



The Swiss Federal Institute of Intellectual Property

Roland J. Tschudin,
Head Training Center



From the Federal Office to the Institute

1996



Federal Office of
Intellectual Property

1. January 1996



Federal
Institute of
Intellectual
Property

- ⌋ No **privatisation**
- ⌋ Operationally **independent**
- ⌋ Own **budget** (separate from federal budget)
- ⌋ Own **staff status**
- ⌋ **Integrated** in the Swiss Confederation
- ⌋ Political decision-making based on instructions from **Federal Council** (Department of Justice and Police)



Art. 29 §1 Organisation Ordinance of the Ministry of Justice and Police

The Federal Institute of Intellectual Property is [...] the **competence centre** of the Confederation for intellectual property questions. It fulfils its duties according to authoritative laws and international agreements.



Federal Law on the Statute and Tasks of the Federal Institute of Intellectual Property 1996

Art. 1

- 1 The Federal Institute of Intellectual Property (Institute) is a public law institution of the Confederation with **its own legal personality**.**
- 2 The Institute shall be autonomous in its organisation and the conduct of its business; it shall keep **its own accounts**.**
- 3 The Institute shall be run in accordance with the **principles of business administration****



Federal Law on the Statute and Tasks of the Federal Institute of Intellectual Property

Art. 2 (1)

The Institute shall carry out the following tasks:

- (a) to **prepare all legislative instruments** in the field of intellectual property
- (b) to **implement** the legislative instruments
- (c) to **advise** the Federal Council and the other Federal authorities on matters of intellectual property in the area of public economy

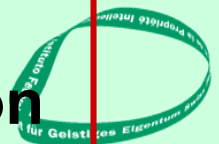


Federal Law on the Statute and Tasks of the Federal Institute of Intellectual Property

Cont.



- (d) to **represent** Switzerland within the framework of international organisations and conventions in the field of intellectual property
- (e) to **collaborate** in representing Switzerland within the framework of other international organisations and conventions
- (f) to participate in **technical co-operation**
- (g) to provide services on a **private law basis** in its field of competence; ***to provide information, in particular, on the systems of protection for intellectual property rights***, on titles of protection and on the state of the art.



Financing

- Institute as **sovereign authority** for the grant of titles of protection (trademarks, patents, designs, topographies)



- ✓ **fees**

- **Political affairs**



EIDG. JUSTIZ- UND POLIZEIDEPARTEMENT
 DEPARTEMENT FEDERAL DE JUSTICE ET POLICE
 DIPARTIMENTO FEDERALE DI GIUSTIZIA E POLIZIA
 FEDERAL DEPARTMENT OF JUSTICE AND POLICE



- ✓ **compensation** for services to the public economy requested by the Confederation

- **Private sector services** (trademark searches, patent searches, training, ...)

- ✓ **market prices**, based on private law



exensis

Our services

2001



Protection titles

- patents
- trademarks
- industrial design
- topographies
- (copyright)

Information services

- publication
- technology and patent information
- trademarks

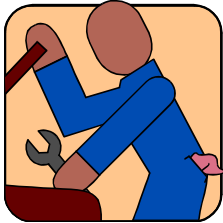
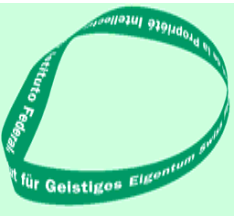
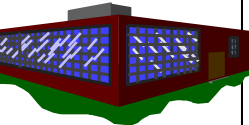
Training and talks

- universities and polytechnics
- industrial and professional associations
- individuals with interest



