



# PORTWIMS H2020 SUMMER SCHOOL

## BLUE GROWTH, INNOVATION & ENTREPRENEURSHIP

Lisbon, 20<sup>th</sup> to 24<sup>th</sup> June 2022

INNOVATION LEGAL WARFARE

*Managing Innovation and Intellectual Property*



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# Innovation Legal Warfare

# The relationship with the Law

**Constant need to adapt due to legal developments**



**Applicable Law**



**Sector Specific Rules (ex: Revolut; Uber)**



**Protection of the innovation process and the results**



# The fundamentals

## Innovation



“The successful exploitation of new ideas”

- Product
- Service
- Process

# The fundamentals

**Results**



Product of Innovation (data, knowledge or information arising from innovation as well as any rights associated therewith, including IP rights)

# The fundamentals

## Intellectual Property



The sum of rights pertaining to:

- **Literary, artistic and scientific works**
- **Inventions**, scientific discoveries, trademarks as well as company names (...)

*WIPO CONVENTION*

# The fundamentals

## Copyright / Droit D'auteur

× **Ideas and concepts** – NOT PROTECTED

### © COPYRIGHT

Right granted to the creator of an intellectual work, whatever the genre or form of expression, which consists in the right to claim its authorship and ensure the integrity and genuinity, enabling the creator to react against breaches, violation, modifications, theft, plagiarism,.

### RELATED RIGHTS

Rights of artists interpreting the works (actors, singers, musicians, dancers, etc.) and the music and video producers

# The fundamentals

## Industrial Property

Aimed at ensuring that the **use of a creation is an exclusive right of its inventors** while at the same **fostering innovation by promoting creativity and innovation.**

**Patents, trademarks and designs are covered by exclusive rights of use, production and commercialisation.**



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# TRADE SECRETS

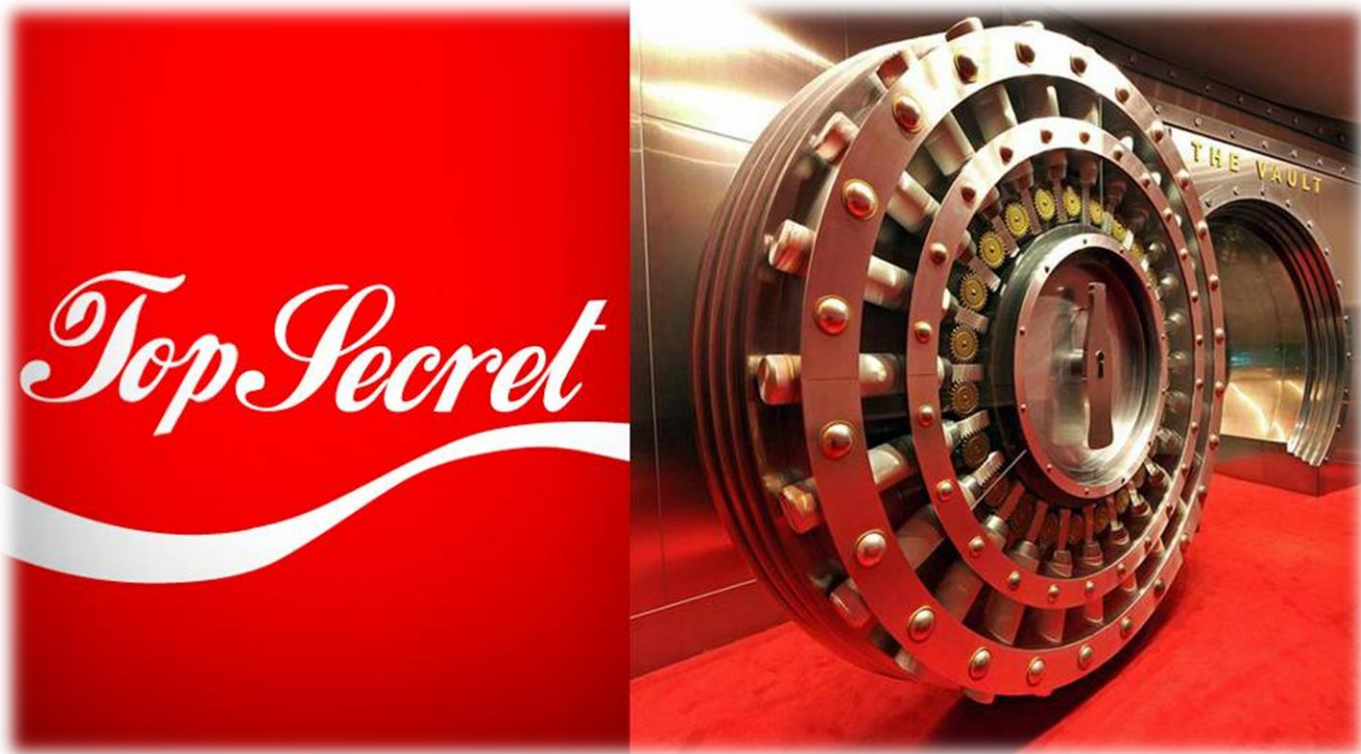
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Unshared information – *Trade Secrets*

