematically on all stages of R & D product life cycle.



**Internal accounting of IPR information must provide storage, processing, analysis, and rapid access to information on IP, owned and used by the organization.**

---

It is necessary to include in the scope of information :

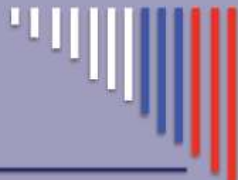
- ✳ Information of legal character taking into consideration the type of IP objects:
- ✳ Information on use of R&D results :
  - 1) Information on use of R&D results by the right holder in home manufacture
  - 2) Information on use of IP objects by other users
  - 3) Information on the present suggestions regarding acquisition of rights on use of IP objects, made by third parties
- ✳ Information on recording of rights on IP objects as part of business property as well as expenses under the contracts for R&D results

## Accounting of intangible assets includes:



- \* specification of optimal schemes of reflecting in the accounting the rights on IP objects,
- \* Building-up full and trustworthy information on the company intangible assets that is necessary to internal users to accounting reports – directors, founding shareholders, partners and property owners as well as external users – investors, creditors and other users of accounting reports,
- \* Specification of the scope of intangible assets,
- \* Identification of inventory items,
- \* Accounting of transactions relating to purchasing, employment and retirement of intangible assets,
- \* Prevention of negative results of economic activity of the company and revealing internal reserves of ensuring its financial stability,
- \* Selection of amortization policy of intangible assets,
- \* Evaluation of IP rights cost for the purposes of accounting and tax accounting as well as estimation of the market price of R&D results to include them in economic turnover,
- \* Participation in building-up politics regarding inclusion of IP objects in economic turnover.

## An example of the course content "Management of innovative risk"



- \* Introduction. Definitions: risk, innovation risk, risk management, innovation risk management system
- \* Correlation of definitions: risk and uncertainty
- \* Classification of innovation risks (practical work)
- \* Risk management process (theory, practical exercises on risk evaluation)
- \* Risk management system creation
- \* Final task: to identify risks, to create a map of risks, to evaluate risks, to reason methods of risk minimization, to create a project management risk system for a certain innovation project.

## Definitions:



---

- Risk – it is an event in the future that may influence on accomplishing by the company of its objectives. Risks may possibly occur and are characterized by a degree of influence on the company targets.
- To manage risks means to forecast development of events in the future and take measures to enhance the positive effect and reduce negative one in the process of reaching the targets of the company.
- The risk management system – it is a mechanism that allows to minimize risks (main elements: risk model of the company, management structure, protocols, IT system that provides work of the company risk management).

## Risk management

Risk-contributing  
factor

Risk event

Possible  
consequences

### Present

Certain state of  
external and internal  
environment, forcing  
the beginning of a risk  
event

Accident event that  
may cause deviation  
from the estimated  
result

### Future

Deviations from the  
estimated indexes  
and purposes of the  
company as a result  
of occurrence of a  
risk event

## The example of the identification of the risks:

Risk	Risk-contributing factors	Methods of risk management
Gaining of negative result under carrying out R&D results (economic risk)	Wrong interpretation of results and/or selection of route of implementation of fundamental researches on which R&D results are based; failure to implement the result of investigation; miscalculations, mistakes	Carrying out of patent researches and forecasting of employment of R & D results, integrated system of organization of work with process monitoring of R & D work
Absence of result of R&D results within a prescribed period (organizational)	Mistakes in evaluation of terms of completion of R & D results; mistakes in evaluation of resources for R & D results	Work planning considering necessary resources, reports on completing every stage of work and on plan adjustment, creating of a back-up system and a plan of its use in the crisis situations
Gaining of non-patentable result (legal)	Presence of analogues; non-compliance with patentability requirements	Early recognition of analogues, competitor intelligence, insurance of intellectual property

# **Intellectual property management**

## **Model training course**

---



- 1. State policy on the use of results of scientific and technical activities**
- 2. Legal and normative basis for the use of the results of scientific and technical activities**
- 3. Account, inventory and evaluation of IP**
- 4. Patent information research of intellectual property objects**
- 5. Mechanisms of bringing intellectual property objects into commercial circulation**
- 6. Innovation risks**
- 7. Economical and organizational means of IP rights protection**

## The problems:

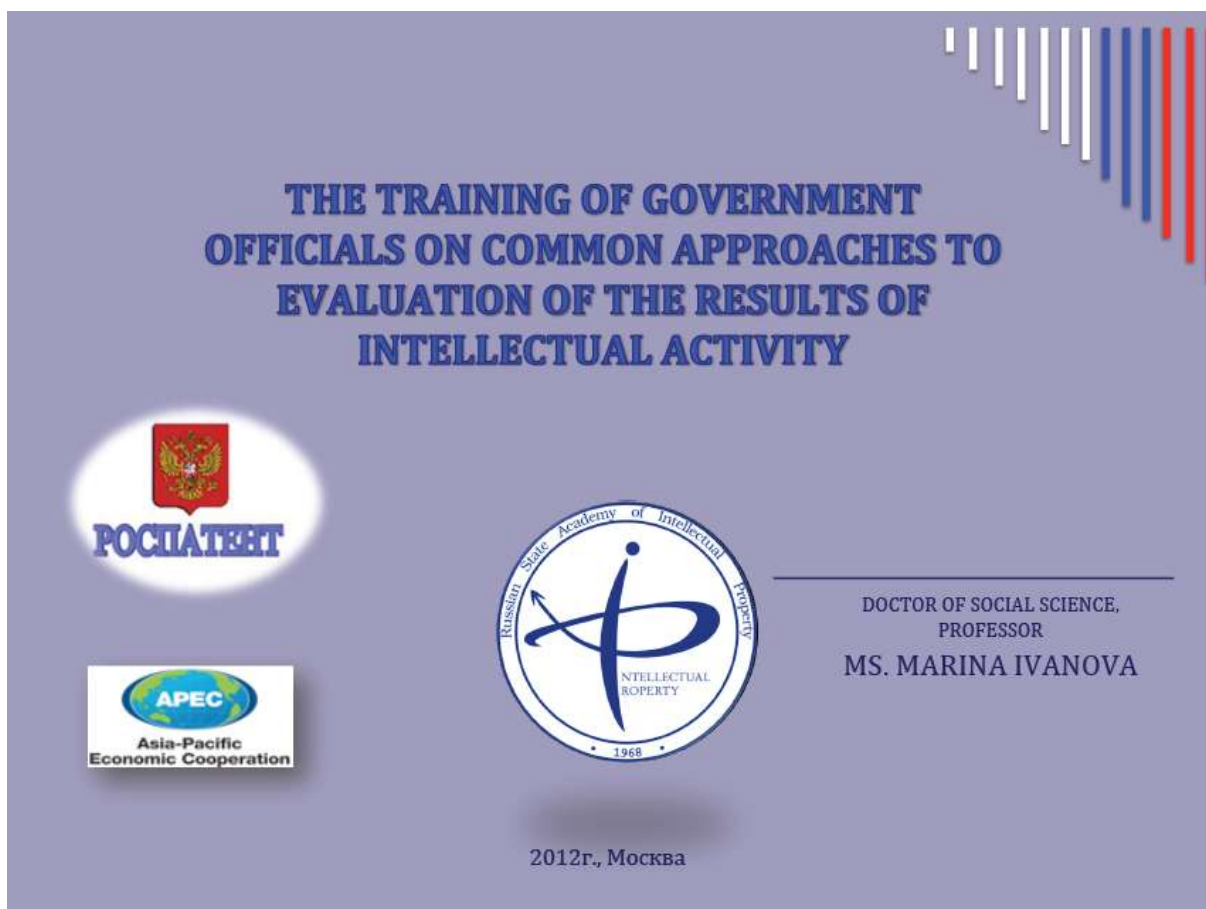
---

- ★ Assembling of groups, motivation
- ★ Logic of course building
- ★ Teaching materials
- ★ Final control
- ★ Feedback



**Thank you for your attention!**

## Annex 7



# CONTENTS



## **EDUCATIONAL PROGRAMS ON QUALITATIVE EVALUATION OF RIGHTS TO INTELLECTUAL PROPERTY OBJECTS**

### **METHODOLOGY OF TRAINING**

- \* [MARKETING RESEARCHES OF POTENTIAL SEGMENT OF INTELLECTUAL RIGHTS' MARKET](#)
- \* [SOFTWARE USED IN QUALITATIVE EVALUATION OF RIGHTS TO INTELLECTUAL ACTIVITY OBJECTS.](#)
- \* [EVALUATION OF ECONOMIC FEASIBILITY AND EFFECTIVENESS OF INNOVATION PROJECTS USING MATHEMATICAL MODELS.](#)

## **EDUCATIONAL PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS**

### **SPECIFIC FEATURES OF TRAINING THE ISSUES**

- \* [MAIN PROVISIONS OF EDUCATIONAL PROGRAMS, RECOMMENDATIONS ON DEVELOPMENT](#)
- \* [COST EVALUATION OF INTANGIBLE ASSETS OF INTELLECTUAL PROPERTY RIGHTS \(COMMON APPROACHES\)](#)

## MARKETING RESEARCHES OF POTENTIAL SEGMENT OF INTELLECTUAL RIGHTS' MARKET



**Educational programs on management of the results of intellectual activity** include recommendations on development of marketing strategies in order to increase competitiveness of enterprise.

**Marketing strategies, developed by enterprise at three levels, are distinguished:**

- \* Corporate
- \* Functional
- \* Instrumental

**At the beginning of building up the strategy the main strategic direction of common activity of enterprise is defined of three potential:**

- \* Business development (offensive)
- \* Keeping current position (defensive)
- \* Winding down of enterprise (exit, liquidation)

## CORPORATE MARKETING STRATEGIES



**Corporate strategies** of marketing define the manner of interaction with market, ways of the best use of enterprise resources in order to meet the needs of market and align the potential of the enterprise with its requirements.

They are directed to solution of tasks related to process of increasing the volume of business activity, efforts to meet the market demand, creating new fields of activity, stimulation of creative initiatives of employees on a deeper analysis of consumer demand.

**There are three groups of marketing strategies at the corporate level:**

- \* Competitive strategies (ensuring of competitive advantage on the market from the standpoint of attracting more potential consumers + policy with relation to competitors)
- \* Growth strategy (direction of enterprise development from the standpoint of better compliance to the market requirements taking into account the level of in-house resources – external acquisition and diversification of its activities)
- \* Portfolio strategies (including management of patent portfolio)
- \* Management of various fields of enterprise activity from the standpoint of its place and role in meeting market needs and capital investing in each of the fields.

## FUNCTIONAL MARKETING STRATEGIES



Functional marketing strategies allows the enterprise to choose target market and develop marketing activities specially for them (including promotion of new technologies to the market taking into account patent mapping).

**There are three directions of marketing strategies at the functional level:**

- ✱ Market segmentation strategies (selection of market participants segmented by various characteristics)
- ✱ Positioning strategies (opportunity to find an attractive position for the enterprise's products in the chosen market segment in comparison with competitor's products in the eyes of potential customers)
- ✱ Marketing mix strategies build up a set of measures, which provides for solving tasks on sales growth, achieving of a certain market share and creating positive attitude of customers to the products.

## INSTRUMENTAL STRATEGIES

Instrumental marketing strategies allows to enterprise to choose the ways of best use of separate components in marketing mix.

**There are four groups of strategies at the instrumental level:**

- \* Product strategies provide for compliance of range and quality of goods with the utility expected by customers.
- \* Price strategies allow to communicate to consumers the information about the product value.
- \* Distribution strategies allow to arrange products so that they were available to consumers at the right time and place.
- \* Promotion strategies communicate to consumers the information about useful properties of all the elements of marketing mix.

Sale of the products, created on the basis of innovation technologies, is characterized by development of typical **baseline strategies**:

- \* Leadership in cost reduction
- \* Differentiation
- \* Focusing (specialization, concentration)

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION



- ✱ The main marketing steps on evaluation of commercialization possibility of new technology is usually as follows:
- ✱ description of technology and analysis of its technical level;
- ✱ determination of potential market for technology;
- ✱ evaluation of influence of external marketing environment on technology commercialization;
- ✱ evaluation of influence of external marketing environment on commercialization process, including influence of government policy, in which commercial use of technology is supposed;
- ✱ analysis of commercial potential of technology;
- ✱ development of the model for technology commercialization (technology transfer) on internal and world markets and working out of recommendations regarding the method of technology commercialization;
- ✱ analysis of already performed steps in technology commercialization, that were perhaps not successful (attempts to license, negotiations with potential partners or investors, etc.);
- ✱ making of business plan or business concept.

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION

**The main stages and elements of technology description are the following:**

- \* description of the most important technical characteristics of the product or technology in a language understandable by a non-professional, description of advantages and disadvantages (if there are any) of technology in comparison with those on the market; if a brand new product for a new market is under consideration, then it's almost impossible to make such a comparison and one has to be guided by expected needs ( or even by unstated needs) of customers;
- \* technology description not from the viewpoint of characteristics, but from the viewpoint of solving the problems faced by customers, that can't be solved by other products or technologies, description of new opportunities that are offered by the technology and that are not yet requested by the market;
- \* description of competitive technologies' customers and of how they use these technologies;
- \* description of how the technology and its advantages can be presented to potential customers in most illustrative manner;
- \* description of the state of play with intellectual property, related to technology (product), protectability of technology or product to the date of consideration and making strategy of intellectual property enforcement;
- \* description of necessary specification of technology or product for various markets and of main step that should be taken in this direction;
- \* analysis of commercial potential of technology;
- \* development of the model for technology commercialization (technology transfer) on internal and world markets and working out of recommendations regarding the method of technology commercialization;
- \* analysis of already performed steps in technology commercialization, that were perhaps not successful (attempts to license, negotiations with potential partners or investors, etc.);

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION



**\*\*\* Usually the following recommendations are given**

It would be rather good to present the description of technology on three levels:

a) brief summary for one page or less, which is correspondent to part of business plan summary in a language understandable by non-professional in technical field;

b) sufficiently detailed description of technology, still in a language understandable for non-professionals with a large number of tables that compare all possible characteristics of suggested technology (or product) with characteristics of products existing on the market with which it's expected to compete, or with expected needs of consumers, if the product is brand new to the market;

c) the third level of technology description is annexes, which allow professionals in this field to analyze the technology in detail. The information being commercial secrets, scientific secrets, etc., can be included in description, but it can be requested for analysis of technology after conclusion of agreement on confidentiality.

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION

**Determining of technology market potential** is very important for making decision on the possibility to search for strategic partner or investor. It's clear that no matter how good the technology is, it will be very hard to develop, if consumers' market of this technology is small.

Very often the authors of developments, including very good developments, don't realize that money is invested not in interesting development and that no one focuses mainly on the level of development, but money is invested in enterprise, which will bring large profits because of large market for its products (and the market is usually defined inter alia by the level of development, though not only by that).

**Main elements and steps on market evaluation are usually as follows:**

- description of methodology (technology, procedure) for carrying out of market research;

- definition of what will be an end product to be sold on the market, how it will be sold, what market (government, corporate or public market) the end product will be focused on, markets of which countries it will be focused on;

- description of methodology (technology, procedure) for testing the product on the market;

- evaluation of state and perspectives of government, industry, groups of population that will provide the market for technology under consideration or evaluation of possibility of creation a new branch of industry or groups of population, that would form the basis for the market of this technology;

- determination of demand for technology (product, service) and trends in market volume change for technology.

Market for technology or product determines the interest of partner or investor, that's why it's important to evaluate it as much precisely and analyze as much in detail as possible. This is the key information for people making decisions whether to support technology commercialization or not and whether it's worth doing.

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION

### Evaluation of influence of external marketing environment on technology commercialization

Within the research the following should be analyzed:

- \* how the government supports and funds developments in the field, in which the considered technology was created, who (what organizations) carries out researches in interested field and how it may affect commercialization of suggested technology;
- \* how government policy in the field technology commercialization and support of science and engineering promotes or hinders commercialization of suggested technology and what means can be used to speed up technology commercialization, to put the project on technology development and commercialization in various government programs;
- \* how government policy basically affects technology commercialization on international market (tariffs, joint research works, joint funding of enterprises, critical and dual technology, transfer of intellectual property as contribution to the joint enterprise, etc.)
- \* influence in positive and negative directions of the most important but not the main factors of government policy on the process of technology commercialization, further the influence of the other main factors of external marketing environment (demographical, cultural, etc.) on the process of technology commercialization should be considered.

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION



### Analysis of commercial potential of technology

To draw a conclusion on commercial potential of technology, first of all, it's necessary to consider earlier market assessments and technology competitiveness basing on technical specifications. It should be remembered that the existing large company, which works with high-tech product or technology, and which has an established network of distribution for its product and service and promotion of the product to the market, doesn't make a large quantitative changes in characteristics; improvements can be 20-30% or less. For a company that only enters the market it is essential that its product is better and significantly cheaper, usually 2-3 times less. When selling licenses for a product, the company that has earlier produced a similar product, may have a less difference in quality and may be satisfied by 20-30%, but it won't be a new company.

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION

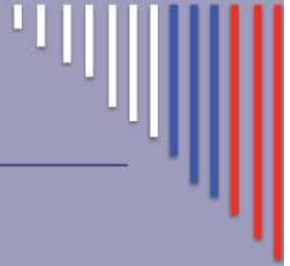


**Further there are the following recommendations:**

- \* to analyze the barriers to enter the market (patent barriers on the market, competition law, type of the market – close to free competition, oligopolistic or monopolistic market, cultural traditions, etc.); these barriers are hard to be listed generalized, for some products or technologies they can be rather specific, thus, the analysis of what barriers exist and are important is needed;
- \* to analyze the risks;
- \* to determine the key unique competence of the product (technology or future company), that should ensure the success on the market;
- \* to evaluate capital and labour resources for implementation of the process of commercialization (here it's reasonable to make calculations of cash flows and analyze project sustainability);
- \* to make conclusions on commercial potential of the project in the form of possible returns from the technology and what is the most important to justify the decision on whether to start the process of commercialization or not.

## MARKETING RESEARCHES ON THE BASIS OF PATENT INFORMATION

---



**The financial part of analysis** is the analysis of cash flow, project sustainability, draft reports on profit and loss. Very often people who developed the technology has a vague idea on expenses related to technology promotion to the market, that are often much higher (in the majority of cases several times higher) than the expenses for the technology development. In financial analysis one should pay special attention to it. Besides financial resources the team's personnel should be analyzed and suggested the solution on its building according to the main directions of activity – development, finance, marketing, general management.

**Analysis of cash flows will be described in the next part of presentation.**

# MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPScore

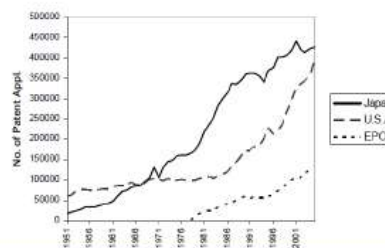


## Importance of intellectual property for top management

In the past:



Today:  
(exaggerated)



## MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPSCORE



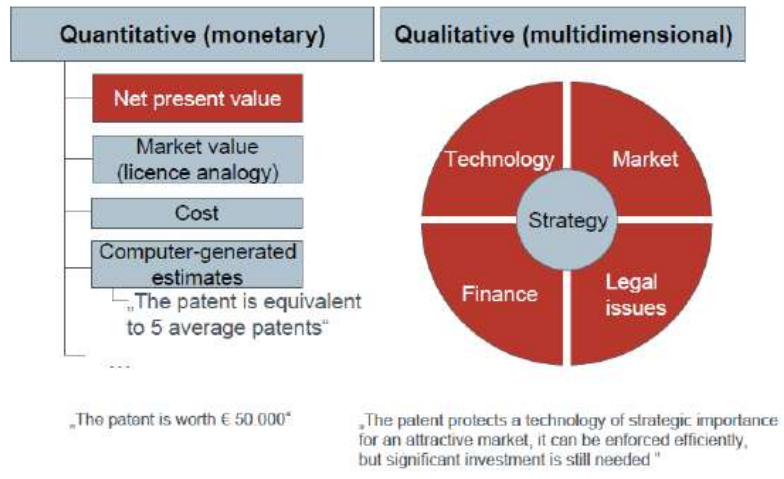
### References to other functions: implementation of patent evaluation



# MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPScore



## Methods for the evaluation of patents



## MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPScore



### Evaluation topics



See also Excel list of all factors

# MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPScore



## Legal status

### Evaluation factors

- A1 What is the status of the patent?
- A2 What is the patent's legal position of strength?
- A3 For how long is the patent still valid?
- A4 How broad and comprehensive are the patent claims?
- A5 Does the patent's geographical coverage include the relevant markets?
- A6 Are patents monitored to identify infringements?
- A7 Are disputes and legal proceedings customary in the operative markets?
- A8 Does the company have the means to enforce patent rights?

### Comment

- Shows the real extent of the legal protection of the patent
- Relevance of individual questions varies with industry and company  
e.g. frequency of patent infringement lawsuits

### Relevance

Factual protection (time leads, network effects) can be more powerful in some cases.  
Secrecy is usually an option only for 12...18 months (effectively a time lead)

# MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPScore



## Technology

### Evaluation factors

- B1 Is the invention a unique technology?
- B2 Is the invention technically superior to substitute technology?
- B3 To what extent has the invention been tested?
- B4 Does the patented technology call for new skills, or prod. equipment?
- B5 How much time is required before the pat. techn. can be commercially used?
- B6 Are infringing copycat products easy to produce?
- B7 Are products of infringing nature easy to identify?
- B8 Does use of the techn. depend on license agreements with others?
- B9 Does the technology have marketing value?

### Comment

- Described the technical content of the patent
- This technical description is understandable for non-experts
- Ensures the comparability of the patents in the portfolio

### Relevance

This section concerns the invention itself.  
All other sections „only“ concern its environment

## MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPScore



### Market conditions

#### Evaluation factors

- C1 What are the marketing options?
- C2 What is the market growth in the business area where the pat. technology is utilised?
- C3 What is the life expectancy of the patented technology in the market?
- C4 Are competitive or substitute products active in the market?
- C5 What ultimate sales price is the consumer willing to pay compared to existing known products?
- C6 What is the potential extra turnover to be obtained within the business area when utilising the patented technology?
- C7 What knowledge does the company have of appl. potential and comm. opp.?
- C8 Does the patented technology embody potential revenue from licensing agreements?
- C9 Do commercial activities require special permits/ licences?

#### Comment

- Shows, whether the patent can be used („marketed“) in a sensitive way
- Estimates the expected profit margin and the impact on turnover
- Estimates the (market) risk of not being able to successfully commercialize the patent

#### Relevance

At the end, it is the market (the customer) who determines the value of the patent

# MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPSCORE



## Finance

### Evaluation factors

- D1 Can the existing business area output in the relevant market be maintained without utilising the patented technology?
- D2 What are the necessary future development costs?
- D3 What is the index for cost of production when implementing the pat. tech.?
- D4 What investment is necessary for production equipment?
- D5 Does the company have the financial capacity to cover patent renewal fees in the relevant markets?
- D6 What is the patented technology's contribution to company profits?