Analysis of the situation

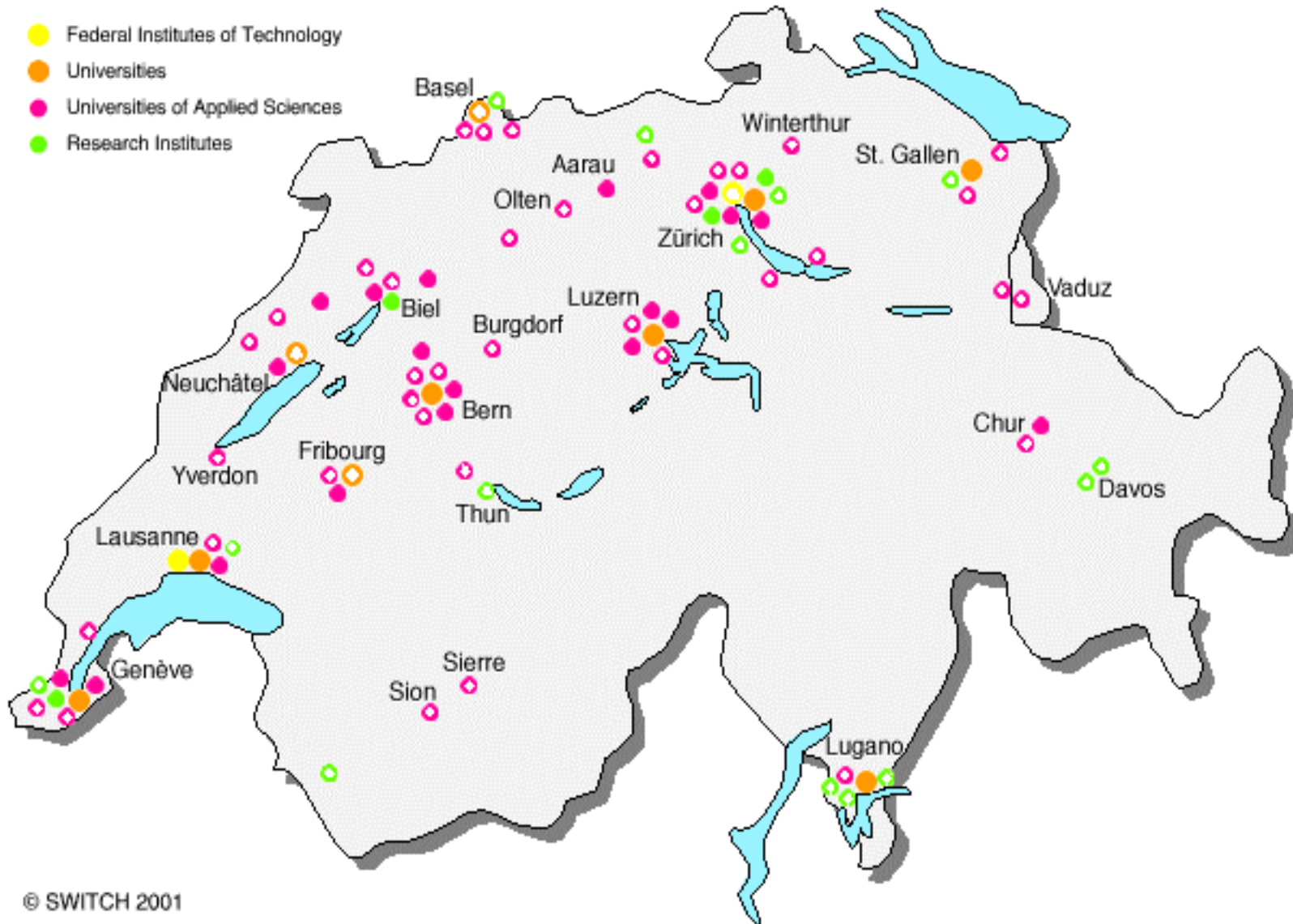
1999

	resources	contacts information	technology	protection
	+++	???	+++	???
	---	+++	---	+++
 SMI	+++	+++	+++	+++



Access through schools ...

- Federal Institutes of Technology
- Universities
- Universities of Applied Sciences
- Research Institutes



	Start	Nummer	Bezeichnung	Kategorie	Ort	Beitrag
BW1	31.03.03	B101	Einführung ins Markenwesen	Mark	IGE	800
	01.04.03	B102	Spezialfälle im Markenbereich	Mark	IGE	800
	02.04.03	B103	Information auf Internet "esp@cenet"	www	IGE	800
	03.04.03	B104	Einführung ins Patentwesen	Pat	IGE	800
	04.04.03	B105	Spezialfälle im Patentbereich	Pat	IGE	800
	05.04.03					
	06.04.03					
	07.04.03	B106	Einführung ins Designwesen	Des	IGE	800
	08.04.03	B107	Kooperationen Schulen - Industrie	TT	IGE	800
	09.04.03	B108	Information auf Internet "esp@cenet"	www	IGE	800
	10.04.03	B109	Kreativität auf sicherem Boden	Krea/URG	IGE	800
11.04.03	B110	Innovation und Förderung	Innovation	IGE	200	
BW2	16.06.03	B201	De l'idée au produit (vue d'ensemble)	PDM	IGE	800
	17.06.03	B202	Procédures nationales et internationales	PDM	IGE	800
	18.06.03	B203	Informations sur internet	www	IGE	800
	19.06.03	B204	Design, est plus qu'une forme	Des	IGE	800
	20.06.03	B205	Contrats et accords en Propriété Intellectuelle	PDM	IGE	800
	21.06.03					
	22.06.03					
	23.06.03	B206	Mesures et actions légales	Jur	IGE	800
	24.06.03	B207		Jur	IGE	800
	25.06.03	B208	Informations sur internet	www	IGE	800
	26.06.03	B209	Protection à l'étranger	PDM	IGE	800
27.06.03	B210	Contrefaçon et Protection	Jur	IGE	200	
BW3	15.09.03	B301	Von der Idee zum Produkt (Technik)	PDM	IGE	800
	16.09.03	B302	Kreativität und das neue Designgesetz	Des	IGE	800
	17.09.03	B303	Informationen auf Internet	www	IGE	800
	18.09.03	B304	Schutz im Ausland	PDM	IGE	800
	19.09.03	B305	Vermarktung von Schutzrechten	PDM	IGE	800
	20.09.03					
	21.09.03					
	22.09.03	B306	Der Patent- oder Markenprozess	PDM	IGE	800
	23.09.03	B307	IGR als Tool im Innovationsprozess	Prakt	IGE	800
	24.09.03	B308	Informationen auf Internet	www	IGE	800
	25.09.03	B309	Kreativität auf sicherem Boden	Krea	IGE	800
26.09.03	B310	Technologietransfer	ERPA TT	IGE	200	
BW4	17.11.03	B401	Von der Idee zum Produkt (Jus)	PDM	IGE	800
	18.11.03	B402	Nationale und internationale Verfahren	Admin	IGE	800
	19.11.03	B403	Informationen auf Internet	www	IGE	800
	20.11.03	B404	Design ist mehr als ein Gehäuse	Des	IGE	800
	21.11.03	B405	Vertragswesen im Immaterialgüterbereich	Jur	IGE	800
	22.11.03					
	23.11.03					
	24.11.03	B406	Von der Massnahme bis zum Handelsgericht	Jur	IGE	800
	25.11.03	B407	Knowledge tools im IGR	Prakt	IGE	800
	26.11.03	B408	Informationen auf Internet	www	IGE	800
	27.11.03	B409	Schutzsysteme in Europa	PDM	IGE	800
28.11.03	B410	Juristisches Thema (Arbeitstitel)	Jur	IGE	200	