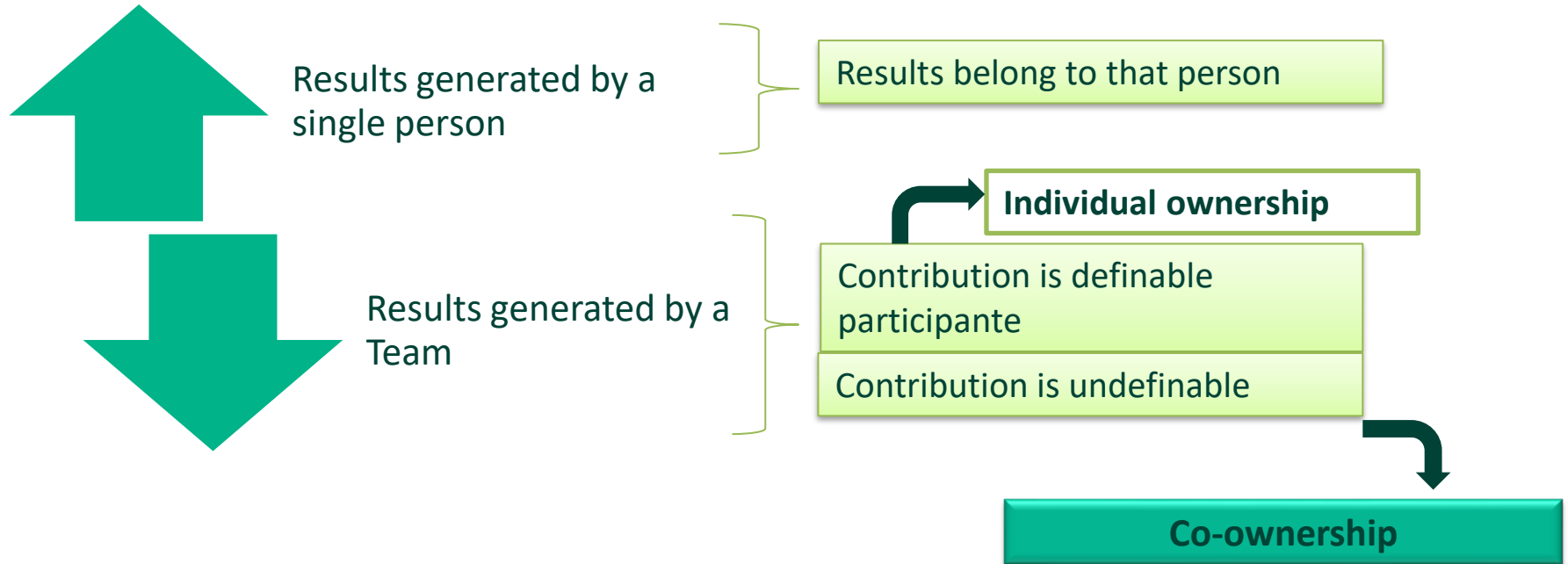
- Secret
- Commercial Value
- you have taken steps to keep the information secret

## TRADE SECRETS



# The Fundamentals

## Property of Results





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## RISKS AND MISTAKES – IP related

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## Risks and mistakes

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**1** The DIY approach

**2** Underestimating the importance of IP

**3** Don't kiss and tell

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## Risks and mistakes

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**4** Don't use what you can't. PT I

**5** Don't use what you can't. PT II

**6** The “cheaper” dilemma



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## **RISKS AND MISTAKES – business related**

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## Risks and mistakes

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**1**

**Be clear with your partners**

**2**

**Avoid employment litigation**

**3**

**Incorporate early**





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