### Comment

- Additional estimation – no clear distinction to market conditions
- Important input for the estimation of the net present value
  - In connection with B5, C2, C3, C6: Time to commercialization, growth, usage time, turnover increases
  - Additional input for the estimation of the NPV comes from the balance sheet
- Additionally, this section also concerns strategic implications

### Relevance

Completes the picture on the financial impact of the patent

## MARKETING EVALUATION OF INTELLECTUAL RIGHTS' MARKET SEGMENT AND MANAGEMENT OF PATENT PORTFOLIO USING IPSCORE



### Strategy

#### Evaluation factors

- E1 Is the object of the patent to secure position held in existing markets?
- E2 Is the object of the patent to win new markets?
- E3 Is the object of the patent part of an image-building process?
- E4 Is the object of the patent to ensure "freedom to operate" - to ensure the space for your own development activities?
- E5 Is the object of the patent to restrict competitive development?
- E6 Does the company use the patent for licence or sales agreements?
- E7 Does the patent form part of the company's core-technology areas?
- E8 Is there alignment between the patent and the company's business strategy?

#### Comment

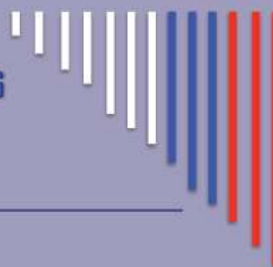
- Additionally to the strategic aspects already covered
- Relation between E1 and D1 (maintain turnover) and between E2 and C6 (turnover increases)
- Question 5 aims at blocking patents, that otherwise would appear worthless in IPscore

#### Relevance

The alignment of the patent portfolio and the strategy is a success factor

## **EVALUATION OF ECONOMIC FEASIBILITY AND EFFECTIVENESS OF INNOVATION PROJECTS USING MATHEMATICAL MODELS METHODOLOGY OF TRAINING**

---



At the initial stage of training on any of the programs, dedicated to economic evaluation of feasibility and effectiveness of innovation projects, trainees are necessarily taught the theory of determining possible returns and effectiveness of investment projects on the basis of financial statistics method. The difficulties with the calculation of profit from using intellectual property objects (IPO) are identified.

## EVALUATION OF ECONOMIC FEASIBILITY AND EFFECTIVENESS OF INNOVATION PROJECTS USING MATHEMATICAL MODELS METHODOLOGY OF TRAINING



**The problem of evaluation the attractiveness of investment project** is to determine the level of its return (rate of return).

There are two basic approaches to this problem, according to which the methods of evaluation of investment effectiveness is suggested to divide into two groups:

- \* simple (statistical) methods;
- \* discount methods.

**Methods of the first category** operate on separate, "point" (statistical) values of initial indicators. Using this methods doesn't take into account the whole duration of innovation project life as well as nonequivalence of cash flows, that appears at different moments at time. Nonetheless, due to it simplicity and illustrativeness these methods are widely spread, though they are used mainly for a quick project evaluation at the preliminary stages of development.

**Second group includes methods of investment projects' analysis**, that operate on the notion of "time series" and require the use of special mathematical tool and more thorough preparation of initial information.

### Simple methods of effectiveness evaluation

Among simple methods to determine the feasibility of placement capital in investment project two is more often used: calculation of simple profit rate and calculation of payback period.

Simple rate of return is an analogue of capital profitability index.

The difference between simple rate of return (SRR) and profitability ratio is that the first one is calculated as the ratio of net profit (NP) for some period of time (usually 1 year) to overall volume of investment expenditures (IE):

$$\text{SRR} = \text{NP} / \text{IE}.$$

To make easier the calculation of total net profit it is often not adjusted for value of interest payments.

## EVALUATION OF ECONOMIC FEASIBILITY AND EFFECTIVENESS OF INNOVATION PROJECTS USING MATHEMATICAL MODELS METHODOLOGY OF TRAINING

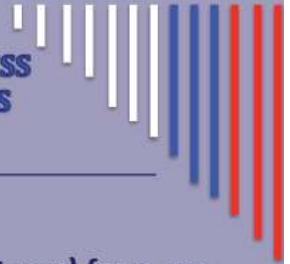
### Discount methods

**The problem of adequate evaluation of project attractiveness**, related to capital investment, is to determine to what extent the future returns justify current expenditures. As the decision has to be made "today", all indicators of the future activity of investment project should be adjusted taking into account the reduction of value (significance) of monetary resources as distancing operations, related to their expenditure or receipt. Practically the adjustment is putting all values, characterizing the financial side of project implementation, in scale of prices which is comparable with available "today". The operation of such recalculation is called "**discounting**".

The calculation of adjustment ratios in practice of investment projects' evaluation is made on the basis of so-called "rate of discount". The meaning of this indicator is to measure the rate of decrease of the monetary resources value in course of time. Therefore, the value of recalculated ratios should always be less than one.

The value itself of the rate of discount (RD) combined of three components:

**$RD = IR + MRR * RI$** , where IR - inflation rate, MRR - minimal rate of return, RI – ratio (multiplier), which takes into account risk of investments.



**The problem of calculating the profit (respective part of the returns) from use of right to intellectual property objects**

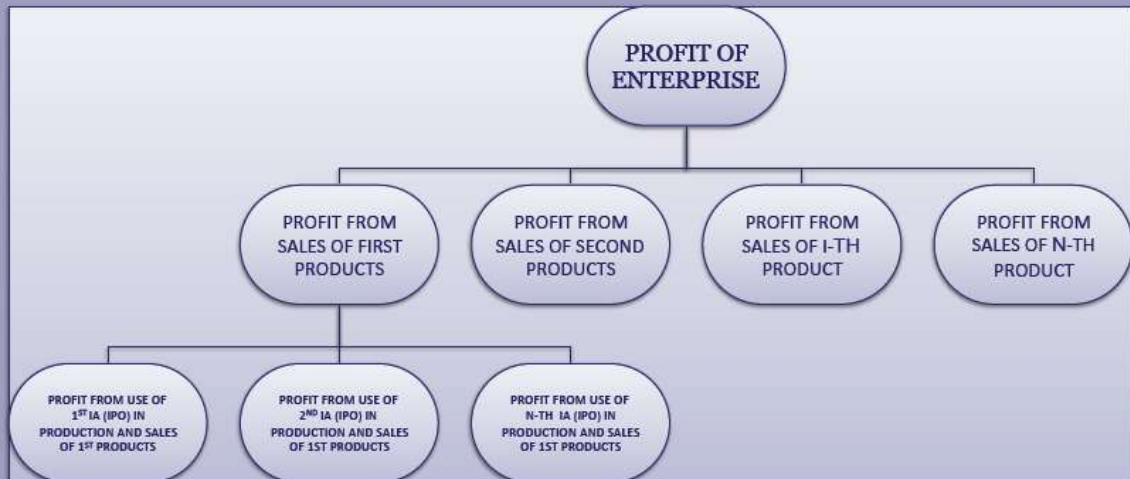
The Methodology of calculating the profit (respective part of the returns) from use of right to IPO is not established at the regulatory level.

For this reason there is often a substitution of notions between “profit from use of IPO” and “profit from sale of products produced with use of IPO”.

Thus, profit from use of a particular IPO is determined as a part of profit, made on sale of products produced with use of this IPO.

**EVALUATION OF ECONOMIC FEASIBILITY AND EFFECTIVENESS  
OF INNOVATION PROJECTS USING MATHEMATICAL MODELS  
METHODOLOGY OF TRAINING**

**HIERARCHIAL LEVEL OF PROFIT**





### **Profit of enterprise**

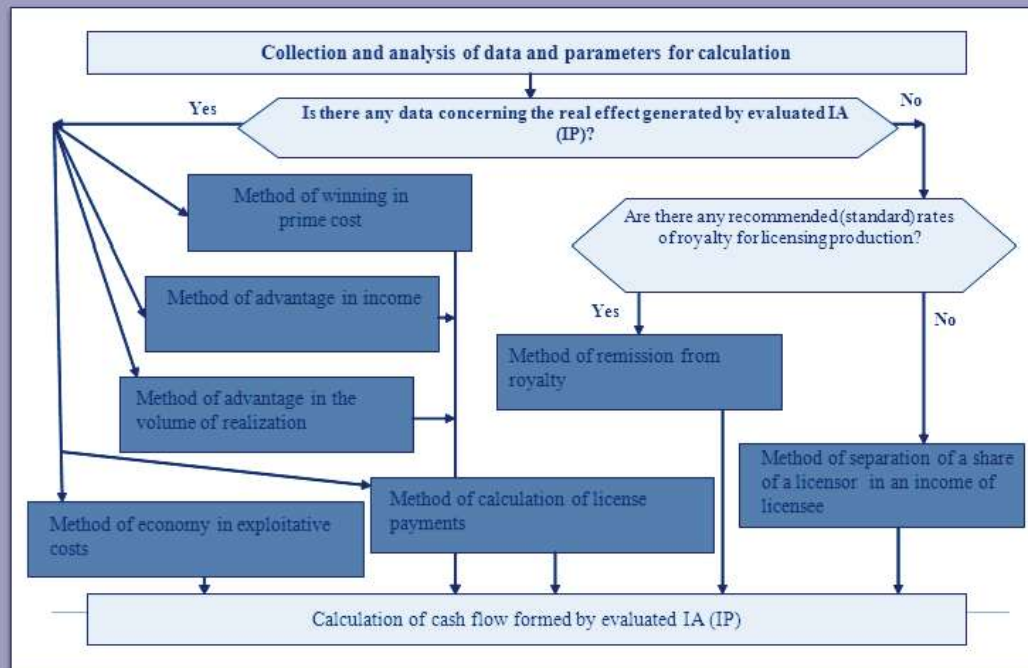
Profit of enterprise (PE) is formed of profit from sales of various products (PSP), produced at the enterprise, including those that are produced with use of IPO:

$$\mathbf{PE = PSP1 + PSP2 + \dots + PSPN}$$

## PROFIT ACCOUNTING TO IA IN DIFFERENT GOODS

TECHNOLOGY	NAME OF IA OIP	NOMENCLATURE OF PRODUCED GOODS					
		PRODUCT1	PRODUCT 2		I-product		N-PRODUCT
JOINT TECHNOLOGY №1	INVENTION 1	+			+		
	INDUSTRIAL DESIGN 1	+					
	.....	+					
	ktd 1	+					
	SOFTWARE A	+					
JOINT TECHNOLOGY № 2	INVENTION 2		+				
	INVENTION 3		+				
	.....		+				
	ktd № 2		+				
JOINT TECHNOLOGY № M	INVENTION M1				+		
	UTILITY MODEL						
	.....						
	ktd № m1				+		
	SOFTWARE №M1						
PERSONNEL	+	+	+	+	+	+	+
TRADEMARK 1 (ENTERPRISE)	+	+	+	+	+	+	+
TRADEMARK 2 (PRODUCT)			+				+
LICENSE			+				
CERTIFICATE			+				+

# EVALUATION OF ECONOMIC FEASIBILITY AND EFFECTIVENESS OF INNOVATION PROJECTS USING MATHEMATICAL MODELS METHODOLOGY OF TRAINING



## EVALUATION OF ECONOMIC FEASIBILITY AND EFFECTIVENESS OF INNOVATION PROJECTS USING MATHEMATICAL MODELS METHODOLOGY OF TRAINING



### **The calculation of real effect from use of IPO (including those created from budget resources)**

Profit (respective part of the returns) from use of IPO is determined on the basis of direct comparison of value, risk and time of receipt of cash flow from use of IPO with value, risk and time of receipt of cash flow that would be received by the rightholder in case of non-use of IPO.

### **If there is no opportunity to determine the real effect from IPO**

If there is no opportunity to determine the profit from use of IPO by means of direct comparison before and after its use, this profit is calculated on the basis of analysis and evaluation of value of all enterprise assets.

**The final stage** – development together with trainees of financial part of business plan of investment project on IPO commercialization through the example of other enterprises. Justification of use of mathematical models for calculation of project effectiveness. The additional self study of trainees is supposed.

---

## **General Conclusions**

In order to determine the profit (relevant part of returns) from use of a particular result of intellectual activity, to which the legal protection is granted, it's necessary to know:

- ✱ market value of tangible assets;
- ✱ market value of current assets;
- ✱ market value of intangible assets;
- ✱ rate of return on tangible assets;
- ✱ rate of return on current assets;
- ✱ rate of return on a particular IPO.



**TRAINING PROGRAMS ON COST EVALUATION OF PROTECTED  
RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY  
OBJECTS AND INTANGIBLE ASSETS**

---

**Cost evaluation of protected results of intellectual activity at the enterprises is taught with the AIM to:**

- \* form for trainees the concept of intellectual property economics as a basis for ensuring commercial activity of enterprise;
- \* understand intellectual property role in business development and economic growth of the country;
- \* learn the essence of intellectual property category as corporate asset;
- \* understand the role of scientific researches and developments in creating knowledge-based competitive products;
- \* understand the necessity to create integrated management system for intellectual property system in companies (corporations) taking into account cost evaluation of returns from IPO commercialization.

## TRAINING PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS

Specific character of training related to the economics of intellectual property is caused by the complexity of the object of study.

In order to achieve more efficiency of perception of necessary knowledge and skills in the field of evaluation of protected results of intellectual activity one can use:

**Traditional lectures with use of innovative methods of presentation of the material: lectures – presentations with use of visual accents and presentation of the material in the form of logic schemes.**

ACTIVE METHODS OF TRAINING		
NOT IMITATING METHODS	IMITATING METHODS	
	GAME METHODS	COLLECTIVE INTELLECTUAL ACTIVITY
A lecture press conference		
Lecture with analysis of concrete practical situations	Role-playing games	Brainstorming
Thematic seminar (selection by students of practical examples to prove the theory)	Imitation games	



## TRAINING PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS

---

The programs of various level are developed for government officials depending on involvement of their offices in innovation process:

**Programs of level I** – general information about the system of intellectual property legal protection, enforcement and management and common approaches to evaluation of intellectual property rights. Mode of study – distance.

**Programs of level II** – methods of qualitative and cost evaluation of intellectual property rights. Mode of education – classroom training partially off-the-job.

**Programs of level III** – professional retraining on the program “Business evaluation” that includes section on intangible assets evaluation. Mode of education – classroom and practical training partially off-the-job, writing of final thesis work.

**Programs of level IV** – additional programs on problematic issues in the field of intellectual property rights evaluation on demand of particular government authorities and government corporations.

## TRAINING PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS



The contents of programs of level I include legal basis of intellectual property.

**Intellectual property** is results of intellectual activity (RIA) and means equated to them of individualization (MI) of legal entities, goods, work, services and enterprises that are granted legal protection (Article 1225 of the Civil Code of the Russian Federation).

RIA and MI can't be alienated or otherwise transferred from one person to another, however, the rights to such results and means, as well as tangible forms in which these results or means are reflected, can be alienated or otherwise be transferred from one person to another in cases or manner provided for the Code.

For RIA and MI intellectual rights can be recognized that include exclusive right, that is a proprietary right, and, in cases provided for by the Code, also personal non-proprietary rights and other rights (droit de suite, right of access, and others).

## MAIN POINTS OF EDUCATIONAL PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS

### Intellectual property objects as objects of cost evaluation.

Intellectual property objects are divided into:

- \* Objects of patent rights
- \* Objects of copyright
- \* Topographies of integrated circuits
- \* Secrets of production (know-how)

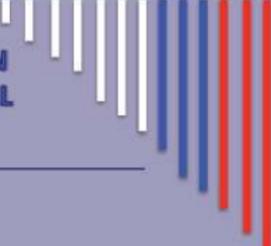
#### Objects of patent rights are:

Inventions  
Utility models  
Industrial designs  
Trade names  
Trademarks and service marks  
Appellations of origin  
Commercial names  
Selection attainments

#### Objects of copyright are:

Works of science, literature and art  
Computer programs  
Databases  
Related rights  
Performances  
Phonograms  
Broadcasting or diffusion of radio- or television  
transmissions via cable

**Topographies of integrated circuits**  
**Secrets of production (know-how)**



**MAIN POINTS OF EDUCATIONAL PROGRAMS ON COST EVALUATION  
OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL  
PROPERTY OBJECTS AND INTANGIBLE ASSETS**

---

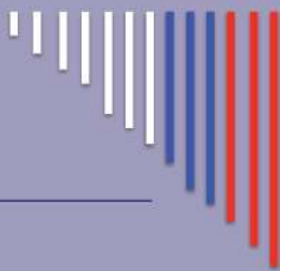
<b>OBJECTS OF PATENT RIGHTS</b>	<b>OBJECTS OF COPYRIGHT</b>
RIA mainly in scientific, technical and industrial fields	RIA mainly in literature and art fields
Substance of RIA is protected	Form of RIA is protected
For creation of patent right for RIA it's necessary to comply with certain formalities: -filing special application in patent office -carrying out examination of RIA substance for patentability -disclosing to public the RIA substance in exchange for monopoly rights -paying patent fees (amount of fees is fixed, information is on the web-site of Rospatent).	For creation of copyright for RIA it isn't required to register RIA or comply any formalities. Copyright arises upon the fact of RIA creation. Copyright applies to works of science, literature and art, that are results of creative activity regardless of purpose and value of work.
	Condition for distribution of copyright for works of science, literature and art are the following: - work should be the result of creative activity - work should be original - work should have objective form of expression.

## MAIN POINTS OF EDUCATIONAL PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS

Obligatory contents of programs in shortened or expanded form provide for consideration of economic substance of IPO and methods of IPO commercialization.

RIGHTHOLDER IN HIS BUSINESS ACTIVITY	RIGHTHOLDER IN CIVIL TURNOVER
- IPO commercialization	Licensing operations with IPO
- Form of IPO use	
- Free use of IPO	
- Right of prior use	
- Right of after use	
- Output of IPO from economic turnover	

## MAIN POINTS OF EDUCATIONAL PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS



### Use of IPO by the rightholder in his business activity

An important place in the procedure of **IPO commercialization** takes legality of such action, i.e. prevention of infringement of exclusive right owned by other persons. IPO commercialization includes the start of such actions as production, usage, import, storage, offer for sale, sale of the product created with use of protected knowledge, and usage of method protected by a patent. The procedure of IPO commercialization is generated by an order of an enterprise and is reflected in accounting policies of an enterprise, it confirms physical opportunity, financial feasibility and reasonable justification of IPO use for increasing enterprise turnover.

### Use of IPO by the rightholder in civil turnover

#### Licensing operations with IPO

License agreement is an agreement according to which one side - rightholder of exclusive right for IPO (licensor) provides or obliges to provide other side (licensee) the right to use this IPO within the ambit of agreement.

Licensee can use the IPO only within the limits of those rights and ways that are provided for by the license agreement.

**Continued on the next slide.**

## MAIN POINTS OF EDUCATIONAL PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS

**By volume of transferred rights** license agreement can be of following types:

Simple non-exclusive license: Licensor, providing licensee the right to use of IPO, preserves all rights, confirmed by protective document, including the right to grant licenses to third parties.

Exclusive license: licensee is provided with the right to use of IPO (including granting of sublicenses) within the ambit of the agreement, preserving the rights of licensor to its use to the extent that is not transferred to licensee and without preserving the right of licensor to grant licenses to other persons.

Open license: Granting the right to use IPO to any person. Patent owner should conclude an agreement with a person, who expressed a desire to use IPO. License agreement is concluded on the conditions of simple non-exclusive license. If patent owner provides an open license, he has favorable conditions for keeping patent in force. If within 2 years there is no offers on purchasing open license, patent owner can withdraw an open license.

Alienation of rights in full scope (contract for alienation of exclusive rights): Transfer by the rightholder of all owned rights to IPO, confirmed by protective document, in full scope to other person.

Compulsory license: Form of simple non-exclusive license for the right to use IPO that is concluded under authorization of competent government authorities or determination of the court. A person who claims a compulsory license should indicate in his claim the anticipated requirement for granting such license including the volume of use, amount and timing of payments.

## MAIN POINTS OF EDUCATIONAL PROGRAMS ON COST EVALUATION OF PROTECTED RESULTS OF INTELLECTUAL ACTIVITY – INTELLECTUAL PROPERTY OBJECTS AND INTANGIBLE ASSETS

### Types of license remuneration

**Royalty** is a type of license remuneration which represents periodic payments, expressed in percentage of results of license use (revenue, profit, costs).

**Lumpsum payment** is a form of payment under license agreement according to which to have the right to use the subject of license agreement one should pay fixed pre-determined amount of remuneration regardless of the volume of production under license.

Lumpsum payment can be made at a time or by installments.

The form of current payments can be indicated as:

- systems of linear current payments
- systems of regressive remuneration
- systems of progressive remuneration
- remunerations based on profits
- temporary special types of remuneration.

#### Forms of remuneration as a lump sums applicable when:

- \* the basis of calculation as royalty can not be determined in practice (patent that are not for production)
- \* there are no means of control for determination of proportional remuneration
- \* expenses on accounting and control operations are disproportionally large in comparison with expected results
- \* method and conditions of use make it impossible to apply the rule of proportional remuneration.

## Cost evaluation of IA and IPR

The next important section of educational programs is **to define the purpose of evaluation** of intellectual property rights.

### **I. Registration:**

- 1.1. Placing of intellectual property on balance sheet as an intangible asset
- 1.2. Strategic planning by changing priorities.
- 1.3. Forming the price policy.
- 1.4. Separation of enterprise property.
- 1.5. Merging of enterprises.
- 1.6. Liquidation of enterprise.
- 1.7. Hypothecating to receive a loan.
- 1.8. Rights' insurance.
- 1.9. Intangible assets recognition.
- 1.10. Capital investment in an enterprise.

### **II. Taxation:**

- 2.1. Tax planning.
- 2.2. Financial analysis of assets following the results of enterprise work.

### **III. Transfer (change of owner):**

- 3.1. Buy and sell of rights of use through license.
- 3.2. Entering to charter capital.
- 3.3. Privatization with limited rights.
- 3.4. Privatization without limited rights.
- 3.5. Коммерческая концессия.
- 3.6. Commercial concession.
- 3.7. Selling of surplus assets.
- 3.8. Transfer without charge.
- 3.9. Gifting of rights.
- 3.10. Inheriting rights.

### **IV. Court practice:**

- 4.1. Losses (actual damage and loss of profit).
- 4.2. Profit of violator of rights.
- 4.3. Compensation for rights violation.



## COST EVALUATION OF IA AND IP RIGHTS

---

The main section of educational program contents on cost evaluation of IP rights is consideration of various approaches and methods to evaluation and peculiarities of their application.

**In the process of training the emphasis is on the solution of practical issues on cost evaluation of rights for various IPO.**

### **Evaluation methods of IA (IP)**

There are the following evaluation methods of IA (IP):

Evaluation methods of IA, identified separately

Evaluation methods of inseparable IA (goodwill)

Evaluation methods of **IA, identified separately** are:

- methods of income approach
- methods of cost approach
- methods of comparative approach

Evaluation methods of **inseparable IA (goodwill)** are:

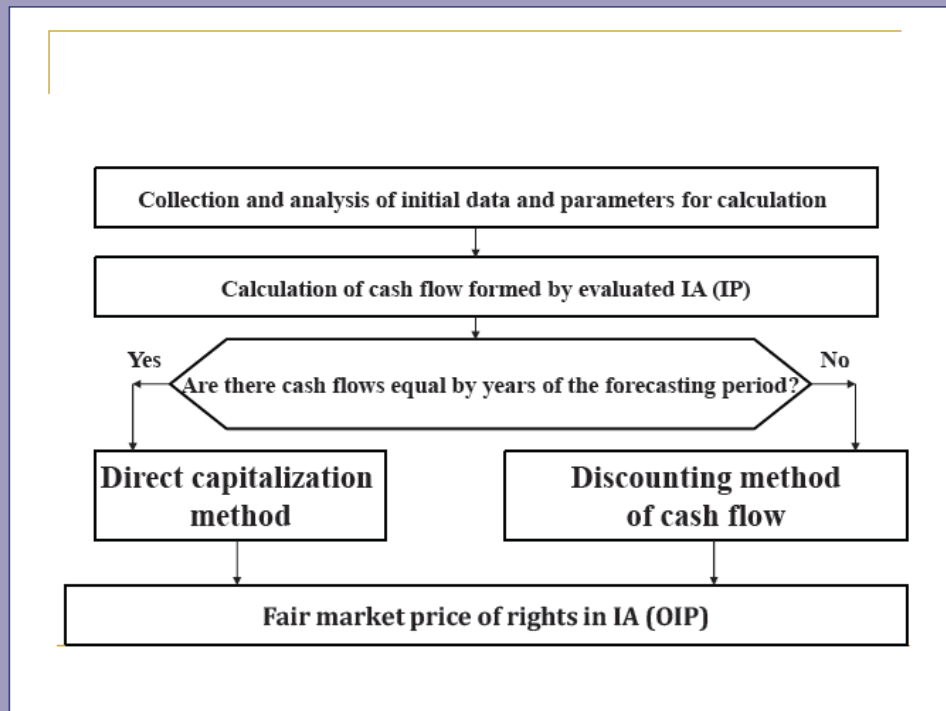
- accounting method
- surplus profit method
- symbolic method

## COST EVALUATION OF IA AND IP RIGHTS

The most applicable approach on evaluation of IP rights is income approach.