Public seminaires



- 4 blocks with 2 weeks
- single days
- Last day - „Event“
- All aspects
- 1th block
 - Protection titles
- 2nd block
 - français
- 3rd block
 - technical aspects
- 4th block
 - legal aspects

Legende:	Admin	Administrative Aspekte für Kanzleipersonal (Paralegal)
	Des	Design (neues Gesetz)
	Jur	Rechtliche Aspekte
	Krea	Kreativität für Werber (URG, MSchg, Tools)
	Mark	Marken
	Pat	Patente
	PDM	Patente, Design Marken (Zusammenspiel der SR)
	Prakt	Praktische Aspekte (insb. Ausland)
	TT	Technologietransfer
	www	Suche auf Internet



Training activities



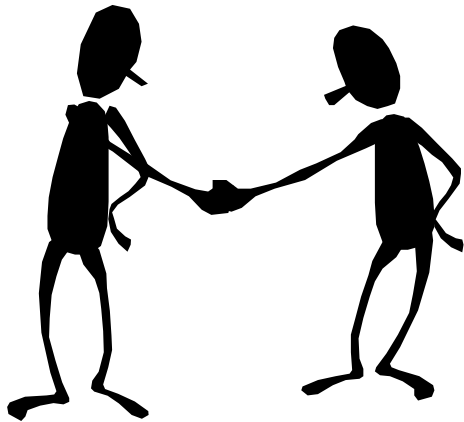
- Universities, High Schools
 - seminars
 - days for enterprises creation
- enterprises
 - esp@cenet/internet
 - Swissreg
 - IPDL's
 - seminars professional associations
 - seminars in enterprises



Swiss
Association
for Quality



cooperations



- exhibitions and meetings
 - [expositions industrielles](#)



- internet
 - www.ipi.ch
 - www.estarter.ch
 - www.eduswiss.ch
 - www.kmuinfo.ch



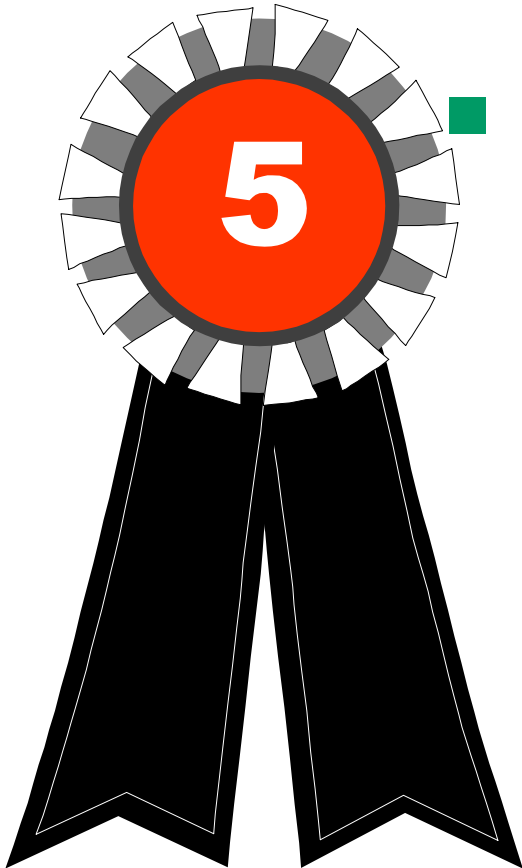
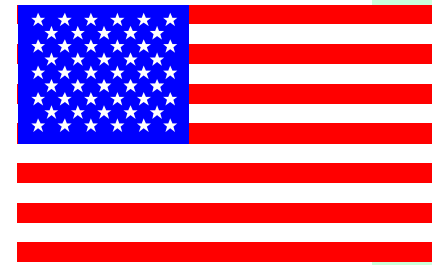
Structure

2000

Type	Description	Goals	Themes (e.g.)
Specialised modules	These modules train the special knowledge, necessary for search activity, international prosecution and maintenance in foreign countries. Specially for persons with high competence such as heads of examination.	High knowledge and experience on crucial steps in the patent filing procedures, with large experience in regional/international patent systems.	TRIPS
			US patent system
			licenses
			patent strategies
			patent information
Technical modules	These modules teach the special knowledge necessary for patent specialists such as examiners for doing their work. For skilled people these modules have also an updating function.	Knowledge and experience necessary for independent examination of patent applications.	state of the art
			reading of a patent document
			"lifetime" of a patent
			technical examination
Administrative Modules	These modules impart the basic skill in filing, procedures and grant of patents. A particular attention is turned on administration of patents in force.	Good knowledge on procedures, fees and delays, do's and don'ts, recovery possibilities in the filing of a patent.	PCT-procedure
			EP-procedure
			administrative examination
			national filing
Basic skill	These modules impart the oversight on the scopes of patents. These are dedicated to cadres responsible for a patent or technology policy in research and development.	To sensitize the responsible on the problems of Intellectual Property. Impart the knowledge tools from protection titles.	inventive step
			novelty
			exceptions
			patentability
Introduction	For unexperienced people in the field of intellectual property and the contained information. The main part of training is devoted to the acquisition of the specific terminology and the general legal principles.	After the initiation modules the trainees are able to distinct the different protection titles, their characteristic features and the different procedures.	protection titles in CH
			terminology in the field of intellectual property
			general legal principles



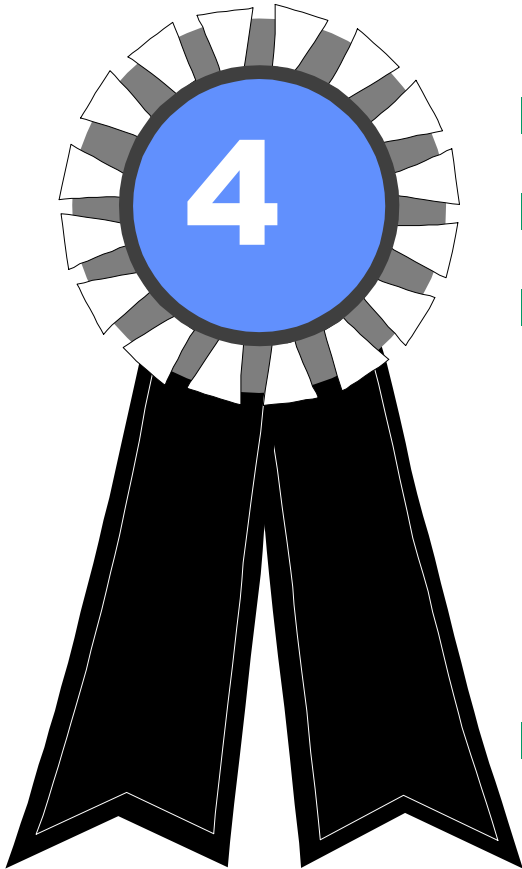
US - Patent Practice



- **Basics on US-System**
 - Patentability
 - Novelty
 - Disclosure requirements
 - Patent Specification and Claim Drafting
 - Strategy for Responding on USPTO
 - Correction of Patents, Reissue
 - Patent Infringements and Doctrine of Equivalents
- **3 days (english)**



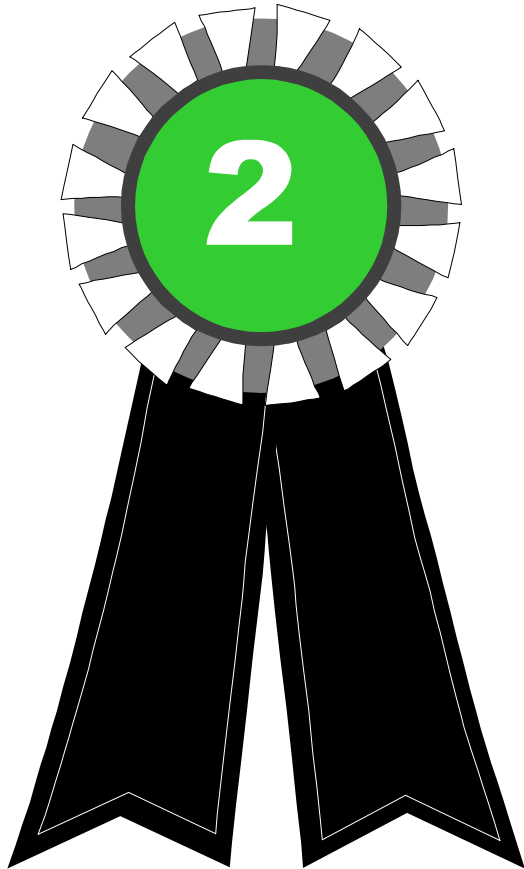
Firm seminars



- Authors rights/software
- Marks, Design
- Patents
 - Patentability
 - Patent information
 - reading patents
 - search on Internet
- general and customized
- 1 day