INCOME APPROACH	
DIRECT CAPITALIZATION METHOD	DISCOUNTING METHOD OF CASH FLOW
INCOME (BENEFITS ) FROM IA	
Methods based on determination of real effect from IA:	Methods based on conditional allocation of effect from IA:
1. Method of real license fees	1. Method of allocating the share of licensor in the profit of licensee
2. Method of gain in production cost	2. Method of exemption form royalty
3. Method of benefits in profit	
4. Method of savings in operation costs	
etc.	

## METHODS OF THE PROFIT-BASED APPROACH



## COST EVALUATION OF IA AND IP RIGHTS

Discounting rate in calculation of benefits in profit.

$$d = d_{ef} + \Delta\tau$$

Where  $d_{ef}$  - crisis free rate, a  $\Delta\tau$  – risk adjustment.

**Risk-free rate of asset return** is a tool that meet such conditions as:

Probability of funds loss as a result of investment in assets under consideration is minimal

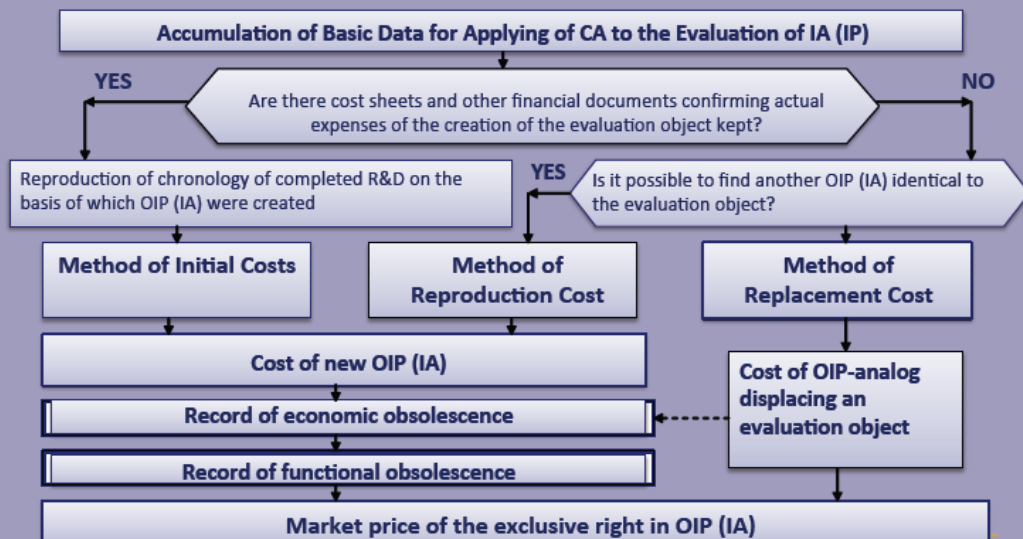
Profitability of assets is determined and known in advance

Duration of the period of financial tool circulation coincides or is close to the lifetime of evaluated IA

If anticipated period is more than 1-2 years, then risk-free rate is as profitability of effective bond redemption of government loan (rbk.ru rusbons.ru ), if the period is less than 1-2 years then of deposits.

Risk-free rate is taken as 11,32%

## METHODS OF COST APPROACH (CA)



## PECULIARITIES OF EVALUATION OF THE RESULTS OF INTELLECTUAL ACTIVITY (RIA) USING THE COST APPROACH



While applying *cost approach* measures of RIA costs are based on reproduction costs and/or replacement costs.

Reproduction costs represent costs for creation of an exact copy of initial technology (the same principle of work, the same performance level and etc.).

The methods based on replacement costs are represented by calculating the cumulative costs necessary for creation of technology, characteristics of which are similar (from the point of view of productivity and consumer properties of the output production) to characteristics of the technology which are subject to an evaluation.

As the replacing asset is created with use of more modern technology it is expected that it can show bigger commercial potential and technological possibilities. In this connection, cost of evaluated technology should be corrected on losses in economic cost due to its functional, technological and economic obsolescence.

It is necessary to note that definition of cost of not-generally available (internal) technologies can lead to certain problems as such technologies can be unique and non-replaced.

## PECULIARITIES OF EVALUATION OF THE RESULTS OF INTELLECTUAL ACTIVITY BY THE COMPARATIVE APPROACH

---

There are following conditions of applicability of the comparative approach to the evaluation of the results of intellectual activity:

- \* Existence of a large amount of cases of sale of objects with similar designation and/or having comparable utility in the market;
- \* Availability of the information on the prices and the acting conditions of contract with them or about the prices of offers (or demand) on similar objects;
- \* Existence of the analytical information on the influence of distinctive features and characteristics of the objects similar to the evaluated object, on their cost.

It is impossible to carry out adjustment of the costs of analogs in the absence of abovementioned data.

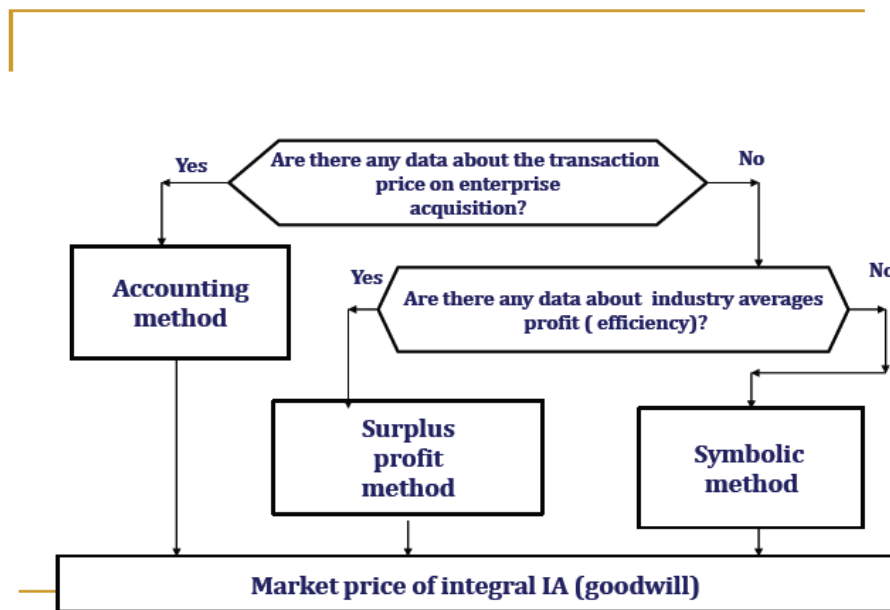
## THE CONCEPT OF COORDINATION OF RESULTS RECEIVED BY DIFFERENT APPROACHES

---

If in the process of evaluation an evaluator used the market data and correctly applied methods and approaches to evaluate IA (IP), as a rule then he will receive a market result.

The conclusion about the cost is based on the rated values received on the basis of evaluation methods.

## EVALUATION METHODS OF INTEGRAL ( NOT IDENTIFIED) IA - GOODWILL





**Thank you for your attention!**

**Annex 8**

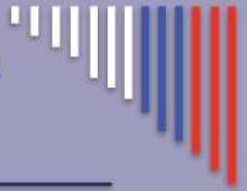


## **Use of Business Games in the Process of Training of Trainers on Intellectual Property Issues**

***Ms. Lyubov Tsitovich,  
associate professor of the Chair  
“Copyright and related rights”  
Russian State Academy of Intellectual Property***

## Business game is one of the methods for receiving knowledge and skills

---



*Use of business games in educational programs and management activity is necessary for:*

- 1. Forming student's factual understanding about the real practical use of previously received knowledge;*
- 2. Creating of additional motivation for studying;*
- 3. Developing the most effective creative approach to finding of innovative solutions.*

## Applying business games in practice

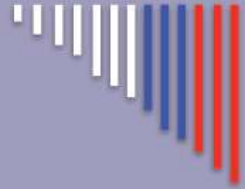


---


1. In commercial activity of economic entity;
2. During training of students at universities and special educational institutions;
3. During competition (selection) of managers, especially when organization of authority for innovation project management;
4. In scientific researches, when certain problems, hypothesis and theories are studied and analyzed through method of game simulation;
5. When selecting rational alternative solutions in elaboration of organizational issues;

## **Business game is characterized by the following common features:**

---




- ✱ vitality and typicalness of a particular situation, studied in business games, presence of circumstances in which it's necessary to carry out an analysis of problem situation and make decisions;
- ✱ absence of full information, decision-making in conditions of uncertainty, risk or resistance, inability to fully formalize the task;
- ✱ there are conflict and hidden resources;
- ✱ dynamic process of management, possibility to influence previously made decisions, change of situation in the future;
- ✱ there are characters: players, who perform the role of officials, players-authors, players-organizers and other players who prepare materials for business game, give information and guide the course of the game;
- ✱ there are rules and regulation of the game.



## **Methodology of business game on protection and enforcement of rights to the results of intellectual activity**

---


1. Theoretical part
2. Establishing of main goals and objectives
3. Preparing the scenario of business game
4. Familiarization of all participants of business game with the scenario and assignment of roles
5. Holding of business game
6. Summarizing the results of business game



## **Business game: “Protection and enforcement of rights to the results of intellectual activity”**

---

1. Checking of theoretical knowledge necessary to participate in the game
2. Clarifying to players of the main goals and objectives of the game.
3. Familiarizing of players with the scenario of the game and assignment of roles (Participants of the game receive roles that define difference in their interests and motivations in the game).
4. Holding the business game “Protection and enforcement of rights to the results of intellectual activity”:


- 
- \* Dividing of players into teams
  - \* Defining for each team of the goal (sometimes directly opposite to the goal of other team)
  - \* Forming the package of simulated documents necessary for each team depending on its goal
  - \* Simulation of conflict by a trainer (violation of rights to the results of intellectual activity)
  - \* Discussion and formulating within each team of the most effective strategy to achieve the goal, set to the team
  - \* Checking of chosen strategy by each of the team to the possibility of its application in this conflict situation
  - \* Application by the team of adjusted strategy based on the results of interaction with other teams
  - \* Identifying the team that applied the most correct game strategy
  - \* Analysis of the results of business game (mistakes), working out of suggestions on strategies' improvement
  - \* Results evaluation of work of each business game participant

## Business game: "Enforcement of rights to the results of intellectual activity in court"

---

*Goal:* Receiving the experience of constructive opposition and participation in session of the court as well as studying various strategies of discussion on disputed issues

*Scenario:* Splitting into three, the participants stage a conflict in the field of violation of rights to RIA (it's preferred that the subject of conflict is real). Two participants, one-by-one, represent the conflicting parties, the third becomes a judge. it's important that each participant tried both roles: authoritarian and self-confident "attacker" and apologetic "passive manipulator". Group discussion of role game results is necessary.



# USPTO experience in training government officials on IP management and commercialization

**Paolo Trevisan**

Patent Attorney

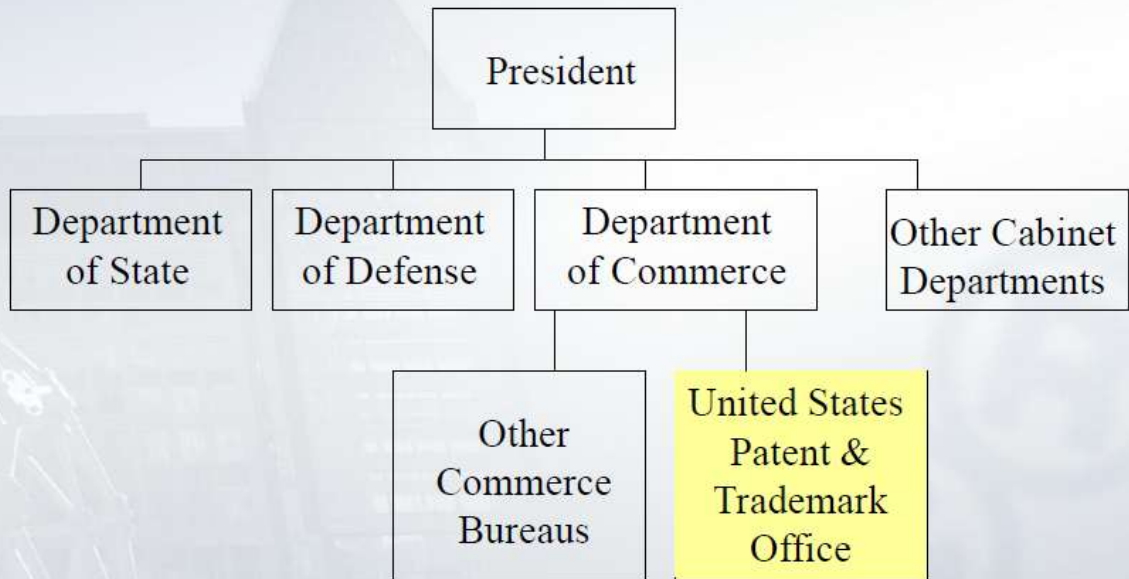
Office of Policy and External Affairs

United States Patent and Trademark Office

# USPTO Mission

- The USPTO's mission is to ensure that the intellectual property system fosters innovation, competitiveness and economic growth, domestically and abroad by:
  - **Providing high quality and timely examination of patent and trademark applications**
  - **Guiding domestic and international IP policy**
    - Advising the Secretary of Commerce, the President of the United States, and the administration on patent, trademark and copyright protection.
    - Advising the Secretary of Commerce, the President of the United States and the Administration on the trade-related aspects of intellectual property
  - **Delivering IP information and education worldwide**

# Federal Government of the United States





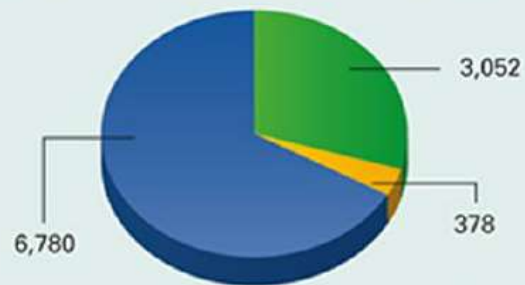
## USPTO FACTS

- Established in 1790
- Completed move to new Headquarters in Alexandria, VA in May 2005
- Fully-fee funded since 1993 from the sale of products and services.
- FY 2011 Revenues - \$ 2,236.4 million (6.4% increase over FY 2010 revenue of \$ 2,101.7 million)
  - 89.7%- patent business area
  - 10.3% - TM business area
- 10,210 staff (federal employees) as of end of FY 2011
  - Contractors
- **Two Business Lines**
  - Patents
  - Trademarks
- **Products and Services**
  - Patent Grants
  - Trademark Registrations
  - Patent and Trademark information



# USPTO Staffing – FY2011

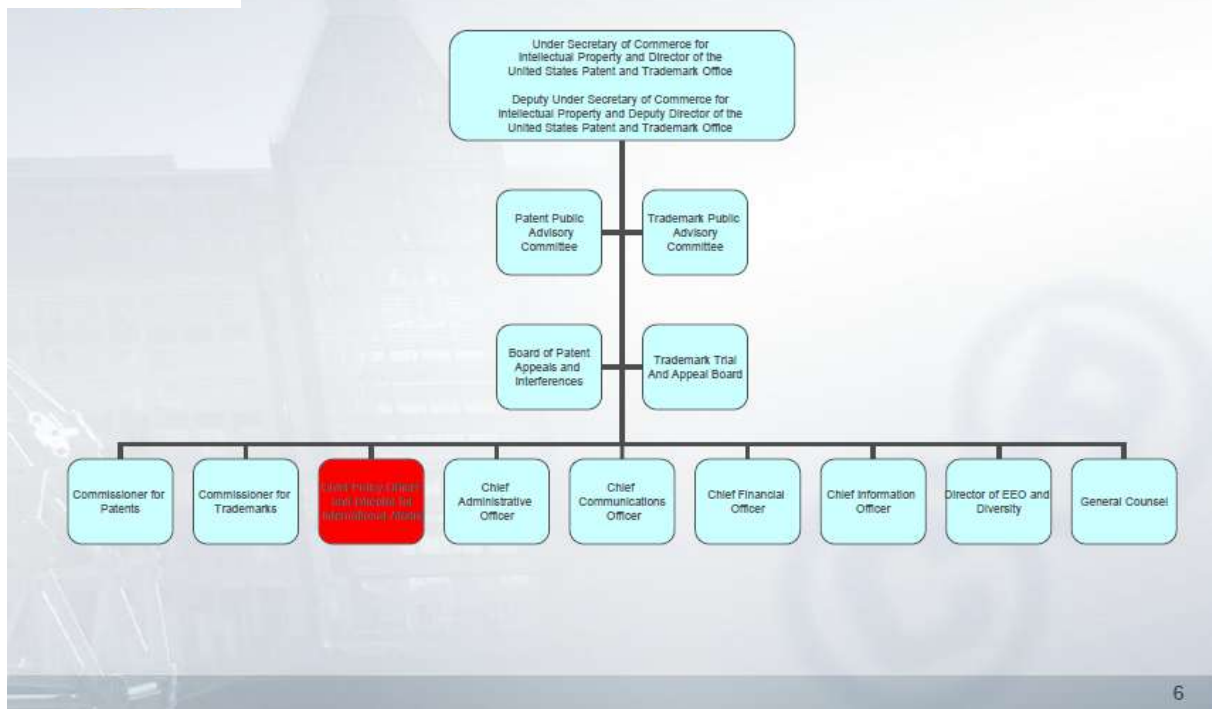
**FIGURE 2 USPTO STAFFING**



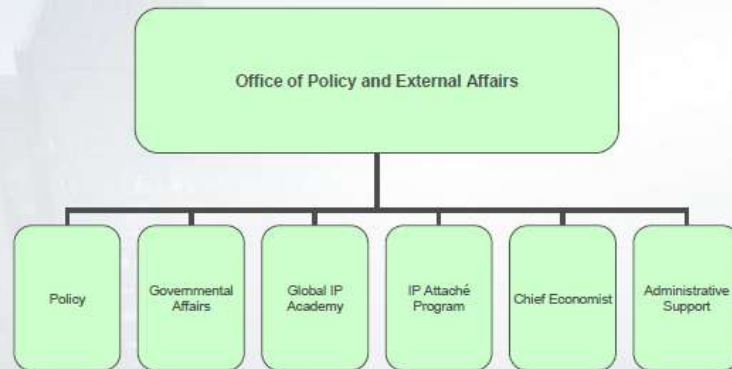
■ Patent Examiners  
■ Trademark Examining Attorneys  
■ Remaining USPTO Staff

**Total 10,210**

# USPTO Organization Chart



## Office of Policy and External Affairs (OPEA)



## The Role of USPTO and IP Policy

- The passage of the American Inventors Protection Act of 1999 (AIPA) (P.L. 106-113) set the stage for the USPTO to advise the President, through the Secretary of Commerce, and all Federal agencies, on national and international IP policy issues, including IP protection in other countries.
- USPTO is also authorized by the AIPA to provide guidance, conduct programs and studies, and otherwise interact with international IP offices and international intergovernmental organizations on matters involving the protection of intellectual property. The Office of Policy and External Affairs (OPEA) carries out the functions authorized by the AIPA.

# WTO TRIPS Agreement

## Article 67 Technical Cooperation

- In order to facilitate the implementation of this Agreement, developed country Members shall provide, on request and on mutually agreed terms and conditions, technical and financial support in favour of developing and least-developed country Members. Such cooperation shall include assistance in the preparation of laws and regulations on the protection and enforcement of intellectual property rights as well as on the prevention of their abuse, and shall include support regarding the establishment or reinforcement of domestic offices and agencies relevant to these matters, including the training of personnel.

# Agency Goals

## USPTO *Strategic Plan 2010-2015*:

- **Goal I:** Optimize Patent Quality and Timeliness
- **Goal II:** Optimize Trademark Quality and Timeliness
- **Goal III: Provide Domestic and Global Leadership to Improve Intellectual Property Policy, Protection and Enforcement Worldwide**
  - Objective 1- Provide Domestic Leadership on IP Policy Issues and Development of a National IP Strategy.
  - Objective 2 - Provide Leadership on International Policies for Improving the Protection and Enforcement of IP Rights.

# OPEA's Mission

## **Promote development of intellectual property systems**

- nationally and internationally

## **Advocate**

- improvements in and
- more cost-effective means of
- protecting and enforcing intellectual property rights of United States nationals in the United States and throughout the world

# OPEA - What Do We Do?

- Develop, negotiate, and maintain multilateral systems for protection and enforcement of IP rights (e.g. treaties, trade agreements, other bilateral and multilateral initiatives).
- Assist Department of State: management of U.S. membership in various international organizations, such as the World Intellectual Property Organization (WIPO).
- Provide advice, guidance and assistance on domestic and international intellectual property issues to U/S, DOC, USG agencies, and Capitol Hill.
- Guide the establishment and administration of agreements with other IP offices.
- **Provide technical assistance to countries and other IP offices – on substantive and enforcement matters, laws, regulations, administration and processing.**
- **Provide training and education on all IP issues to foreign and USG officials.**
- Assist the United States Trade Representative (USTR) with IP aspects of trade issues and negotiations (WTO, FTAs, Special 301).
- Assist with formulation and analysis of policy and legislative proposals.
- Provide input for testimony, liaison with Capitol Hill and others on IP issues.

## **OPEA Teams: Substantive**

- **Policy**
  - Patents
  - Trademarks
  - Copyrights
  - Trade
  - Enforcement
  - China
- **Governmental Affairs**
- **IP Attaché Program**
- **Global IP Academy (GIPA)**
- **Chief Economist**

## **OPEA Teams: Country/Region**

- **Country Teams**
  - **Middle East and North Africa**
  - **Sub-Saharan Africa**
  - **ASEAN**
  - **India and South Asia**
  - **Brazil, Mexico and Latin America**
  - **Russia and CIS**
  - **China**

# IP Attaché Program

- **Primary Goals and Objectives**
  - To promote U.S. government IP policy internationally.
  - To help secure strong IP provisions in international agreements and host country laws.
  - To encourage strong IP protection and enforcement by U.S. trading partners for the benefit of U.S. rights holders.
- **IP Attachés posted in 7 countries:**
  - Brazil, Russia, China, Mexico, India, Thailand, and Switzerland

## **Attachés' Role and Responsibilities**

- **Support U.S. embassies and consulates on IP issues, including devising strategies to stop counterfeiting and piracy;**
- **Advocate U.S. Government IP policy, interests and initiatives;**
- **Assist U.S. businesses on IP protection and enforcement;**
- **Improve IP protection and enforcement by conducting training activities with host governments;**
- **Advise officials at all levels of the U.S. Patent and Trademark Office, Department of State, Department of Treasury, Department of Commerce, Office of the United States Trade Representative, Department of Justice, etc., on the host government's IP system.**

## **Global Intellectual Property Academy (GIPA): Summary**

- **Global Intellectual Property Academy (GIPA)**
  - Founded in 2005; GIPA facility on Madison East 2<sup>nd</sup> floor completed in 2006
  - FY2010: 75+ programs  
4,500+ participants from over 120 countries
- **Domestic SME Outreach Programs – IP Awareness Campaigns, trade shows, webinars**
- **International Technical Assistance and Capacity Building Programs**
  - Areas: Patents, Trademarks, Copyrights, Enforcement, TT and IP management
  - Types: local, regional, remote venue, e-Learning
  - Participants: Examiners, Administrators, Police, Prosecutors, Judges, Legislators, customs, SMEs, Universities, general public

## USPTO Training Facilities

GIPA contains 6 conference rooms: Paris, Berne, Singapore, Venice, The Hague, and Stockholm.

Each room has been named after international treaties and laws regarding intellectual property.

Each room has the ability to provide for simultaneous interpretation and includes state of the art equipment.



10/29/2012

18

## USPTO Training Facilities

The rooms are designed in classroom settings and provides video and audio conference abilities. The Hague room is equipped as a hands-on computer training facility. The Geneva Café offers an area for participants to take breaks during meetings.



# International Capacity Building

- Bilateral, regional
  - Partner with IP offices in recipient country/region
- Multilateral
  - Partner with int'l organizations
    - WIPO
    - APEC
    - ASEAN
    - SEICA
    - CARICOM
    - UNECE
- USPTO headquarters (GIPA facility in Alexandria, VA)

20

## Regional vs. Bilateral Training

- Regional programs bring together countries with common problems, interests, borders
- Regional programs bring together officials with responsibility in the same areas
- Opportunity for peers to meet and compare best practices and problems provides a significant value
- Non-adversarial setting that allows the USPTO to better communicate the US Government perspective

# Training Areas

- Patent
- Trademark
- Copyright
- Enforcement
- Industrial Design
- Plant Variety Protection (UPOV)
- Technology Transfer and IP management

## Major Areas of Expansion

More programs on **Technology Transfer and IP management**: topic of special focus

Three levels:

- 1) Introductory (theory & principles)
- 2) Advanced (concepts & best practices)
- 3) Hands-on workshops

- ◆ See report “Intellectual Property and the U.S. Economy: Industries in Focus”

## Training Approach: General

- Engaging local gov't officials (e.g. IP offices, policy-makers) and local IP community (universities, private practice, right holders)
- Format:
  - Using presentations on specialized topics
  - Addressing specific IP challenges through panel discussions
  - Utilizing case studies to obtain practical skills

# Training Approach: Topics

- General IP topics:
  - How to obtain patent and TM rights
  - Trade Secrets
- Specialized topics:
  - Transfer of rights (licensing, assignment)
  - Laws governing technology transfer
  - Principles of IP management
- Hands-on topics:
  - **Selecting technology for commercialization**
  - Technology valuation
  - Marketing technology
  - Licensing terms,
  - Negotiation, etc.

# Training Approach: Example

## Seminar and Workshop on IP Management and Technology Licensing

### PROGRAM

#### DAY 1

8:30 – 9:00

Registration

9:00 – 9:10

Program Overview/Introduction

9:10 – 9:40

Participants Introduction

*Participants*

- Position/Title
- Information about office/organization/responsibilities

#### THEME 1:

#### PROMOTING INNOVATION

9:40 – 10:30

Topic 1: U.S. Law and Policy

10:45–11:30

Topic 2: Role of Government in Promoting Innovation in the U.S.

11:30 – 12:15

Topic 3: Promoting innovation in Developing Countries

13:30–14:15

Topic 4: Promoting Innovation in Other Countries

Discussions by Participants

#### THEME 2:

#### INTELLECTUAL PROPERTY MANAGEMENT

14:15 – 15:15

Topic 1: Intellectual Property Overview

(Types of IP: Patent, Trademark, Copyright, Trade Secret, etc.)

15:30–16:15

Topic 2: Patents

-

How to identify patentable invention, Inventorship, Patent application process –key elements

16:15–16:45

Topic 3: Other considerations (protection in foreign countries, monitoring and litigation)

#### DAY 2

9:10 – 9:45

Topic 4: IP Management Tools-WIPO Resources

9:45 – 10:30

Topic 5: Institutional IP Policy: Objectives and Keys Provisions

10:45 – 11:30

Topic 6: Intellectual Property Issues Relevant to Researchers and Scientists (Proprietary Information, MTA, Non-Disclosure Agreement)

11:30 – 12:15

Topic 1: Technology Transfer Office –Roles and Challenges in IP Management (Panel)

13:30 – 14:45

Topic 2: Creating a Technology Transfer Office in Developing

Country: *Challenges and Best practices*

14:45 – 15:15

Topic 3: Case Study I-Introduction (*patent disclosure and patenting*)

*Participants divided into groups of 4-5. Case information is distributed*

*with explanation and assignments, Group Discussion*

15:35 – 16:30

Topic 3 (cont): Case Study I-Group Discussion, Prepare and Present Reports

16:30–16:45

Day Wrap Up, Distribution of Fact Sheets for Brief Exercise

#### DAY 3

#### THEME 4: TECHNOLOGY COMMERCIALIZATION

9:00 – 9:45

Topic 1: Planning and Assessing Technology for Commercialization

9:45 – 10:25

Topic 2: Keys to Technology Valuation

10:45– 11:30

Topic 3: Marketing Technology and Identifying Licensees

#### THEME 5: NEGOTIATION AND LICENSING

11:30 – 12:15

Topic 1: Brief Negotiation Exercise

13:30– 13:45

Topic 2: Licensing Terms

13:45– 14:40

Topic 3: Concept of Negotiation

14:40– 15:30

Topic 4: Case Study 2 (Licensing)

Introduction (10 mins)

*Participants divided into groups of 4-5. Case information is distributed*

*with explanation and assignments, Group Discussion*

15:45 – 16:45

Topic 4: Case Study 2 (Licensing) (cont)

*First Round of Mock Negotiation (Fact Finding) (30 mins)*

*Regroup-Discussion of Agreement terms (25 mins)*

#### DAY 4

9:00 – 10:30

Topic 4: Case Study 2 (Licensing) (cont)

*Round 2 Negotiation and agreement (45 mins)*

*Group Present Reports on Licensing Agreement*

10:45–11:00

Topic 5: Group Discussions: IP Management, Negotiation and Licensing -Do's and Don'ts

#### THEME 6: OTHER FORMS OF TECHNOLOGY TRANSFER

11:10 – 12:15

Panel: Public-Private partnership

13:30 –14:30

Panel: Spin-Offs –Considerations

## Who are the international recipients?

- Both gov't and non-gov't officials (in country or at USPTO HQ)
  - Policy makers
  - Universities
    - OTT
    - Administration
    - Researchers
    - Students
  - SMEs
  - General public
  - Professionals : attorneys, patent agents

## Who are the international recipients? (cont'd)

- Gov't to gov't programs (in the US)
  - Department of State International Visitor Leadership Program
  - SABIT (DOC/ITA)

# Domestic training

- Recipients:
  - Other gov't agencies
    - e.g. NIST
  - Universities
  - SMEs
  - General public
- Modes:
  - Participation in seminars, conferences
  - Webinars
  - E-learning modules on USPTO website

## Evaluation of training effectiveness

- Need tools to measure outcomes of training efforts, e.g.
  - Evaluation tools (to measure attendee's satisfaction)
    - Pre-program surveys
      - Expectations of participants for the program
      - Participants' existing knowledge and expertise
    - Post-program surveys
      - Degree to which expectations were met
      - Degree of satisfaction
      - Usefulness of materials/presentations/discussions/case studies
      - Possible improvements for future programs

## Evaluation of training effectiveness (cont'd)

- Need tools to measure outcomes of training efforts
  - Performance measures (to measure actual effect of programs)

- Outcomes

- measured thru survey
  - mandated by OMB

Program Outcome Levels	Program Goals
Level One: Alumni Satisfaction	Attendees are satisfied with the program.
Level Two: Professional and Cultural Learning (Knowledge Gains)	Attendees have achieved a greater understanding of the protection and enforcement of intellectual property rights.
Level Three: Effects on Behavior (Applying Knowledge)	Application of knowledge. The program has had an impact on the attendees' professional behavior and on their functioning as "opinion influencers" and leaders in their countries.
Level Four: Institutional Changes, Linkages, Ties (Networking)	Attendees have fostered "institutional changes" with respect to the protection and enforcement of intellectual property rights, and have pursued contacts, networks, and enduring ties with United States and other foreign officials.

<http://exchanges.state.gov/education/evaluations/execsummaries/iplprogram.pdf>

## Evaluation of training effectiveness (cont'd)

- Need tools to measure outcomes of training efforts
  - Performance measures (to measure actual effect of programs) (cont'd)
    - Outputs
      - How many programs delivered?
      - How many officials trained? Etc
    - Efficiencies
      - Cost of training per participant
      - Ratio of administrative/program costs
      - Use of distance learning tools
      - Cost per program as compared to previous FY, etc.

## Evaluation of training effectiveness (cont'd)

- How these measurements are utilized?
  - Modify or discontinue programs or introduce new programs (or teaching methods)
  - Improve cooperation with partners to leverage resources (human and \$\$) and to deliver better content
  - Improve teaching methodologies
    - Lectures vs. active participation by attendees?
    - Variety of teaching methodologies

## Importance of Public Engagement on IP

Today, over 40% of the U.S. Economy and 60% of U.S. exports are attributable to Intellectual Property.

“IP-dependent industries represent 40% of U.S. economic growth, account for more than \$5 trillion of the gross domestic product, and comprise more than half of all exports. Additionally, 18 million Americans work in IP-intensive industries. These jobs often pay better and are expected to grow faster over the next decade than the national average.” <http://www.thetruecosts.org/category/tags/ip-and-jobs>, 03/23/11.

## Importance of Public Engagement on IP

- **Need to have a basic understanding of intellectual property and its importance**
  - not only defensively, but perhaps more significantly, its contribution to the overall economic health and well-being as well as the growth potential of a company.
- **Need to identify intellectual property business assets (a “needs analysis”) and develop an overall strategy for the IP portfolio – from the start.**
  - instead opting for a piecemeal, after-the-fact, approach after the product has been introduced (when it often is too late).
  - To protect or not to protect?
  - What, how and where to protect

## Importance of Public Engagement on IP

- **Need to understand that patents and trademarks are “territorial”**
- **Need to decide on the most appropriate form of protection**
  - valuable confidential business information can be protected as trade secret
  - trade secret vs. patent protection
  - Integrated approach
- **Need to understand how to enforce IP rights**
  - Civilly
  - Administratively
  - Criminally

# Importance of Public Engagement on IP

- **Understand who the IP rights belong to**
  - Patent – inventors, unless signed away
    - **Bayh-Dole Act: Universities and SMEs with government funding**
  - Copyright in a work created by an independent contractor belongs to the independent contractor; “work for hire”
  - Employment contracts
  - Assignments
- **Understand specifics of national IP laws in those countries where protection is desired, e.g.**
  - U.S. has a grace period of 1 year from the time that the inventor publishes or first publicly discloses his invention until the time that he must file his U.S. patent application or lose his right to do so
  - Europe has no grace period
  - Other countries – various grace periods or no grace period
  - TM rights are based on registration in most countries; but on use in the US
  - Trade secrets are subject to state law in the US, which varies from state to state

37

## E-learning resources on IP and IP management: STOPfakes.gov

### **“SME IP Training Tutorial” on STOPFakes.gov**

- The average time to complete this course is 1.5 hours
  - Module 1 - Introduction
  - Module 2 - IP Protection and Your Business
  - Module 3 - Understanding Different Types of IPRs Introduction
  - Module 4 - How to Obtain and Protect Your IPRs in the U.S.
  - Module 5 - Obtaining and Protecting Your IPRs Abroad
  - Module 6 - Enforcing Your IPRs

# E-learning resources on IP and IP management: STOPfakes.gov

## “Business Tools”



The screenshot displays the STOPfakes.gov website. The header features the site's logo and tagline, "Your resource for IPR information and assistance," along with navigation links for HOME, ABOUT STOPFAKES, RESOURCES, FAQs, and CONTACT US. A search bar is located on the right. The main content area is divided into four sections: "Business Tools" (with a red star icon and a line graph), "Consumer Tools" (with a pill bottle icon), "U.S. Government Initiatives" (with a globe icon), and "Global Partners" (with a globe icon). Each section includes a brief description and a "Read more" link. On the right side, there is a sidebar with a "Find the best office to help you." section, a "I am a..." dropdown menu, and two buttons for "China IPR Webinar Series" and "IPR Training Module".

**STOPfakes.gov** Your resource for IPR information and assistance

HOME ABOUT STOPFAKES RESOURCES FAQs CONTACT US

**Business Tools**  
Find resources to protect your innovations, spur creativity, and market products safely at home and abroad. [Read more](#)

**Consumer Tools**  
Learn how to spot a fake and where you can report counterfeit and pirated goods. [Read more](#)

**U.S. Government Initiatives**  
Learn how we are working to improve intellectual property protection and enforcement for our companies in markets around the globe. [Read more](#)

**Global Partners**  
Discover information and tools developed by partner governments, private sector groups, and international organizations. [Read more](#)

Find the best office to help you.

I am a...  
- Choose -

China IPR Webinar Series

IPR Training Module

39

# E-learning resources on IP and IP management: STOPfakes.gov



40

### U.S. IP Basics Training Tutorial

- Average module is less than one hour in length
  - Module 1 – Patent Protection
  - Module 2 – Copyright: Encouraging and Protecting Creativity
  - Module 3 – Overview of Trademarks
  - Module 4 – Geographical Indications
  - Module 5 – International Standards for the Enforcement of IPR
  - Module 6 – Trade and Intellectual Property Rights
  - Module 7 – Introduction to Patent Cooperation Treaty (PCT)
- All modules are available in English, Spanish, French, Arabic and Russian.

# E-Learning Resources on USPTO.gov

## U.S. IP Basics Training Tutorial

The screenshot displays the USPTO Public Training Portal. At the top, the 'uspto.GOV' logo is visible alongside search bars for patents and trademarks. A navigation bar lists various USPTO services. The main content area is titled 'USPTO Public Training Portal and IP E-Learning Modules'. It features a sidebar with a 'Training and Education' menu. The main text area provides an overview of the training portal, which offers official USPTO examiner content. Below this, there is a section for 'IP E-Learning Modules' with a list of topics in both English and Spanish. A 'System requirements' box is also present, detailing the necessary software and hardware for accessing the training materials.

**uspto.GOV**  
The United States Patent and Trademark Office  
an agency of the Department of Commerce

search for patents | search for trademarks  
Search our site

PATENTS | TRADEMARKS | IP LAW & POLICY | PRODUCTS & SERVICES | INVENTORS | NEWS & NOTICES | FACTS | ABOUT US

Home Page | IP LAW & POLICY | **Training and Education** | E-Learning Intellectual Property Modules

**USPTO Public Training Portal and IP E-Learning Modules**

**USPTO Public Training Portal - Official USPTO Examiner Content**

The USPTO Training Portal invites you to take an inside look at the USPTO's required examiner training. Challenge yourself to view these valuable resources and gain a deeper understanding of what USPTO examiners must know to do the difficult task of examination every day. The USPTO Training Portal offers, via webcast, the exact same classes that all USPTO patent and trademark examiners are required to take.

**IP E-Learning Modules**

The Global Intellectual Property Academy (GIPA) has produced an modules on intellectual property protection and enforcement in five languages. The languages include English, Spanish, French, Arabic, and Russian. These modules listed below cover all areas of intellectual property protection which include patents, copyrights, trademarks, geographical indications, enforcement and trade. Double click on the link below to view.

**System requirements:**

- Adobe Flash Player 8 or 9
- Adobe Reader 9 for viewing PDF files
- 800 x 600 screen resolution (1024x768 recommended)

**English**

- Patent Protection
- Copyright: Encouraging and Protecting Creativity
- Overview of Trademarks
- Geographical Indications
- International Standards for the Enforcement of IPR
- Trade and Intellectual Property Rights
- Introduction to Patent Cooperation Treaty (PCT)

**Spanish**

- Protección de patentes
- Derechos de autor: Fomenta y protege la creatividad
- Información General de las Marcas Registradas
- Indicaciones geográficas
- Estándares internacionales para la aplicación de los Derechos de la Propiedad Intelectual

## E-Learning Resources on USPTO.gov

### IP Awareness Assessment Tool

- Web-based tool designed to assess intellectual property knowledge and provide personalized training resources for small and medium sized enterprises (SMEs) and inventors
- The assessment is designed to help evaluate a user's IP asset awareness and target areas specific to those related business needs
- The tool provides access to educational materials based on the assessment results.
- Full assessment takes 20-30 min

# E-Learning Resources on USPTO.gov



**uspto.gov**  
The United States Patent and Trademark Office  
an agency of the Department of Commerce

search for patents | search for trademarks  
Search our site:

PATENTS | TRADEMARKS | IP LAW & POLICY | PRODUCTS & SERVICES | INVENTORS | NEWS & NOTICES | FAQS | ABOUT US

**Patent Trial and Appeal Board's Electronic Filing and Case Management System**

The Patent Review Processing System (PRPS), the Patent Trial and Appeal Board's e-filing and case management system for trial proceedings, is now available. The USPTO is now accepting filings of petitions to institute trial proceedings established under the Leahy-Smith America Invents Act.

**Now Hiring**  
Electrical, chemical, and mechanical disciplines

**USPTO Track One**  
Prioritized patent examination

**Patent Trial and Appeal Board**  
Formerly, the PTAB

**IP Awareness Assessment Tool**  
Education for business and inventors

**America Invents Act**  
Your guide >>

**POPULAR LINKS**

- Patent Search
- Patents: File Online (EFS-Web)
- Patents: Check Application Status (PAIR)
- Patents: Online Services
- Patents: Ombudsman
- Trademark Search (TESS)
- Trademarks: File Online (TEAS)
- Trademarks: Check Status/Documents (TIGR)
- Trademark Basics
- Official Gazette for Trademarks
- Forms
- Fees

**>> patents**

**>> trademarks**

**>> ip law & policy**

**USPTO NEWS**

- USPTO Proposes Updated Professional Conduct Rules
- USPTO Updates Registration Examination for New Patent Practitioners
- USPTO Announces Three New Patent Prosecution Highway Partnerships
- U.S. Commerce Department Announces Partnership with Cornell NYC Tech to Help American Entrepreneurs Innovate, Grow, and Create Jobs
- USPTO and EPO Publish Advance Version of Cooperative Patent Classification System Ahead of January Launch

44

# E-Learning Resources on USPTO.gov

**uspto.gov**

The United States Patent and Trademark Office  
an agency of the Department of Commerce

**ipAwarenessAssessment**

Beta

uspto NIST

A business and inventors IP education tool

## IP Awareness Assessment

The IP Awareness Assessment, developed under the joint efforts of United States Patent and Trademark Office (USPTO) and National Institute of Standards and Technology/Manufacturing Extension Partnership (NIST/MEP), allows you to assess your intellectual property awareness. Following the completion of the assessment, you will receive a customized training material. [Learn more](#)

## Feedback

Your [feedback](#) and comments are crucial for improving the IP Awareness Assessment.

## Inventor Assistance Program

## Important Notice

Please note that any information provided here does not constitute legal advice, but is intended to increase your IP awareness. When filing an application for obtaining

Welcome to the Intellectual Property Awareness Assessment Tool, a web-based tool designed to assess intellectual property (IP) knowledge and provide personalized training resources for small and medium sized enterprises (SMEs) and inventors. The assessment is designed to help evaluate a user's IP asset awareness and target areas specific to those related business needs. The tool provides access to educational materials based on the assessment results. The full assessment includes questions in **five IP protection categories** (Utility Patents, Trademarks, Copyrights, Trade Secrets, and Design Patents) plus **five general IP categories** (IP Strategies & Best Practices, Using Technology of Others, Licensing Technology to Others, International IP Rights and IP Asset Tracking). The questions presented in each category have been designed to discover the participant's overall IP awareness as they relate to their IP asset protection needs.

Full assessment (62 questions) takes approximately 20-30 minutes. If you are not interested in taking the full assessment, a pre-assessment (five questions; takes about three minutes) is available to help you identify your potential IP assets. Based on the pre-assessment results, you can take a customized assessment specific to your potential IP protection needs. Customized assessment may take 10-30 minutes. Whether you are taking the customized or full assessment, you will have the opportunity to assess your awareness of all the general IP categories.

After completing the assessment, the results along with links for suggested training material will be displayed and can be printed or converted to a PDF format for future use and training.

**enter the IP Awareness Assessment**

## Before starting the assessment, please note:

- Save the link for this page as a favorite/bookmark on your browser.
- In the "Internet Options" of your browser, deselect/uncheck history on exit. This will allow you to return and resume your assessment session in case you cannot finish it in one sitting.

## IPAC or IP Basics Program

GIPA has offered programs focusing on intellectual property “basics” including patents, trade secrets, trademarks, domain names, and copyright protection and enforcement, within the U.S. and abroad, in various cities throughout the U.S.

These programs are directed to small to medium-sized businesses (SMEs), which often lack the resources that are available to larger companies.

The USPTO conducted a survey in 2005 showing that only 15 per cent of the SMEs surveyed understood that a U.S. patent or trademark is good only in the U.S.

46

## IPAC or IP Basics Program (continued)

- GIPA also offers these programs, on request, in a web-based seminar format that can be tailored to the intellectual property issues most critical to the requesting organization and also can include training by hypothetical business case studies.
- GIPA offers educational training to minority-owned businesses
  - through its Memorandum of Understanding with the Minority Business Development Agency (MBDA) and
  - to Native American artists and craftspeople through its work with the Indian Arts and Crafts Board (IACB), Department of Interior.
- Additionally, the USPTO provides speakers on the full range of intellectual property issues, domestic and international, upon request.