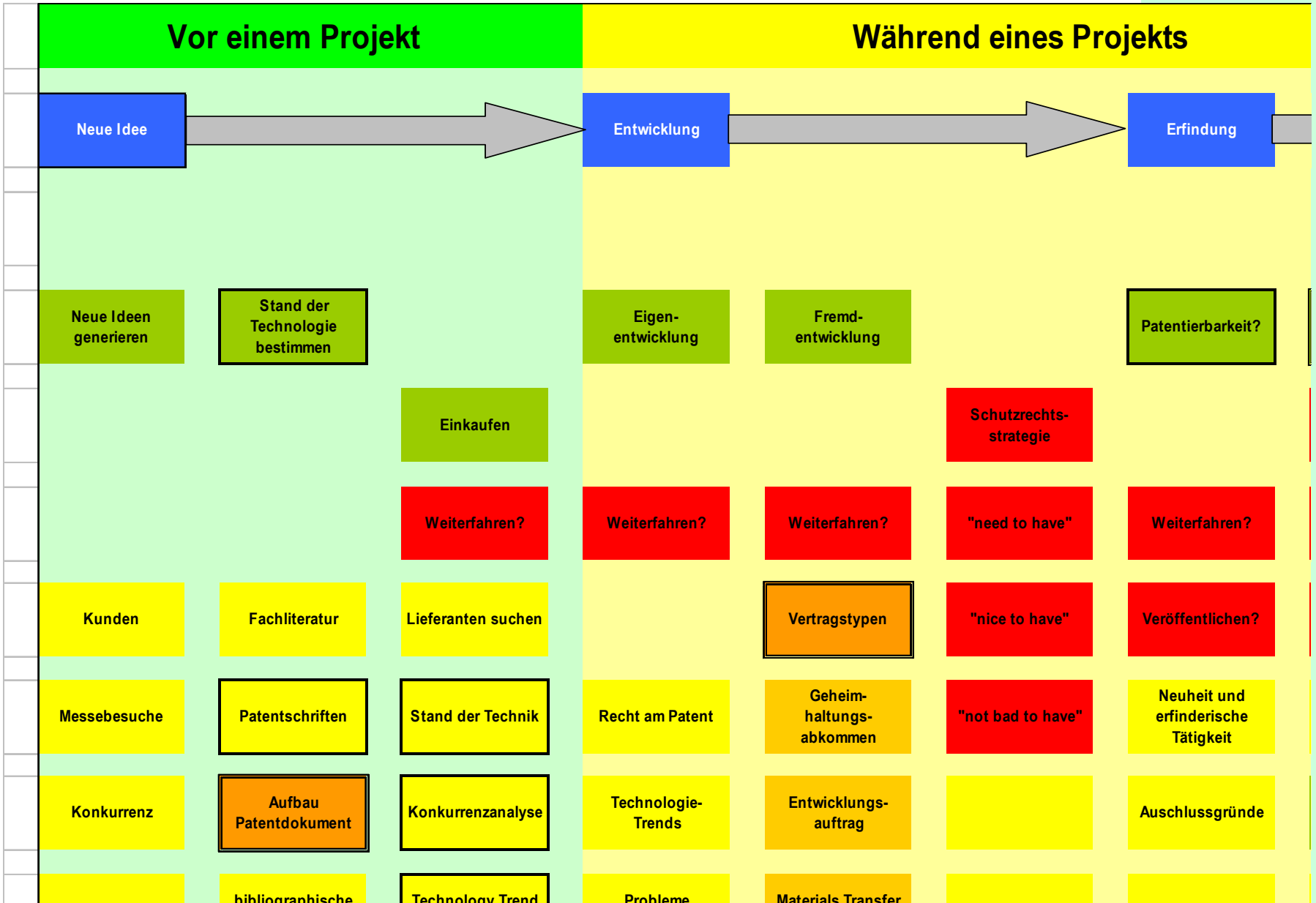
Access on patent/marks/design documents



- patent/marks/design information
 - access using codes
 - reading protection titles
 - Bibliographic data
 - Technical data
- access using Internet
 - esp@cenet
 - Swissreg
 - IPDL
- 1 day



Special modules/tools





Tout ce qui est parfait en son espèce
doit dépasser son espèce

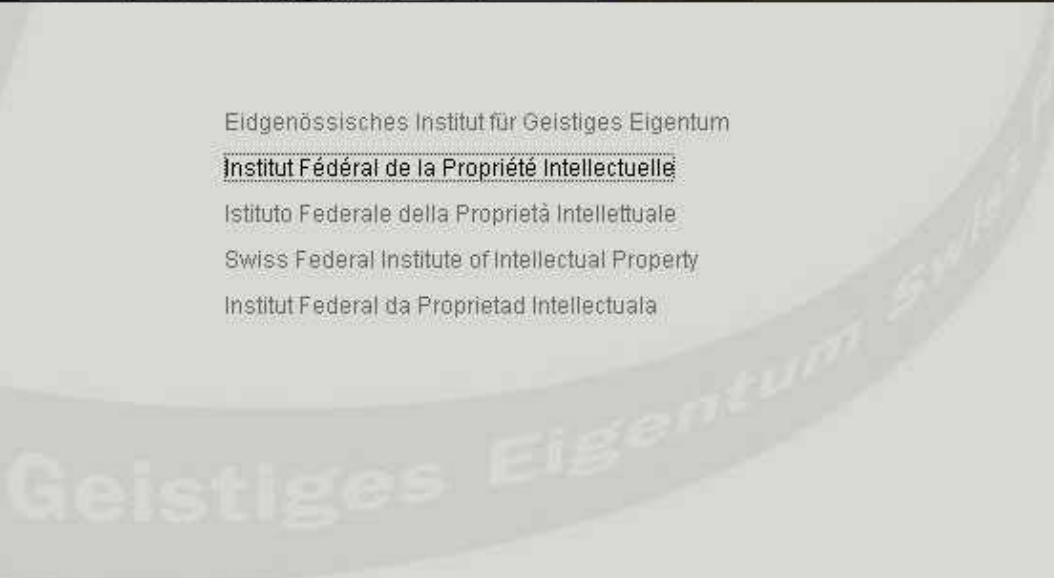
Eidgenössisches Institut für Geistiges Eigentum