# Electronic Resources

- iTunes
  - 4 direct links with USPTO produced video
  - Multiple university links
- YouTube
  - At least 4 university made videos
  - USPTO videos to come
    - Short – less than 5 minutes
    - Directed to specific topics
- Others to come

# Customer Interaction

- Inventor Assistance Center
  - 800 number
- Independent Inventor e-mail
  - Special e-mail account
- Inventors Eye eNewsletter
- On-line chats
  - Bi-monthly
    - Experts answer questions
    - Transcripts on-line

## Web Assistance

- Inventor Resource Page
  - General questions answered
  - Invention marketing complaints
  - Links to other agencies and inventor organizations
- Computer bases training
  - Training videos

# USPTO Website

USPTO Website: <http://www.uspto.gov/>

USPTO Strategic Plan 2010-2015:

[http://www.uspto.gov/about/stratplan/USPTO\\_2010-2015\\_Strategic\\_Plan.pdf](http://www.uspto.gov/about/stratplan/USPTO_2010-2015_Strategic_Plan.pdf)

USPTO Annual Reports:

<http://www.uspto.gov/about/stratplan/ar/index.jsp>

Intellectual Property and the U.S. Economy: Industries in Focus

[http://www.esa.doc.gov/sites/default/files/reports/documents/ipa\\_andtheuseconomyindustriesinfocus.pdf](http://www.esa.doc.gov/sites/default/files/reports/documents/ipa_andtheuseconomyindustriesinfocus.pdf)

## Annex 10

### **Training of Government Officials**

**( Japan experience )**

**30 October 2012**

**Mr. Takao OGIYA**

Director General  
of Asia-Pacific Industrial Property Center  
(APIC)

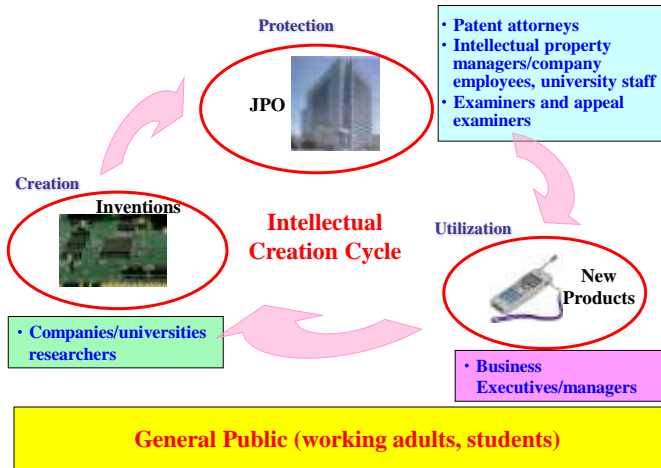
### Table of contents

- 1. Human Resources in the field of IP**
- 2. Comprehensive Strategy for IP-Related  
Human Resources Development in Japan**
- 3. Support of JPO  
for IP-related Human Resources Development**
- 4. Trainings of Japan Customs**
- 5. APIC programs  
for IP-Related Human Resources Development**

## 1. Human Resources in the field of IP

2. Comprehensive Strategy for IP-Related Human Resources Development in Japan
3. Support of JPO for IP-related Human Resources Development
4. Trainings of Japan Customs
5. APIC programs for IP-Related Human Resources Development

## 1. Human Resources in the Field of IP



## 2. Human Resources in the Field of IP

### 1. IP Experts (Core Level)

Experts in IP Protection and/or Utilization

### 2. Human Resources for Creating or Managing IP

Researchers in Companies/Universities,  
Business Executives and Managers Responsible for IP Strategy

### 3. General Public

Ordinary People (working adults, students)

### 3. Human Resources in the Field of IP

#### 4. IP Researchers/Policymakers

IP Professors and Scholars at Universities,  
National government officers

#### 5. IP Trainers/Educators

IP Teachers at Schools,  
Teachers at IP Training Centers

1. Human Resources in the field of IP

### 2. Comprehensive Strategy for IP-Related Human Resources Development in Japan

3. Support of JPO  
for IP-related Human Resources Development

4. Trainings of Japan Customs

5. APIC programs  
for IP-Related Human Resources Development

### 4. Comprehensive Strategy for IP-Related HRD

The most important element for a nation based on IP:  
**Development of Human Resources**

Lack of Quantity

Further increase the number of human  
resources involved in IP

Lack of Quality

Advance and broaden the skills of human  
resources involved in IP

It should be noted that:

1. It takes a long time to develop human resources.
2. Educational & training institutions should combine their efforts.
3. Comprehensive and well-planned measures are needed in order to meet the needs for various HRs"

"Comprehensive Strategy for IP HRD" (Jan. 2006)

[ Direction of IP Human Resources Development in the next 10 years ]

## 5. Major Goals

### 1. IP Experts (Core Level)

To further increase the number of IP experts as well as to advance and broaden their skills

### 2. Human Resources Creating or Managing IP

To advance the skills of human resources who create or manage IP so as to enable them to better utilize IP

### 3. General Public

To heighten public awareness on IP

## 6. Major Goals

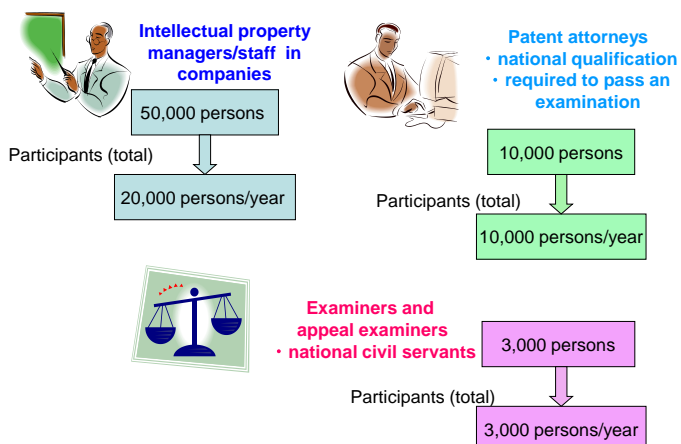
### 4. IP Researchers or Policymakers

To expand their knowledge

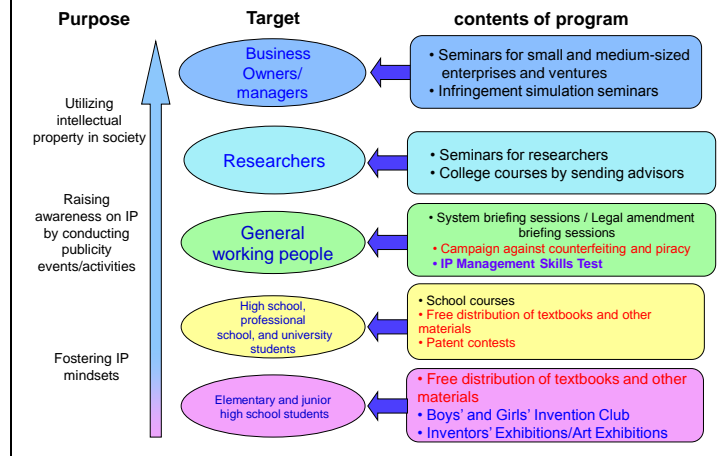
### 5. IP Trainers or Educators

To advance and broaden their skills and to promote collaboration among IP academics

## 7. The Results of IP Experts Training Organization

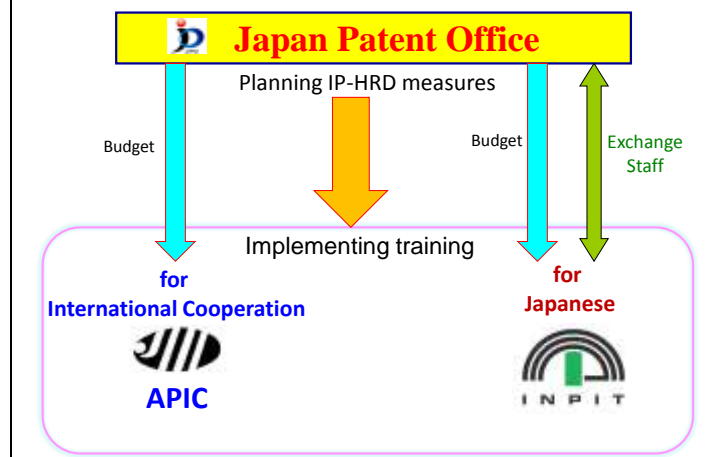


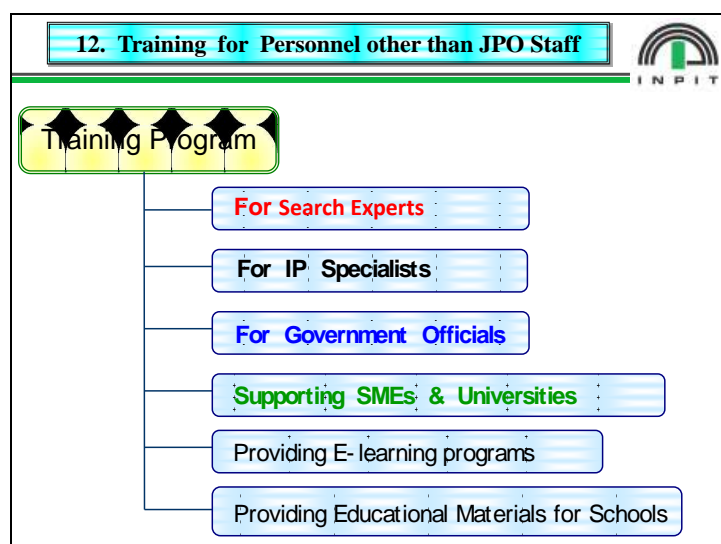
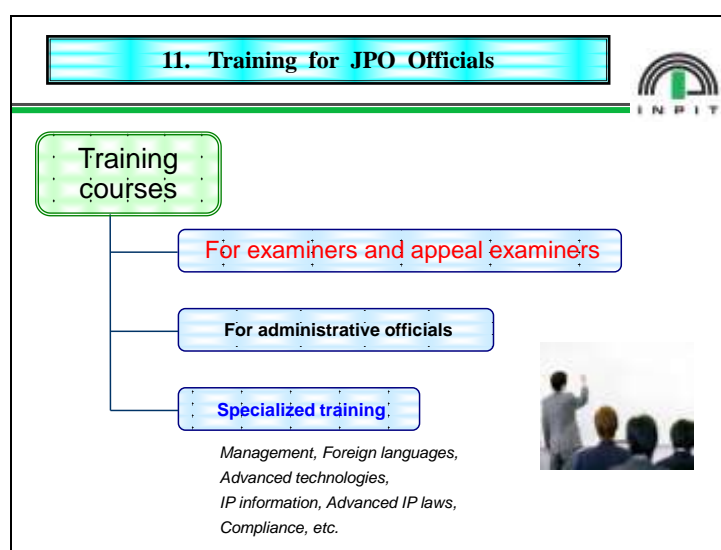
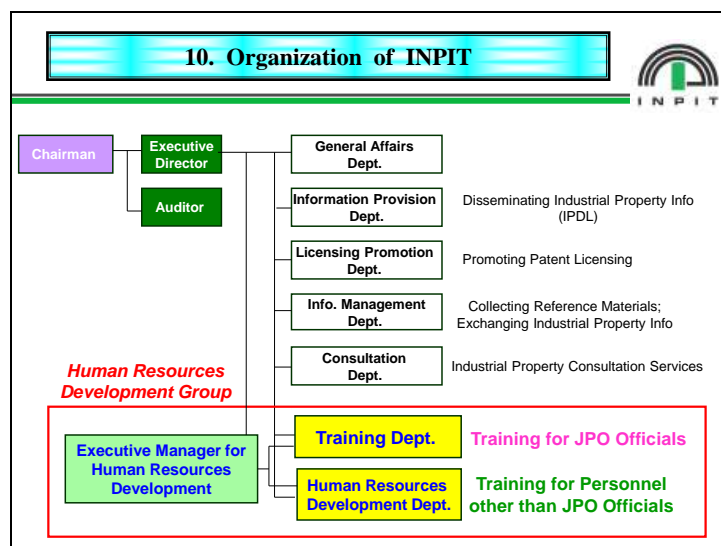
## 8. Human resource development program for the public



1. Human Resources in the field of IP
2. Comprehensive Strategy for IP-Related Human Resources Development in Japan
- 3. Support of JPO for IP-related Human Resources Development**
4. Trainings of Japan Customs
5. APIC programs for IP-Related Human Resources Development

## 9. Relationship between JPO & INPIT, APIC





### 13. Example of Training Course



#### Training Course on Patent Infringement Warning

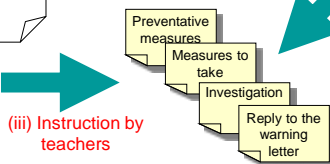
**Letter of Warning (SIMULATION)**  
...we require that you take the following action:  
1. Terminate the production in question within 30 days of receipt of this letter  
2. ...



(i) Warning letter



Trainees (SME managers)



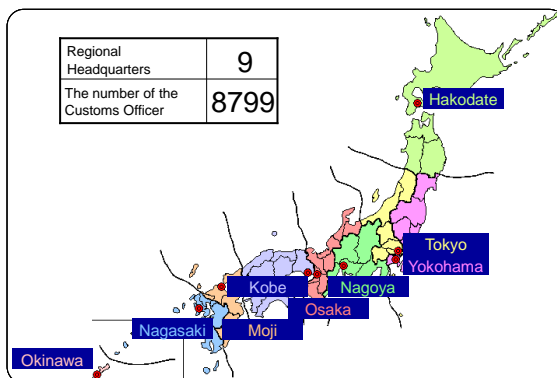
(ii) Preparation of reaction

(iii) Instruction by teachers

1. Human Resources in the field of IP
2. Comprehensive Strategy for IP-Related Human Resources Development in Japan
3. Support of JPO for IP-related Human Resources Development
- 4. Trainings of Japan Customs**
5. APIC programs for IP-Related Human Resources Development

### 14. Structure of Japan Customs

Regional Headquarters	9
The number of the Customs Officer	8799



## 15. Training of Japan Customs

### Training Contents:

- Scope of border enforcement
  - IPR related Laws  
(Patent Act, Utility Model Act, Industrial Design Act, Trademark Act, Copyright Act, The Plant Variety Protection and Seed Act, Act on Layout-Design of a Semiconductor Integrated Circuits, Unfair Competition Prevention Act)
- Border enforcement procedures in Customs Law
  - Legal framework
  - Case studies
- Product identification techniques
- Global picture of IPR discussion
  - International cooperation

### Training Modality:

- Lectures  
(conducted at Customs Training Institute);
- On-the-Job-Training  
(conducted at IPR National Center);
- Commissioned training courses  
(conducted at university);
- Hands-on training conducted by right holders  
(conducted at each Customs office); etc.

### Cooperation between Customs and JPO for mutual benefits:

#### Second of JPO officers to Customs

- Explanation of the outline of Customs and IPR border enforcement
- Practical training in the field

#### Second of Customs officers to JPO

- Explanation of the outline of each Intellectual Property and flow of examination at JPO

## 16. Other measures of Japan Customs

- a) The knowledge of patent attorneys is used.
- b) The information of the related administrative authorities e.g. Patent office, Ministry of Economy, National Police Agency and Industry is utilized.

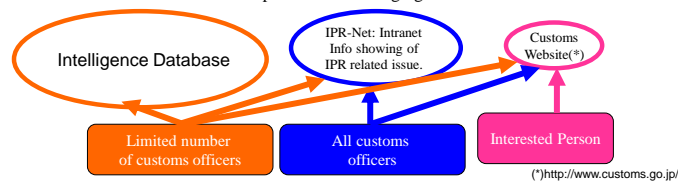
→ These know-how are shared and utilized via the following intranet and Japan Customs website, in order to keep and develop the expertise IPR related of the customs officers.

#### 1. IPR-Net

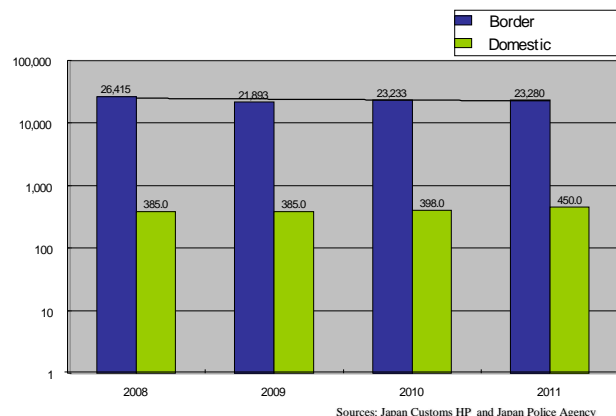
Details of the cases are shared on IPR-Net, which all the customs officers can access.

#### 2. Intelligence Database System

Database enhancing all the Customs related information including IPR, which is along to suspended IPR infringing cases.



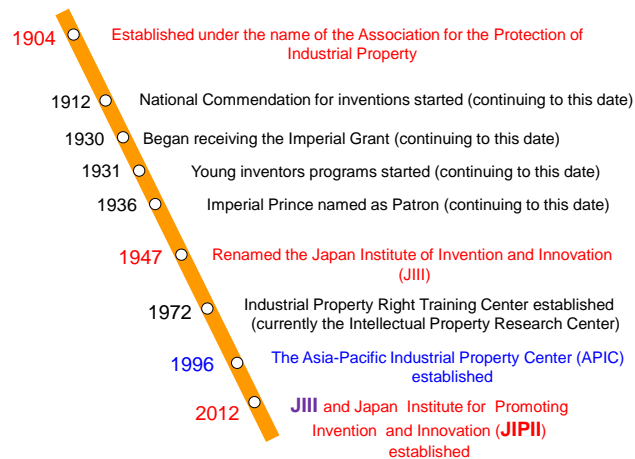
## 17. Seizure Results of Japan



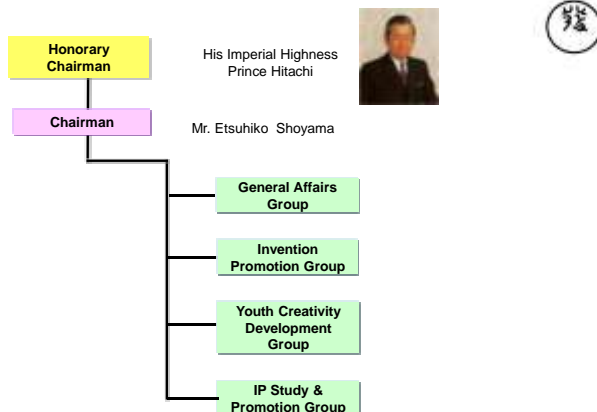
For further information, kindly contact: [mof.apec@mof.go.jp](mailto:mof.apec@mof.go.jp)

1. Human Resources in the field of IP
2. Comprehensive Strategy for IP-Related Human Resources Development in Japan
3. Support of JPO for IP-related Human Resources Development
4. Trainings of Japan Customs
- 5. APIC programs for IP-Related Human Resources Development**

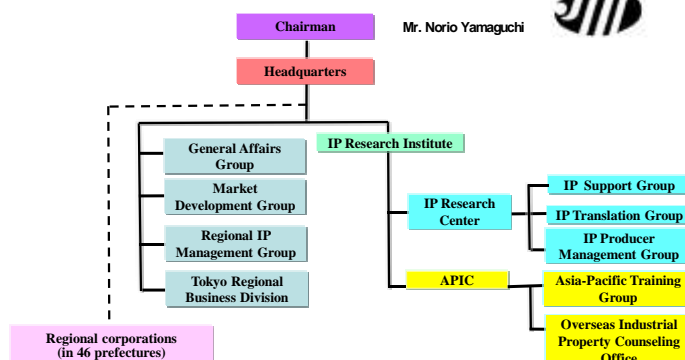
## 18. History of JIPI + JIPII



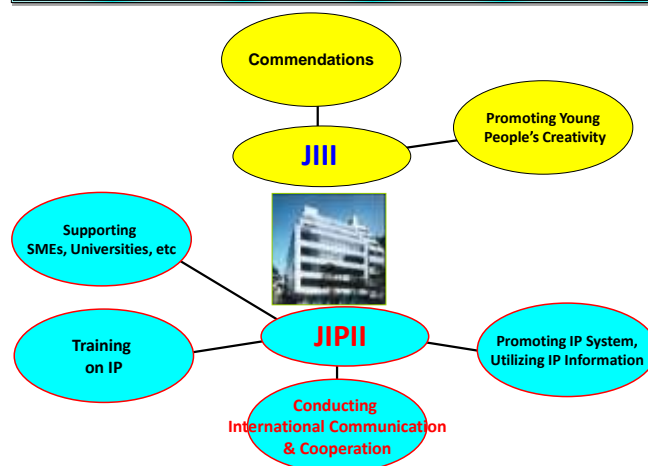
## 19. Organization of JIPI



## 20. Organization of JIPII



## 21. Main Activities of JIPI + JIPII



## 22. APIC Training Course

### Target

Patent examiners  
 Government officials at IP offices  
 Patent attorneys  
 IP lawyers  
 IP practitioners in private businesses  
 Researchers at universities/or research institutions  
 Individuals engaged in promoting PRs  
 in IP promotional organizations

### Length

2 weeks – 3 months

### No. of Participants

5 - 20

## 23. Long-term Fellowship Program



- **Target**  
Key leaders providing knowledge on IP in their countries
- **Objective**  
To provide key leaders new perspectives on IP, which form the basis for developing future instruction/training
- **Tools for Study and Research**  
Short term training courses  
Library  
Visits to related organizations  
Visiting scholars
- **Length**  
6 months
- **No. of Participants**  
4-5 / year

## 24. Follow up



### 1. Follow up Seminars

Seminars are held overseas in collaboration with local organizations in order to enable trainees to follow up on their training after they have returned to their home countries

### 2. Enishi 縁

This is a magazine that collects information on trainees such as locations, official positions, contact details after they have returned to their home countries

### 3. Website

## 25. Original Texts



To increase trainees knowledge in the area of IPR and related fields original textbooks and training videos are created and then posted on our website.

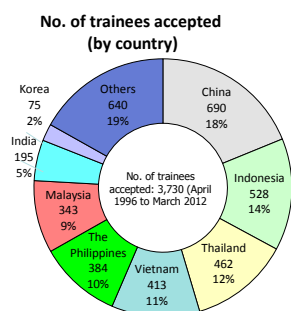
### Textbooks

- |               |   |
|---------------|---|
| No. of titles | about 70  |
| Contents      | 1. Laws and Treaties<br>2. Procedure and Practice<br>3. Law Enforcement- Case Study<br>4. IP Management/IP Education<br>5. IP Information<br>6. Others<br>Bio Patent, Software Patent, Regional Brands etc. |

### Videos

- |               |  |
|---------------|--|
| No. of titles | 13   |
| Contents      | What are Intellectual Property Rights?<br>A History of Encouraging Invention<br>Employee Inventions in Companies, etc. |

## 26. APIC Training Course



## 27. APIC Training Course for IP Trainers

### ■ Objective

- To enhance knowledge required to promote the IP system
- To deepen understanding on how to promote the IP system
  - To deepen professional knowledge and to obtain expertise on IP management
  - To deepen professional knowledge and to obtain expertise on IP education
- To foster new friendships with other trainees and trainers and to establish networks among them

## 28. APIC Training Course for IP Trainers

### ■ Target

- Employees at universities/ research institutions
- Individuals engaged in promoting IP

### ■ Participants should

- have more than 3 years of experience in IPR- related work
- have considerable knowledge of the IPR system
- have adequate English language skills

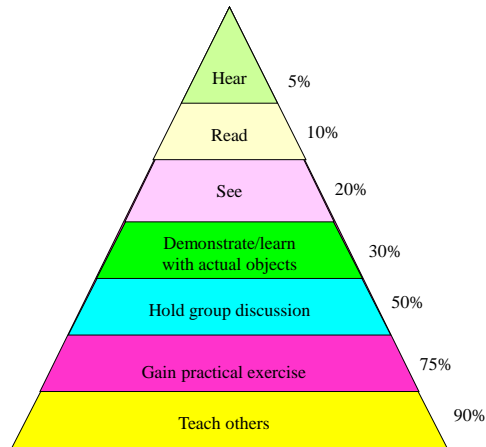
### ■ Length

3 weeks

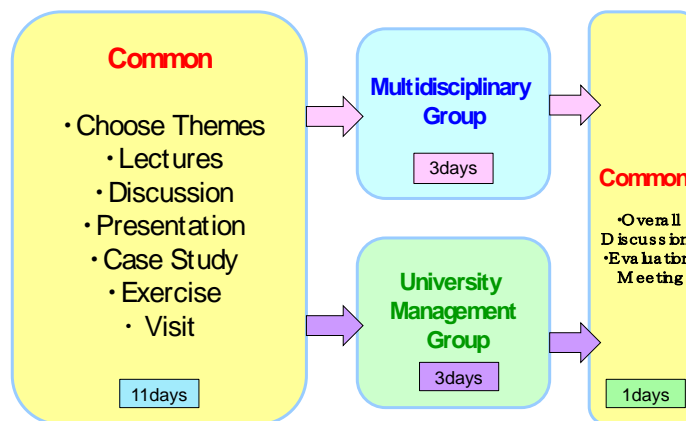
### ■ No. of Participants

about 20

## 29. Learning Pyramid



## 30. APIC Training Course for IP Trainers



## 31. APIC Training Course for IP Trainers

### Themes of the Overall Discussion

- How to educate the general public to raise awareness on IP
- How to foster creativity in young people and provide them with IP education
- How to provide IP training to corporate and university IP personnel
- How to foster specialists in IP acquisition and application
- How to train IP education/guidance providers

### 32. APIC Training Course for IP Trainers

#### 1. Common

↳ IP Law Overview  
( Patent, Design, Trademark, Copyright )  
• IP Management  
( Patent, Trademark, Information,  
Valuation, Licensing, Commercialization )  
↳ IP Education  
( High School, University )

#### 2. Multidisciplinary Group

↳ IP Education  
( Youths, Patent Attorneys, IP promotional organizations )

#### 3. University Management Group

↳ IP management in University  
( Invention Brush- up, Application, Tech- transfer,  
IAG Collaboration, Start- up )

### 34. APIC Training Course for IP Trainers



### 35. Message To You

#### (1) Live positive

→ Creativity

#### (2) Discover your value

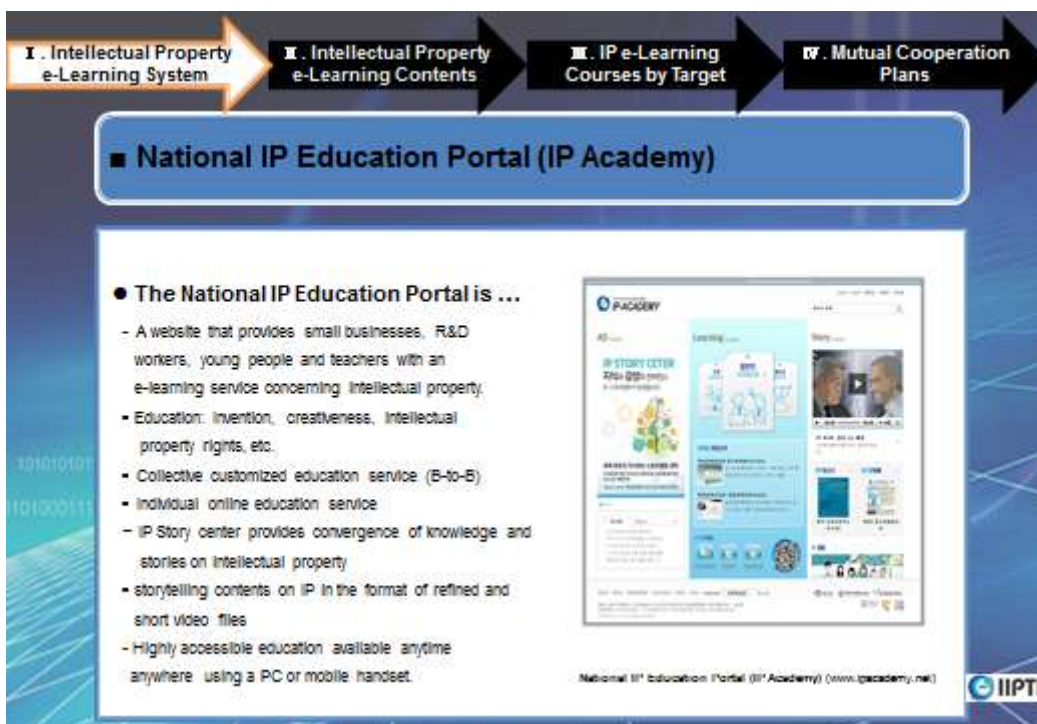
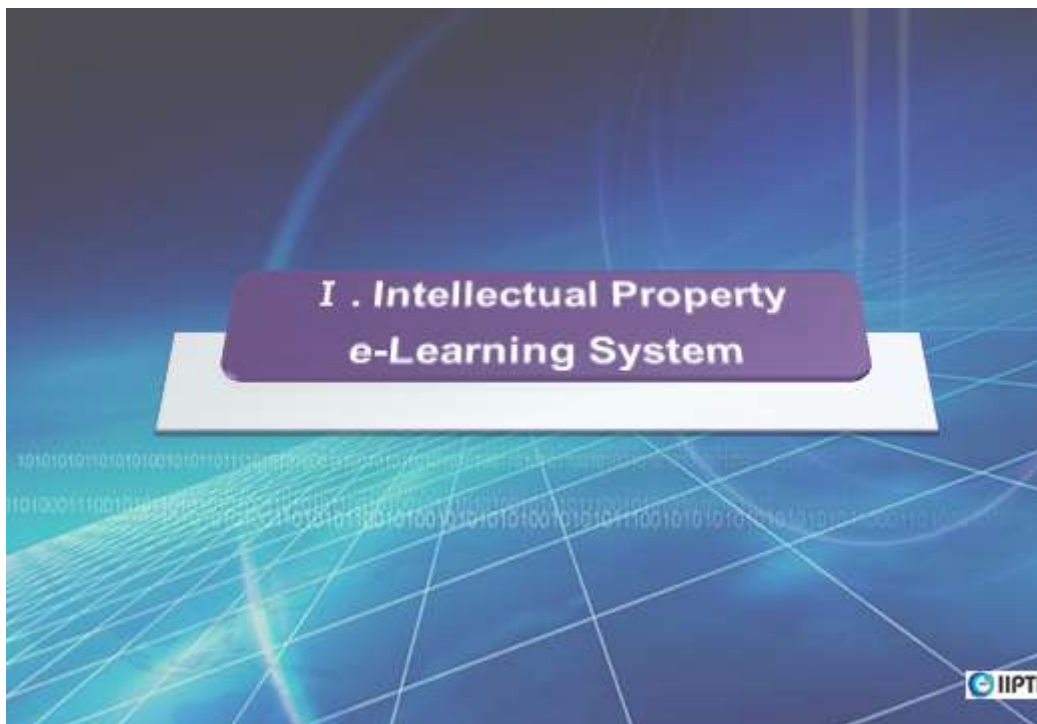
→ Originality

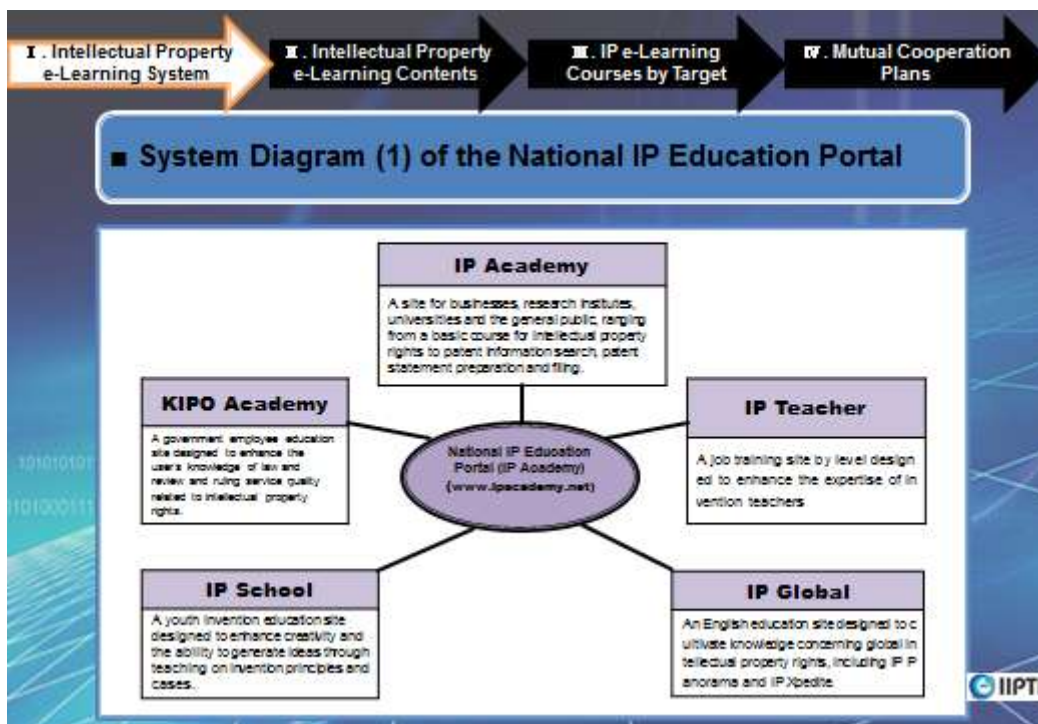
#### (3) Envision a dream

→ Vision

## Annex 11





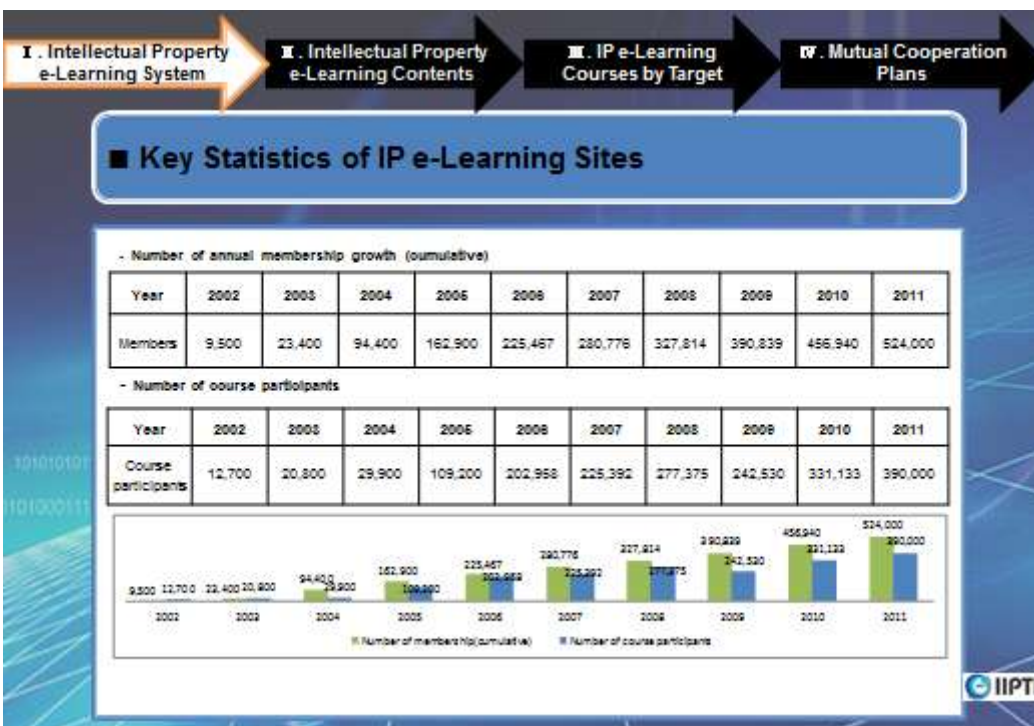


I . Intellectual Property e-Learning System    II . Intellectual Property e-Learning Contents    III . IP e-Learning Courses by Target    IV . Mutual Cooperation Plans

### ■ System Diagram (2) of the National IP Education Portal

Classification	Students	B to C	B to B
IP Academy	General public (business employees, university students, etc)	<a href="http://www.ipacademy.net">http://www.ipacademy.net</a> ( <a href="http://general.ipacademy.net">http://general.ipacademy.net</a> )	<a href="http://INSTITUTION NAME.ipteacher.net">http://INSTITUTION NAME.ipteacher.net</a>
KIPO Academy	KIPO employees	<a href="http://www.kipoacademy.net">http://www.kipoacademy.net</a>	-
IP Teacher	School teachers	<a href="http://www.ipteacher.net">http://www.ipteacher.net</a>	
IP School	Young people	<a href="http://ec.kipo.go.kr">http://ec.kipo.go.kr</a>	<a href="http:// SCHOOL NAME.ipacademy.net">http:// SCHOOL NAME.ipacademy.net</a>
IP Global	University (graduate) students, business employees, foreigners	<a href="http://global.ipacademy.net">http://global.ipacademy.net</a>	<a href="http://global.ipacademy.net">http://global.ipacademy.net</a>

IIPTI

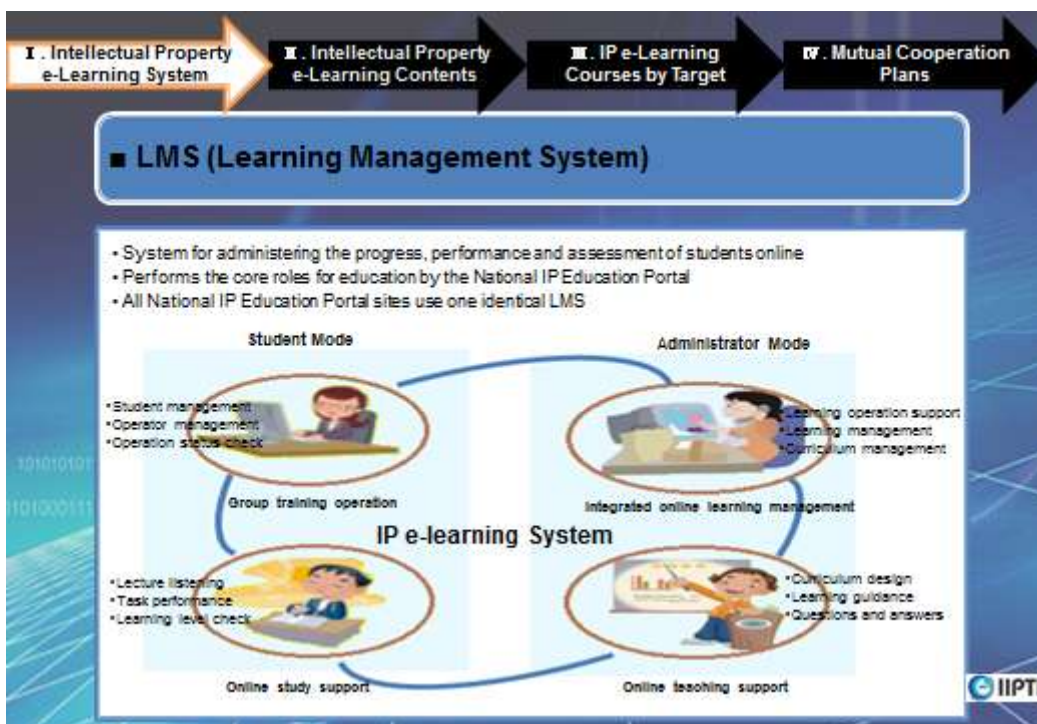
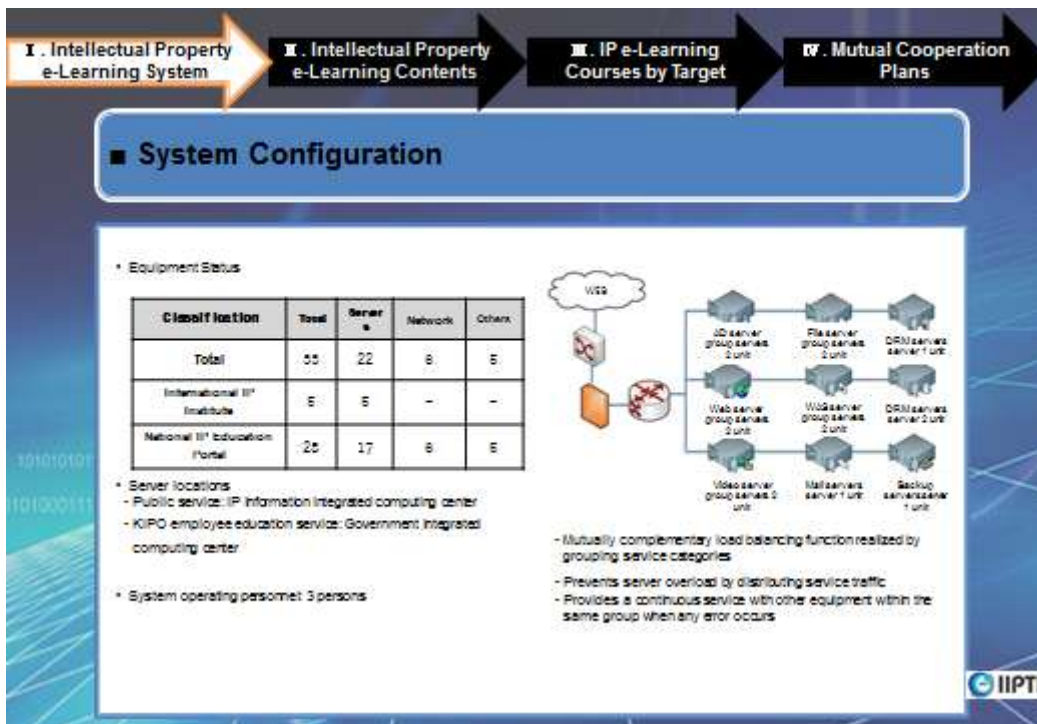


**I . Intellectual Property e-Learning System** → 
 **II . Intellectual Property e-Learning Contents** → 
 **III . IP e-Learning Courses by Target** → 
 **IV . Mutual Cooperation Plans**

### ■ History of the IP e-learning Service

Year	Key Details	Remarks
2002	• IP e-learning system developed and service launched (May)	Service started
2003	• Service strengthened by restructuring the portal site (newly added youth site) • Licensed as a remote (off-line) education facility (Ministry of Education) and registered as a recommended youth site (IT & Ethics commission)	
2004~2005	• Agreements signed with WIPO for joint contents development (SRI&A) and joint operation (WVVO) (IP Panorama developed and related service underway)	Service expanded
2006	• Certified as a specialized e-learning institution (KQCCG) • Licensed as a cyber parent education institute (Ministry of Education); service launched • IP Information contents developed for IPQC (by 2007)	
2007	• School curricula service via Ministry of Education and Science Site (KISA e-Learning forum)	Integrated e-learning system deployed
2008	• Integrated e-learning system deployed	
2009	• National IP education portal opened • KPO academy opened for KPO employees • IP Information education operation and contents developed for IPQC	Next-generation e-learning system deployed
2010	• IP e-Learning TV broadcasting (CUTV) • IP mobile learning system deployed	
2011	• IP Smartphone learning system deployed • IP Internet-Broadcasting learning system deployed	
2012	• IP Sony-center deployed • IP KID&Contents developed (10 each)	





IIPTI




I . Intellectual Property e-Learning System
II . Intellectual Property e-Learning Contents
III . IP e-Learning Courses by Target
IV . Mutual Cooperation Plans

**■ Introduction to LMS (Learning Management System) (Continued)**

- Provides independent screens by operator
  - Students: Provides education processes customized to individuals or groups
  - Independent site is organized for administrators (site or system administrators)
  - Provides separate lecture attendance management processes for group administrators (professors, education operators)
- Key Functions
  - Membership management: Subscription or withdrawal of membership
  - Study management: Progress measurement, study encouragement
  - Assessment and performance rating: Online tests, certification of completion
  - Contents management: Assessment of contents quality etc.

 <p style="text-align: center;">B2C site</p>	 <p style="text-align: center;">B2B site</p>
 <p style="text-align: center;">Administrator screen</p>	 <p style="text-align: center;">Operator screen</p>



I . Intellectual Property e-Learning System
II . Intellectual Property e-Learning Contents
III . IP e-Learning Courses by Target
IV . Mutual Cooperation Plans

**■ Mobile Learning (m-Learning) Service**

- 2010~2011 : System area focused service
- 24-hour-a-day e-learning service accessed anywhere, anytime
- PMP (Portable Media Player) education service developed (2010)
- DRM (Digital Right Management) function developed for protecting contents copyright
- Smart learning system developed (2011)
  - User needs satisfied by active smart phone growth
  - Programs being developed for Android and iPhone smart phones
- Internet broadcasting service system developed (2011)

 <p style="text-align: center;">Internet Broadcasting</p>	 <p style="text-align: center;">PMP-based education screen</p>
 <p style="text-align: center;">Smart phone screen (Main)</p>	 <p style="text-align: center;">Smart phone education service</p>



## II . Intellectual Property e-Learning Contents



I . Intellectual Property  
e-Learning System

II . Intellectual Property  
e-Learning Contents

III . IP e-Learning  
Courses by Target

IV . Mutual Cooperation  
Plans

### ■ IP e-Learning Contents Status

#### ● Contents possessed by user category

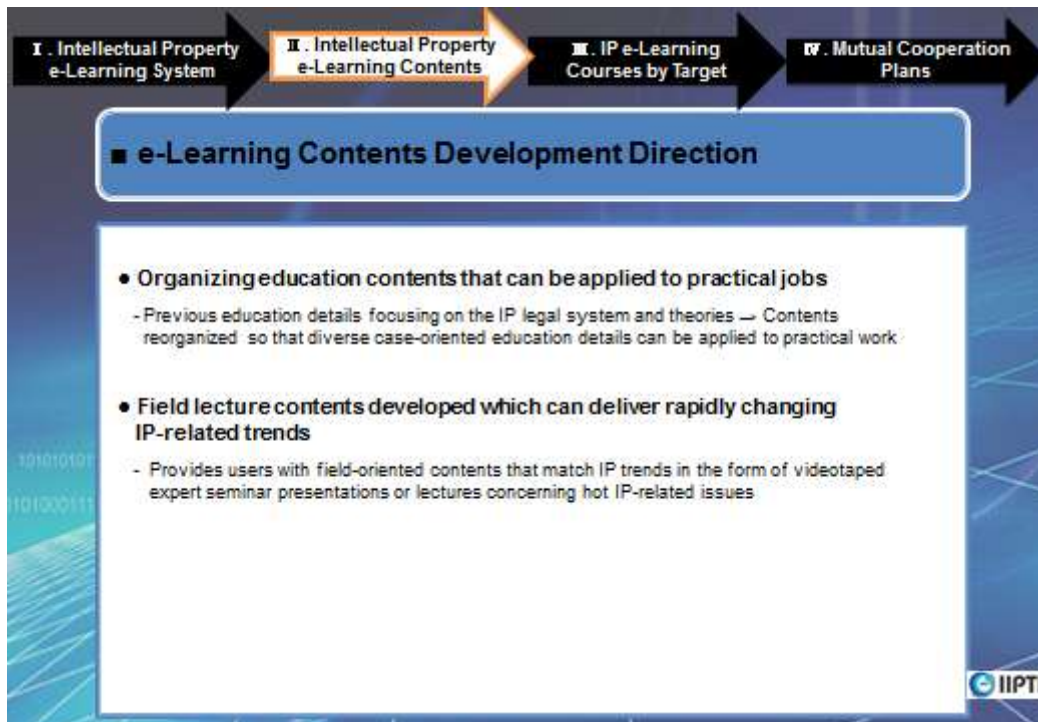
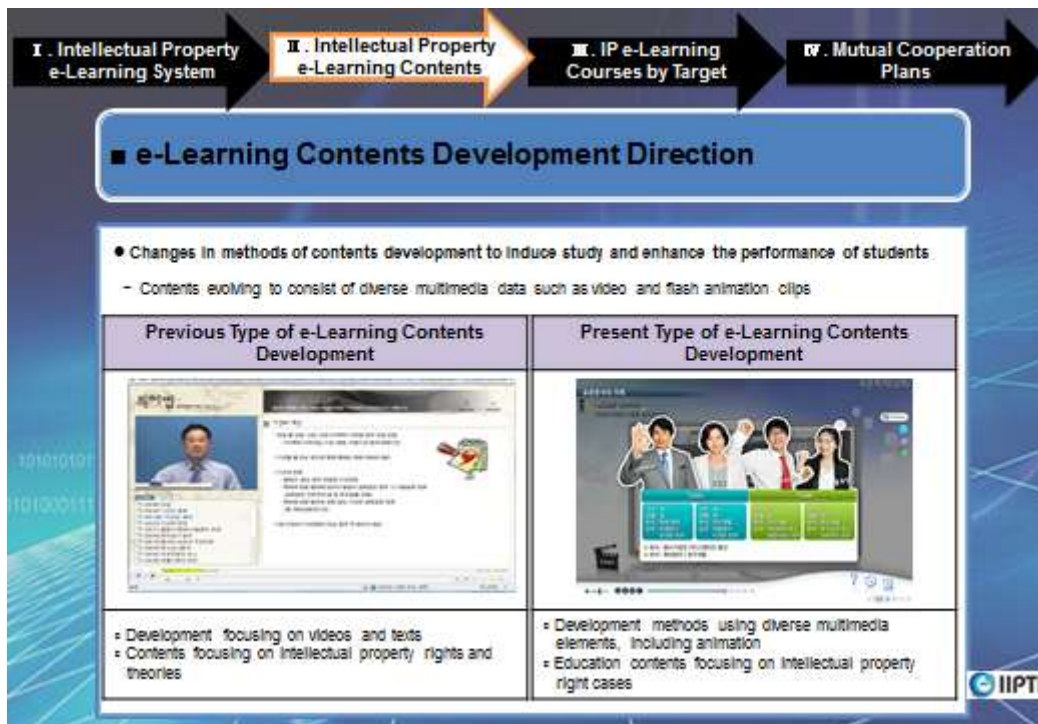
Users	Youths	Teachers	Business/Universi ty	KIPO Employees	Total
Number of contents	27 each	8 each	77 each	81 each	193 each