Institut Fédéral de la Propriété Intellectuelle

Istituto Federale della Proprietà Intellettuale

Swiss Federal Institute of Intellectual Property

Institut Federal da Proprietad Intellectuala



swissreg

Requête

Quoi de neuf?

Requête

Assistant

Enregistrement

Aide

Référence

Contactez-nous

Impressum



Combinaison
Débutant
Expert



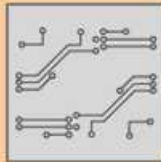
Brevets
Débutant
Expert



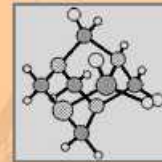
Marques
Débutant
Expert



Design
Débutant
Expert



Topographies
Affichage



**Certificats
complémentaires
de
protection**
Débutant
Expert

Dernière mise a jour des données: 11.11.2001

Ready for You



30 MILLION

PATENTS

- all protection titles in force in CH
- legal status
- secure connection





deutsch

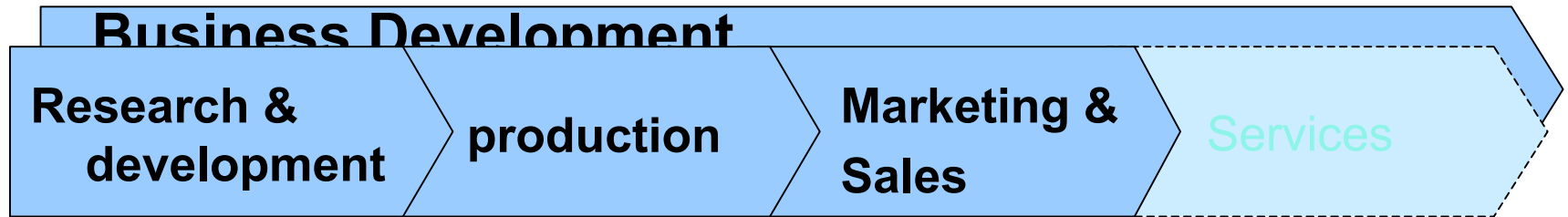
français

english

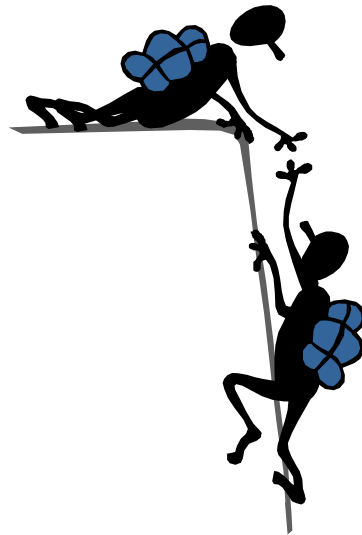
italiano

<http://www.exensis.ch/E/download/dow01.htm#>

Services for your added value chain

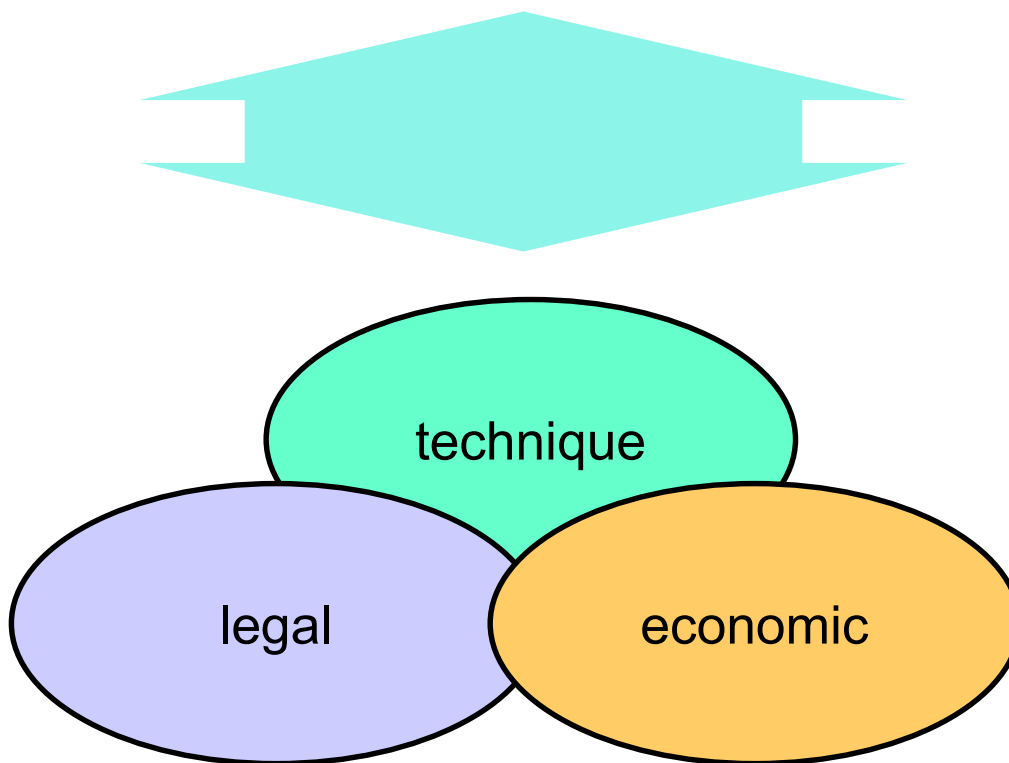