※ As of end of Sep. 2012

#### ● Developing contents based on user characteristics

- Businesses, research institutes, universities: Cultivate aptitude for intellectual property rights to enhance IP perception and study (or job performance)
- KIPO Employees: Development of contents to enhance capabilities for review of patent applications, rulings, and information use
- Youths: Development of contents for cultivating invention-related aptitude and fostering creativity
- Teachers Job Training: Cultivating knowledge and pedagogy for educating students about invention





I . Intellectual Property e-Learning System
II . Intellectual Property e-Learning Contents
III . IP e-Learning Courses by Target
IV . Mutual Cooperation Plans

**Value-added Tools Provided to Enhance User Convenience**

● **Contents Navigation**


- Users are able to easily access the desired contents as listings of contents recommended on topics they intend to study when a larger category subject is selected

**Contents Navigation Screen**



**Screen Displayed when a Study Subject is Selected**






I . Intellectual Property e-Learning System
II . Intellectual Property e-Learning Contents
III . IP e-Learning Courses by Target
IV . Mutual Cooperation Plans

**Value-added Tools Provided to Enhance User Convenience**


● **Tests for self-assessing patent capabilities**


- To improve the student's patent capabilities, user-oriented study is enabled by providing listings of study recommended contents related to the required areas based on the test results of objective tests classified into five categories

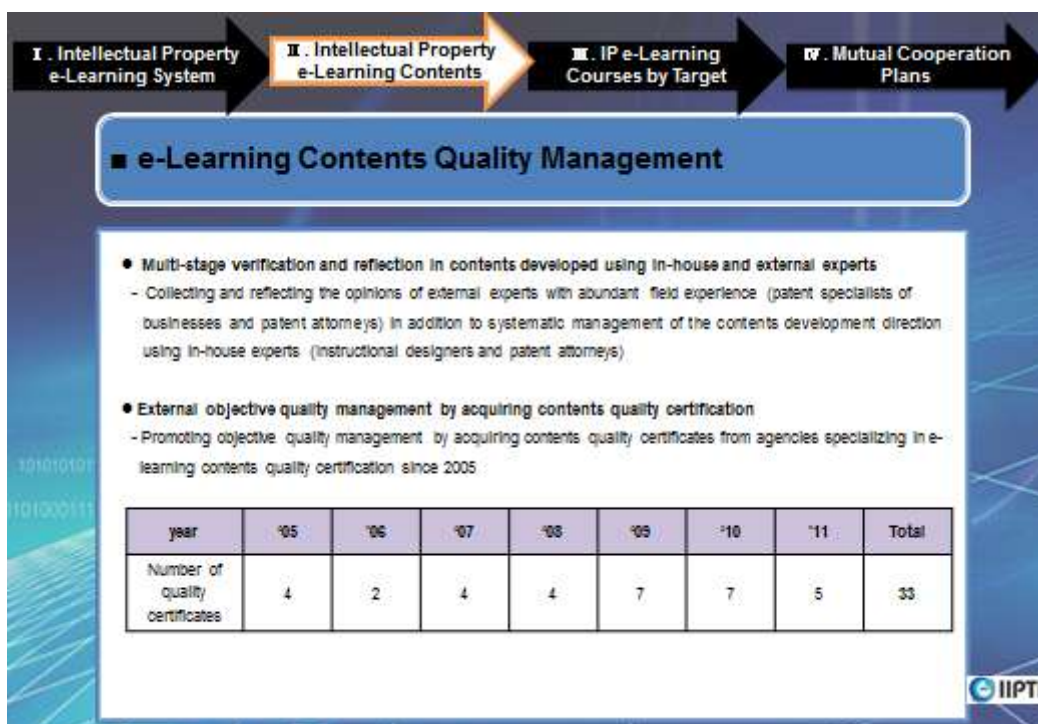
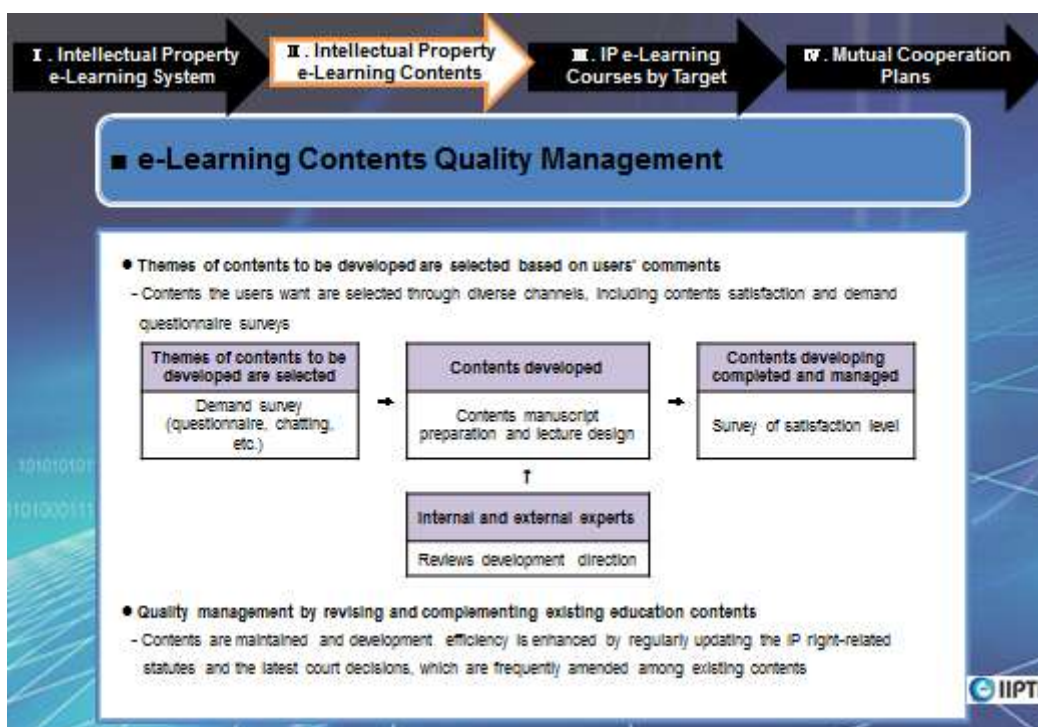
**Test Pages for Self-assessing Patent Capability**

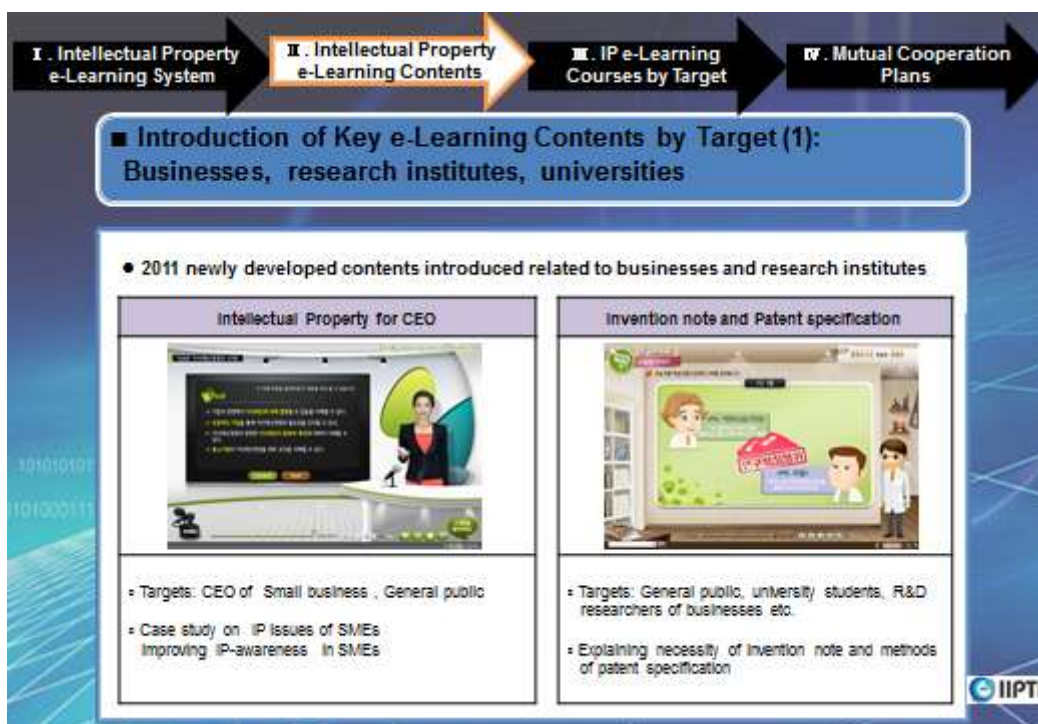
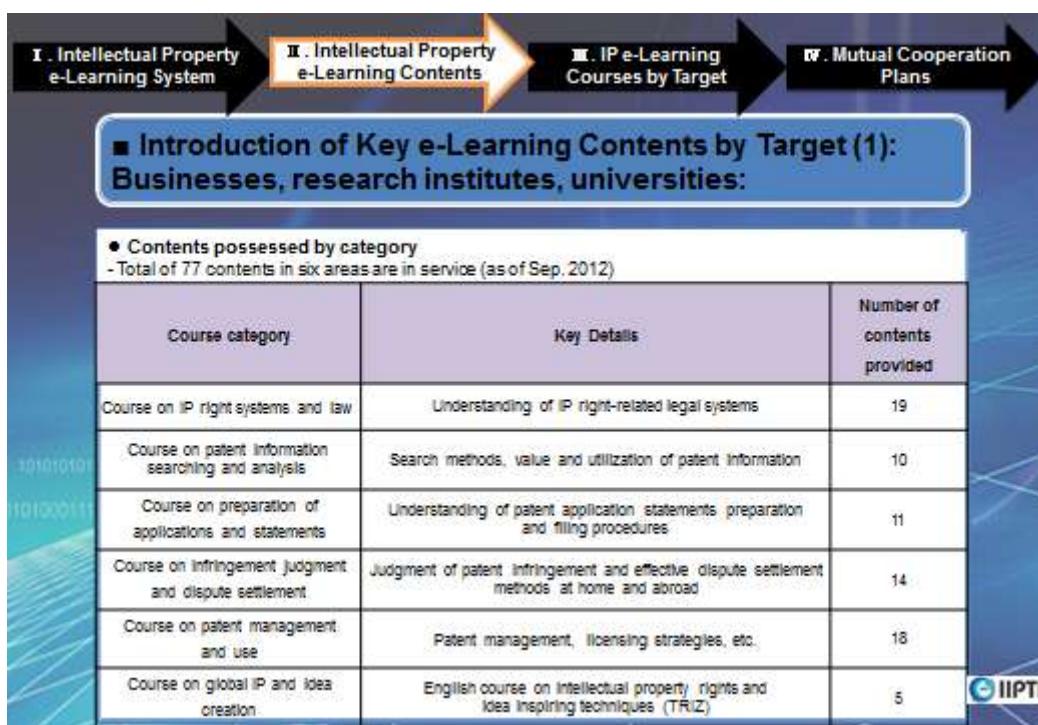


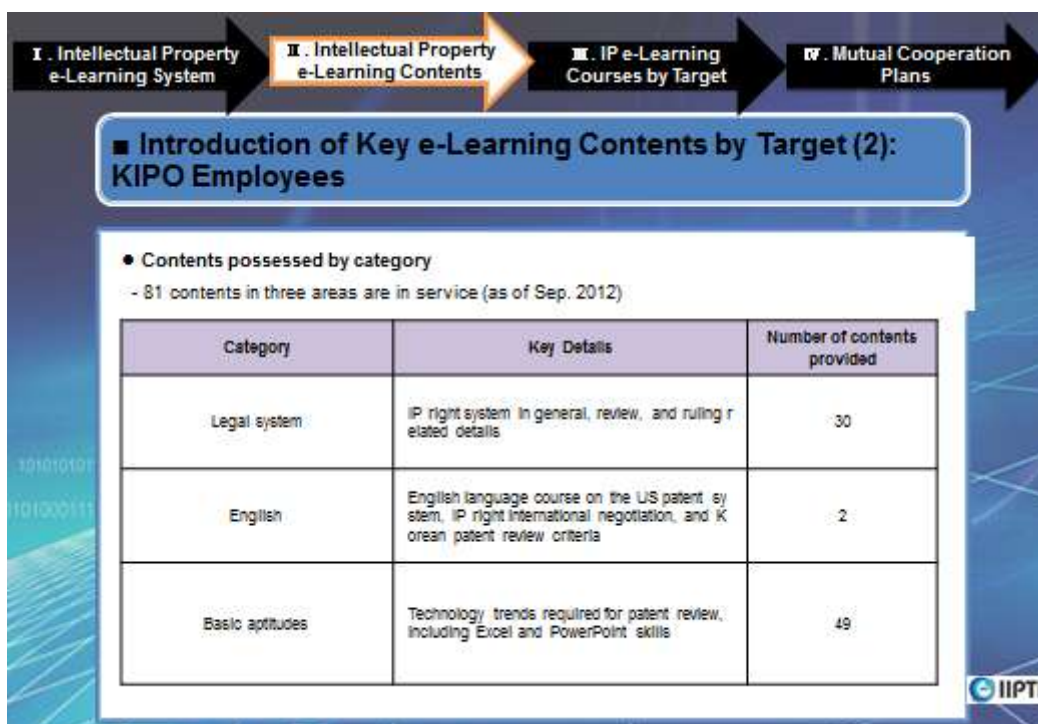
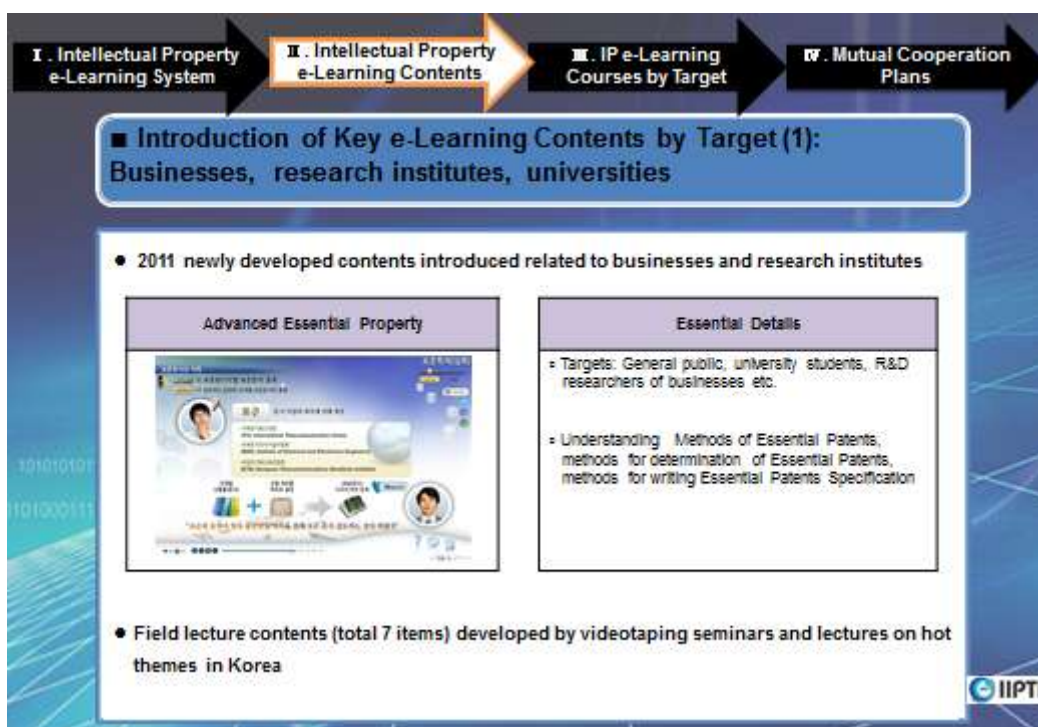
**Test Result Screen**

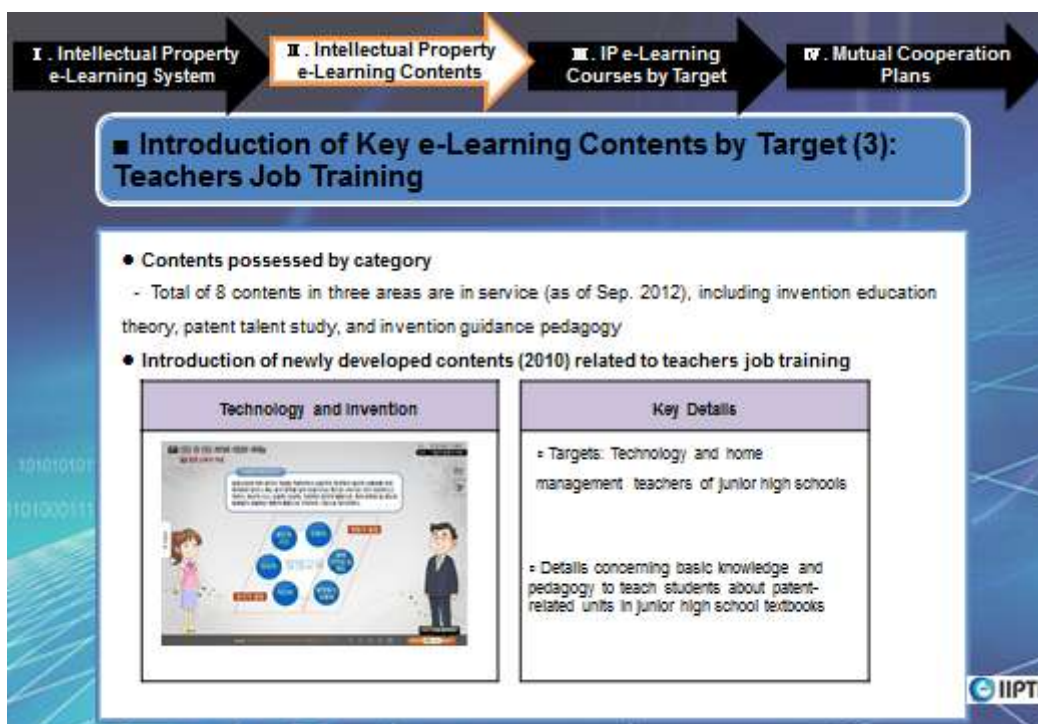
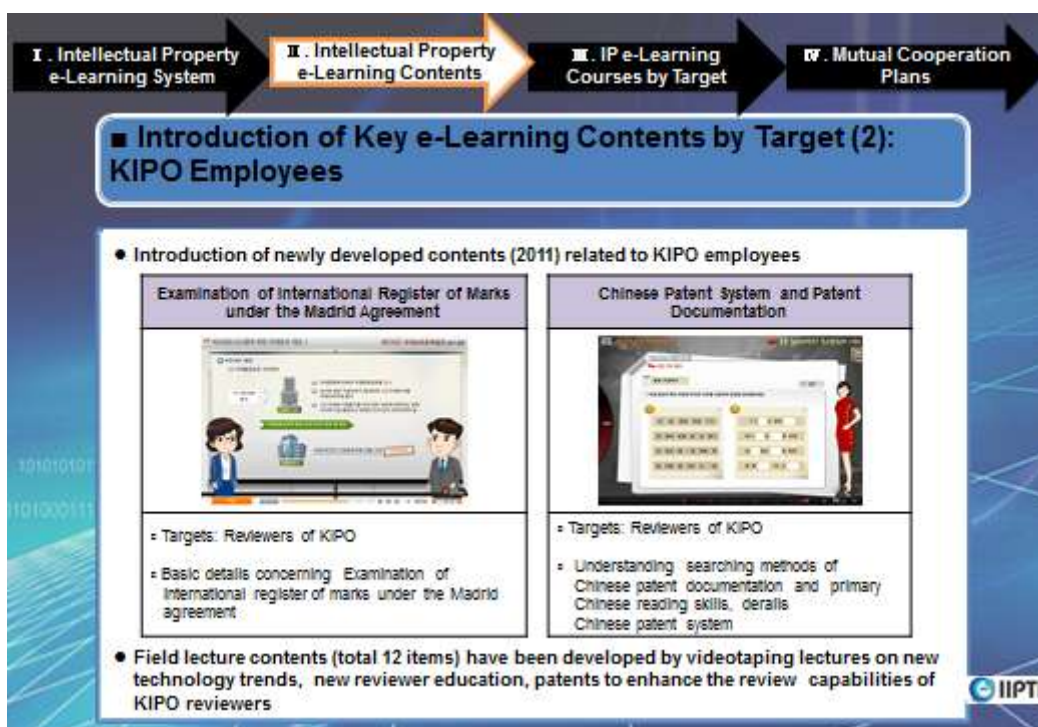












I . Intellectual Property e-Learning System
II . Intellectual Property e-Learning Contents
III . IP e-Learning Courses by Target
IV . Mutual Cooperation Plans

### ■ Introduction of Key e-Learning Contents by Target (4): Youngsters

● Contents possessed by category

- Total of 27 contents in seven areas are in service (as of Sep. 2012)


Category	Key Details	Number of contents provided
Basic course	Basic explanation of patent-related details in elementary school textbooks and patent experiences	6
Intermediate course	Explanation of relationship between invention and scientific principles in everyday life	2
Advanced course	Actual success/failure cases of invention at home and abroad and understanding of invention based on scientific principles	3
Teachers course	Details concerning operation of patent class and student guidance at school	3
Parents course	Details concerning parental guidance methods required for the invention education of children	1
Creative ability course	Details concerning the enhancement of elementary students' creativeness and thinking capacity	7
Other courses	Details concerning invention cases in everyday life and participation in invention contests	5

I . Intellectual Property e-Learning System
II . Intellectual Property e-Learning Contents
III . IP e-Learning Courses by Target
IV . Mutual Cooperation Plans

### ■ Introduction of Key e-Learning Contents by Target (4): Youngsters

● Introduction to recently developed contents

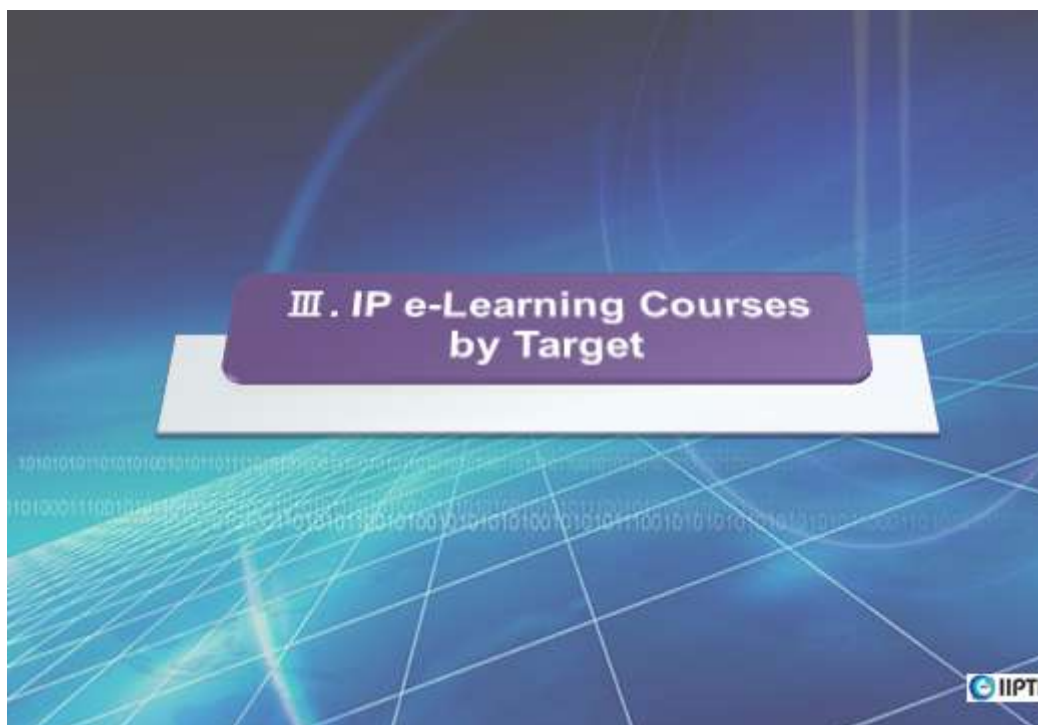
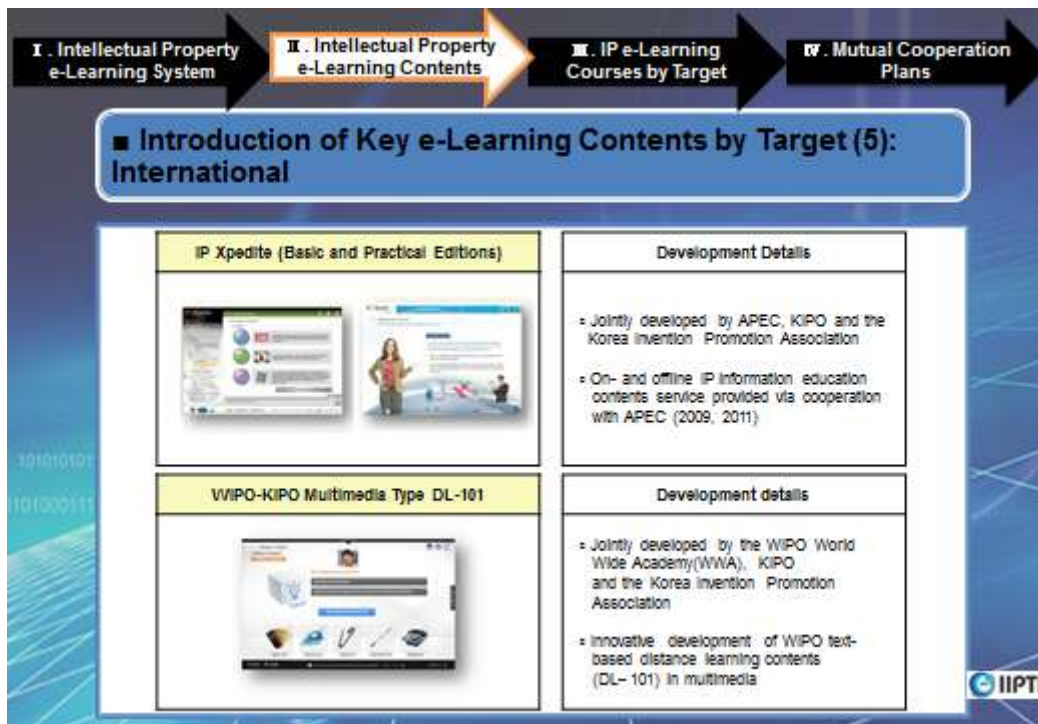
Patent Meister

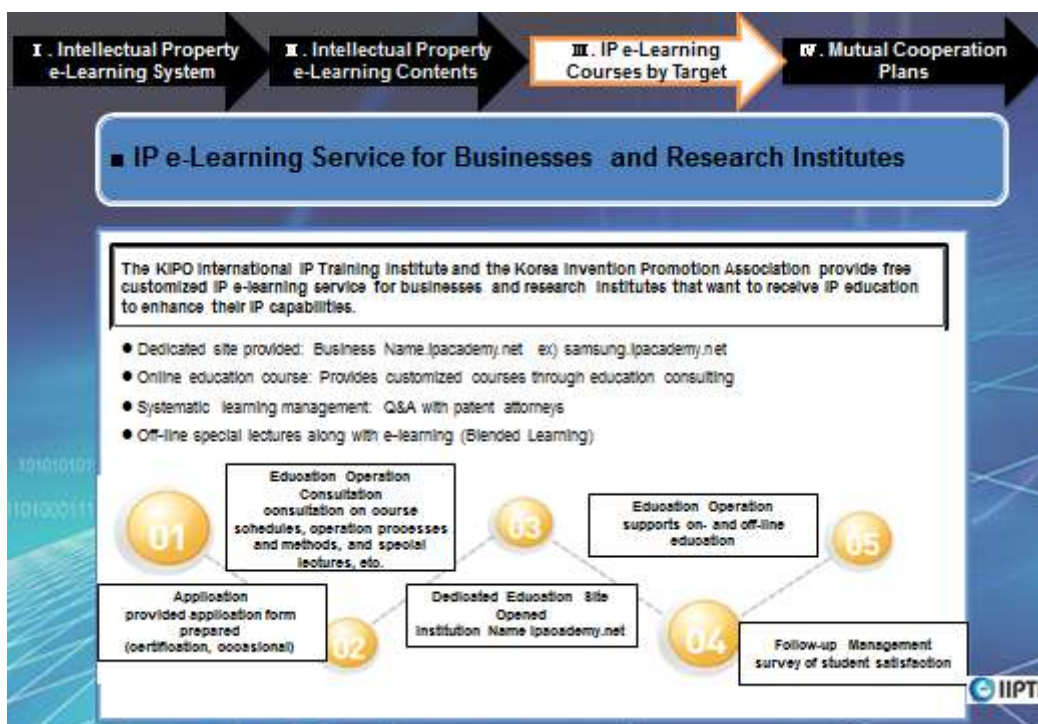
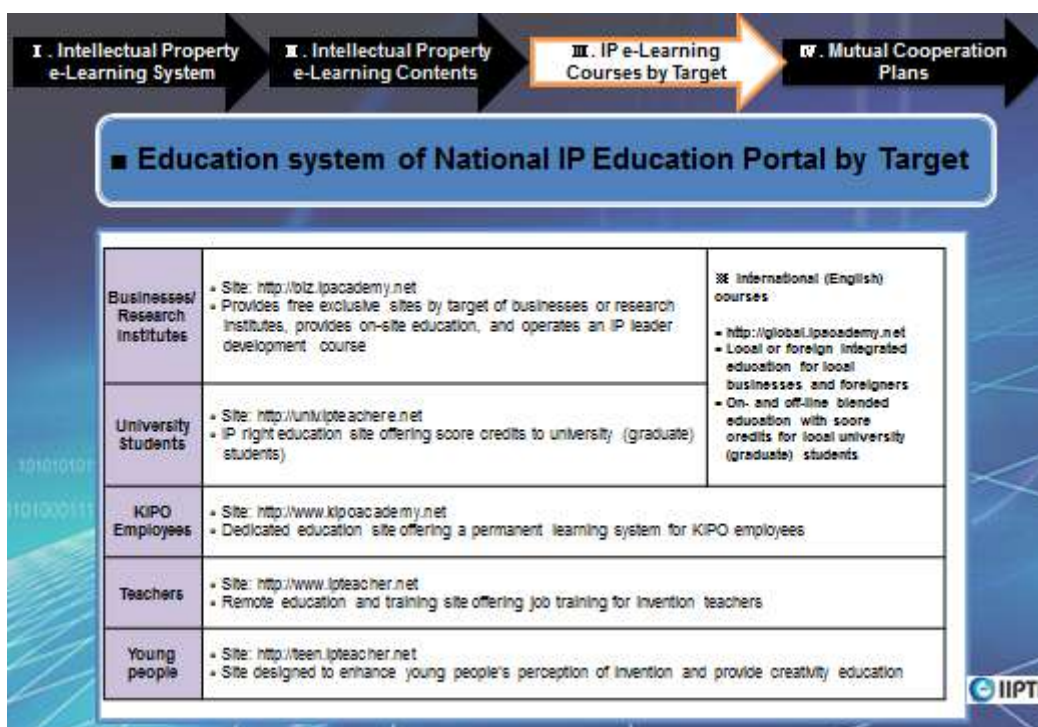


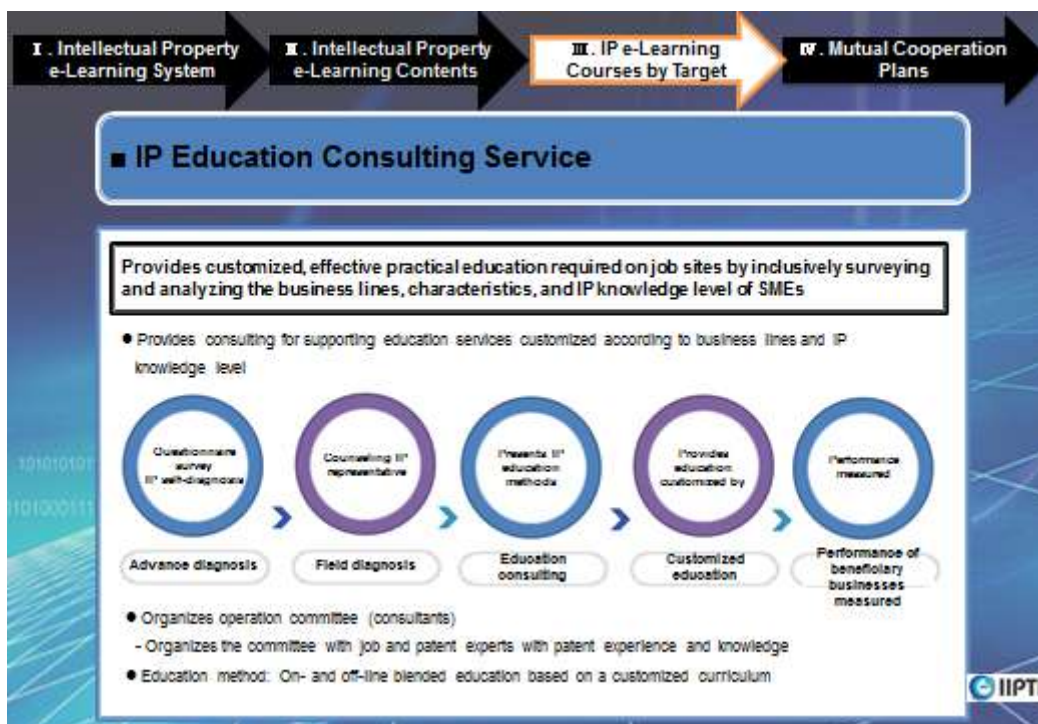
Key Details

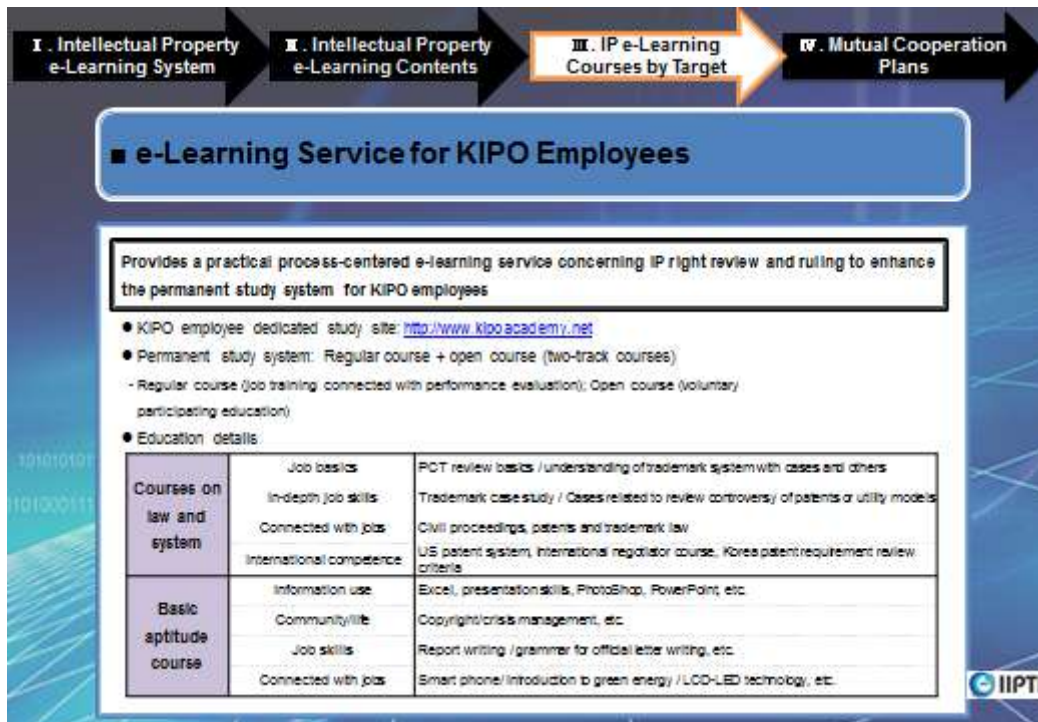
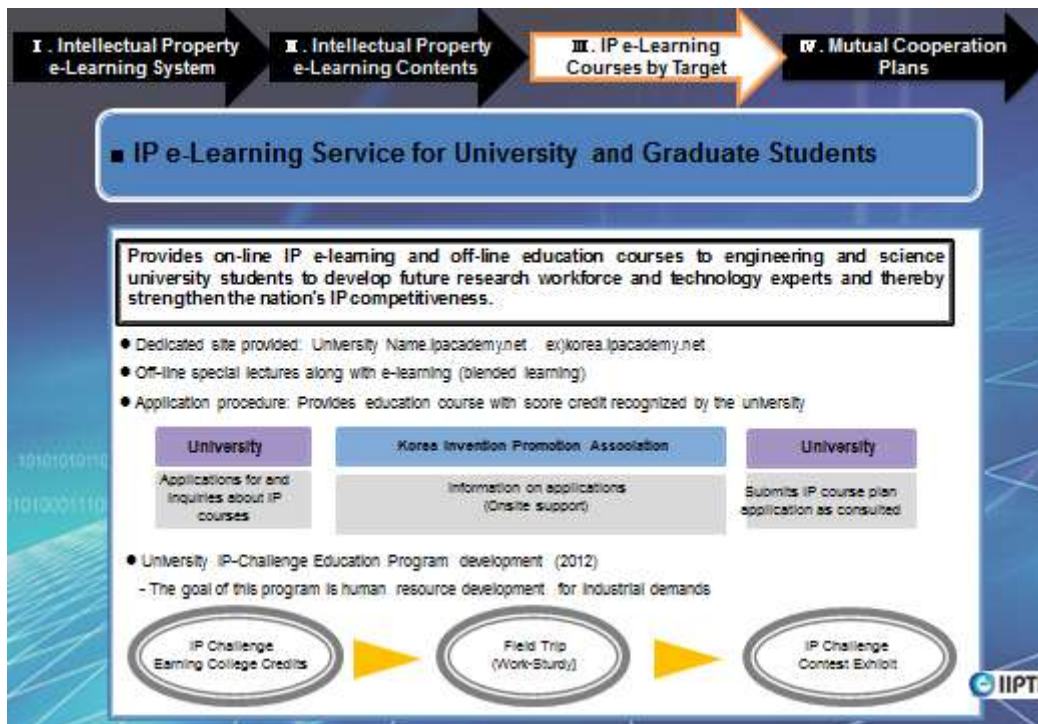
- Targets: Middle or high school students
- The course is designed to help Middle or high school students to easily learn concept of Intellectual property and understanding IP system, practice patent application

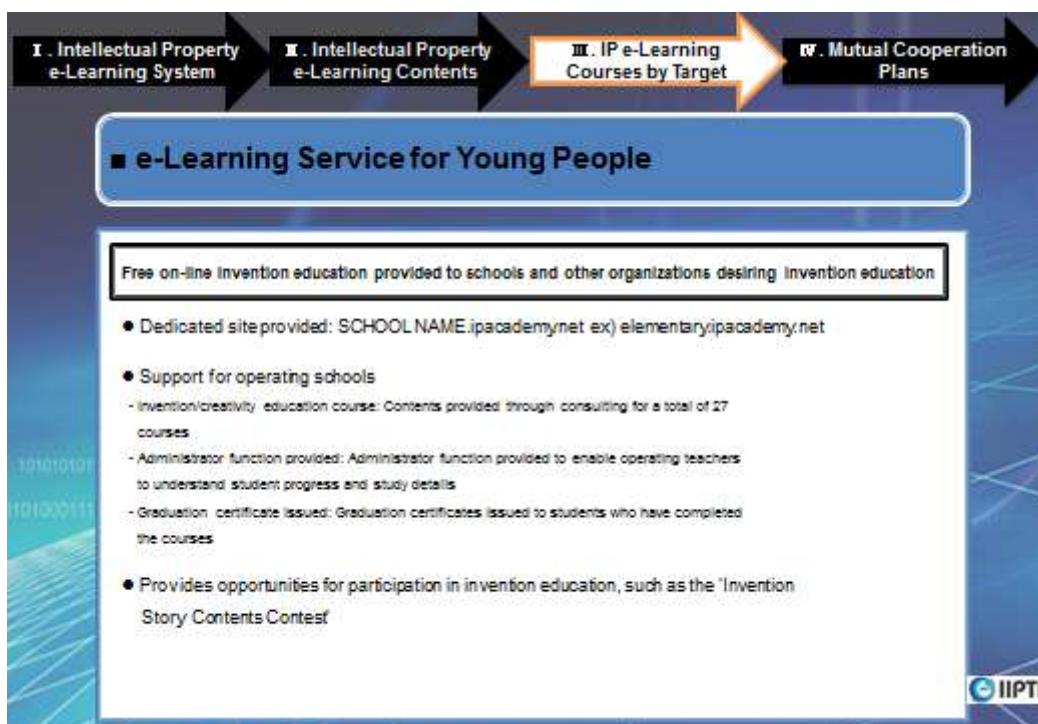
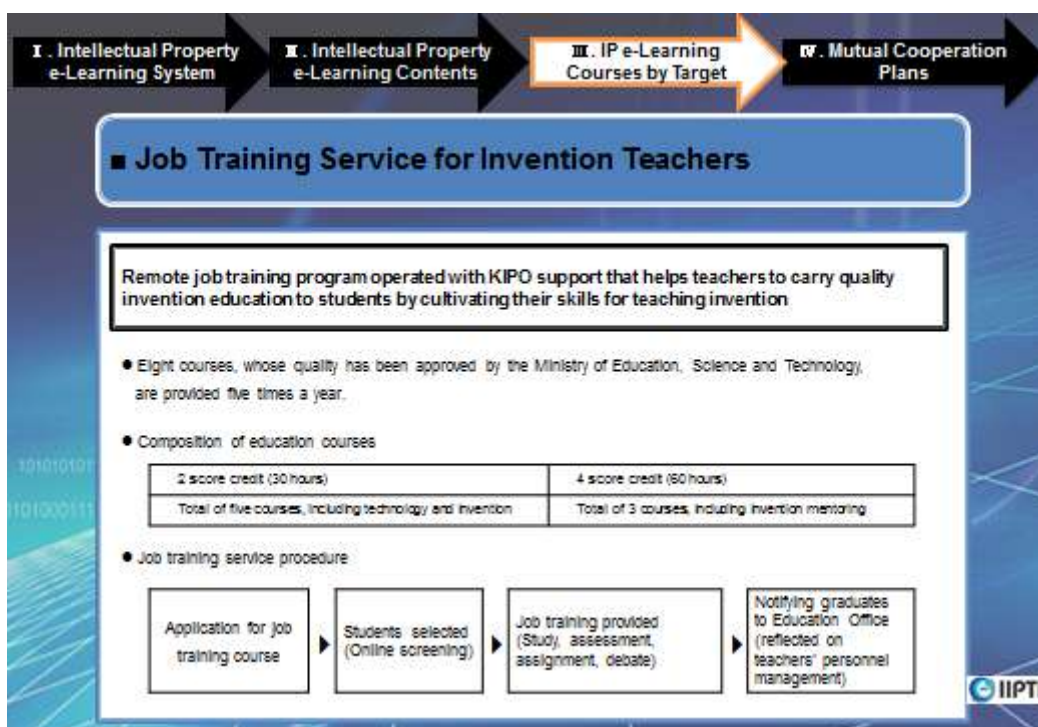














## IV . Mutual Cooperation Plans



I . Intellectual Property e-Learning System

II . Intellectual Property e-Learning Contents

III . IP e-Learning Courses by Target

IV . Mutual Cooperation Plans

### ■ (Joint) Development of IP e-Learning Contents

- Localization of existing contents
  - LMS deployed for accessing e-learning contents
  - Consulting and winning of development orders may be obtained for developing multi-language versions
- (Joint) Development of new contents
  - (Joint) Development of English language contents suited for needs of client country's patent office

### ■ (Joint) Operation of IP Education Programs

- Bilateral joint operation courses utilizing English language IP right education contents
  - Online education courses may be provided through cooperation with client country's patent office or universities
  - Joint off-line education (for superior online course graduates or additional seminars in other locations/regions)



# Q & A



## Reference

- e-learning website: [www.ipacademy.net](http://www.ipacademy.net)