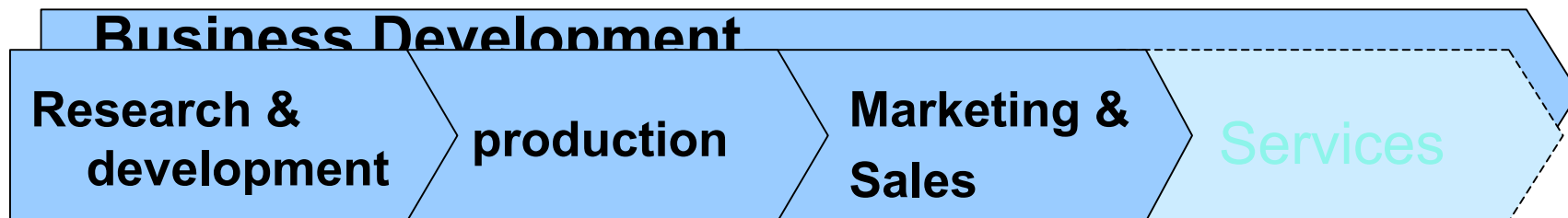


Along your added value chain you must answer a serie of strategic important questions...



... Our services can give a important decisional base for your answer!

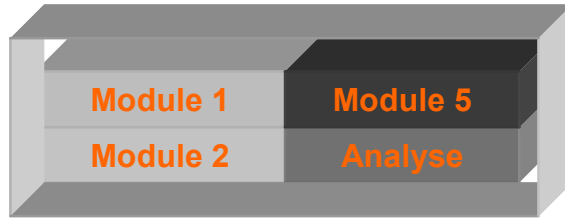
Two aspects of the same services



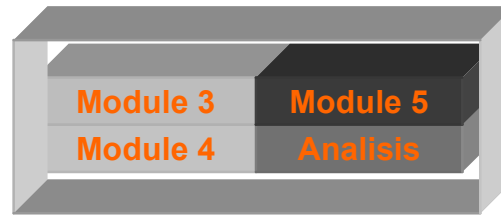
Modular structure of service packages



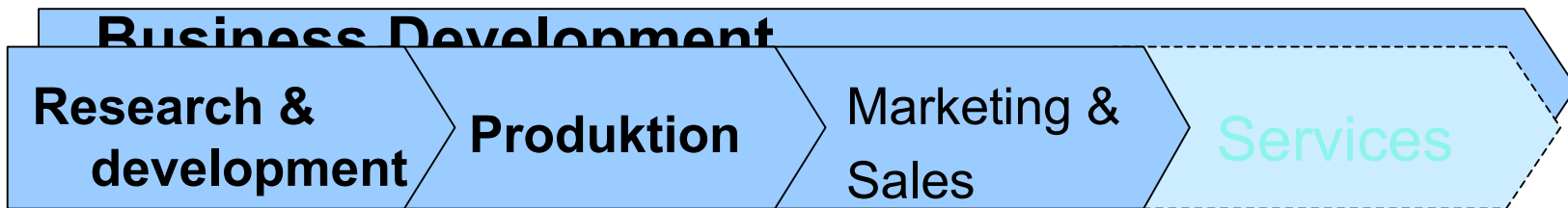
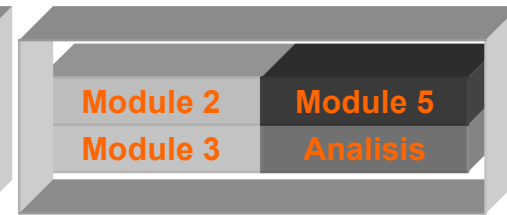
Package A



Package B



Package C



Research & development



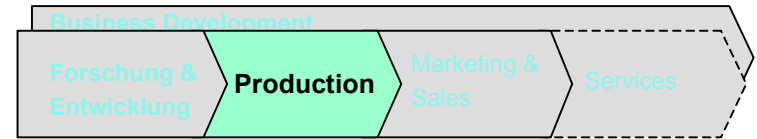
How do you decide from idea to start a project?
How do you prioritize current R & D projects?

- **What is the state of the art?**
 - **Subject search, technology search, (Monitoring technology)**
- **In wich direction a technology is moving?**
 - **R&D Trend, Innovation history**
- **Where are your competitors, in wich technological field do you have an competitive advantage?**
 - **R&D focus, IP portfolio, (R&D trend)**

How do you protect your results?

- **Can you patenting your invention?**
 - **Novelty search, subject-/technology search**
- **Are critical patents of your entreprise potentially injured by new published patents?**
 - **Monitoring**

Production



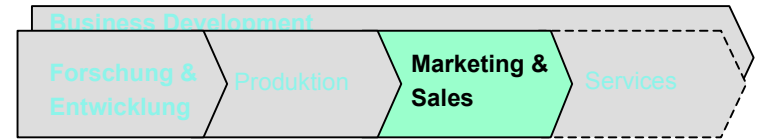
Can you find a solution to a technical problem in production?

- **Subject search; technology search**

Can you use novel production procedures ?

- **Subject search; family search; legal status; freedom to operate; monitoring (legal status)**

Marketing & Sales



Input for the creation of a new mark?

- **Sequence search**

Can you use a particular mark for a product?

- **Similarity search (word, image, combined)**

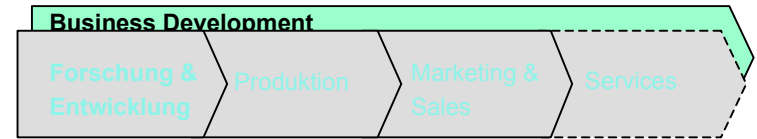
Do you have potential collisions between new marks with existing marks of your firm (piracy)?

- **Monitoring (marks); Similarity search (word, image, combined) as spot check**

In which countries can you distribute your product without any infringement of existing protection titles?

- **Subject search; family search; legal status; freedom to operate; monitoring (legal status)**

Business Development



Who can contribute to solve your problem as a licensing partner?

- **subject search; licensing partner**

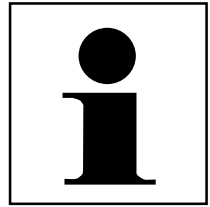
The attractiveness of a IP portfolio of a possible merger/partner in view of technology and legal situation?

- **subject search; legal status; IP portfolio (or patent portfolio); portfolio evaluation**

Can you prepare licensing negotiations, with good skill about patent/technology?

- **subject search; licensing evaluation**

Evaluation of a portfolio

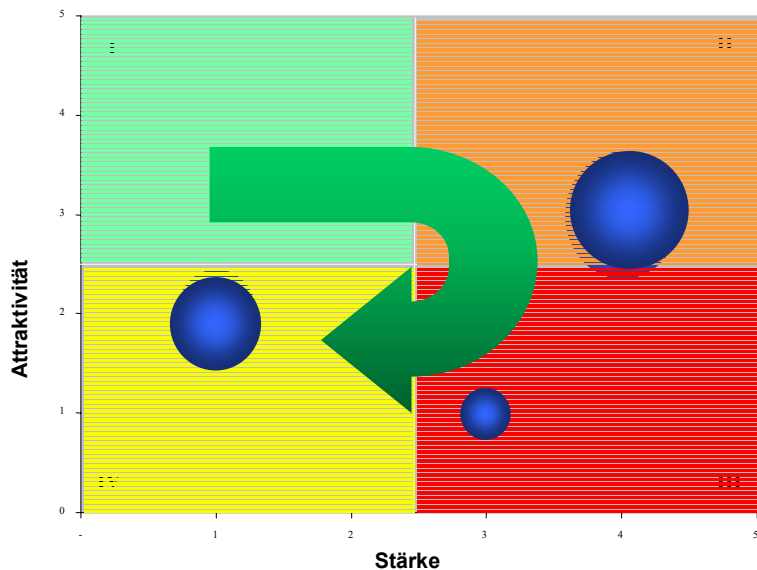


scope

Indications about an enterprise and future development

Content

Rating of the **legal strength** and the **attractivity** of patent categories through the analysis of the patents.



I: Development phase

II: Best position for exploitation

III: maximum topped
=> search new fields

IV: final phase
=> field no longer exploitable

1 Patent

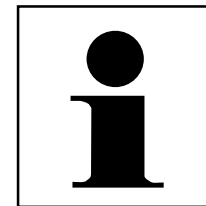
2-5 Patents

6-10 Patentes

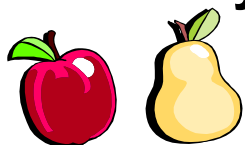
10-20 Patents

>20 Patents

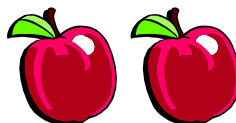
Marks: types of searches



similarity



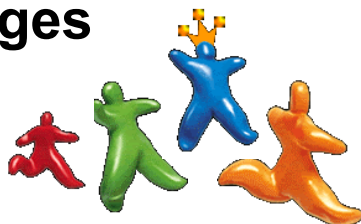
identity



ownership



images



sequence

AAAAAAXYZ

“monitoring”

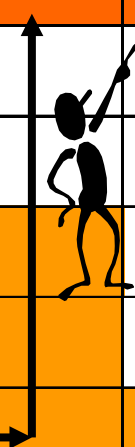


words and
images combined



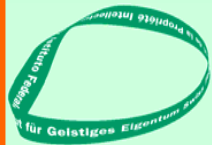
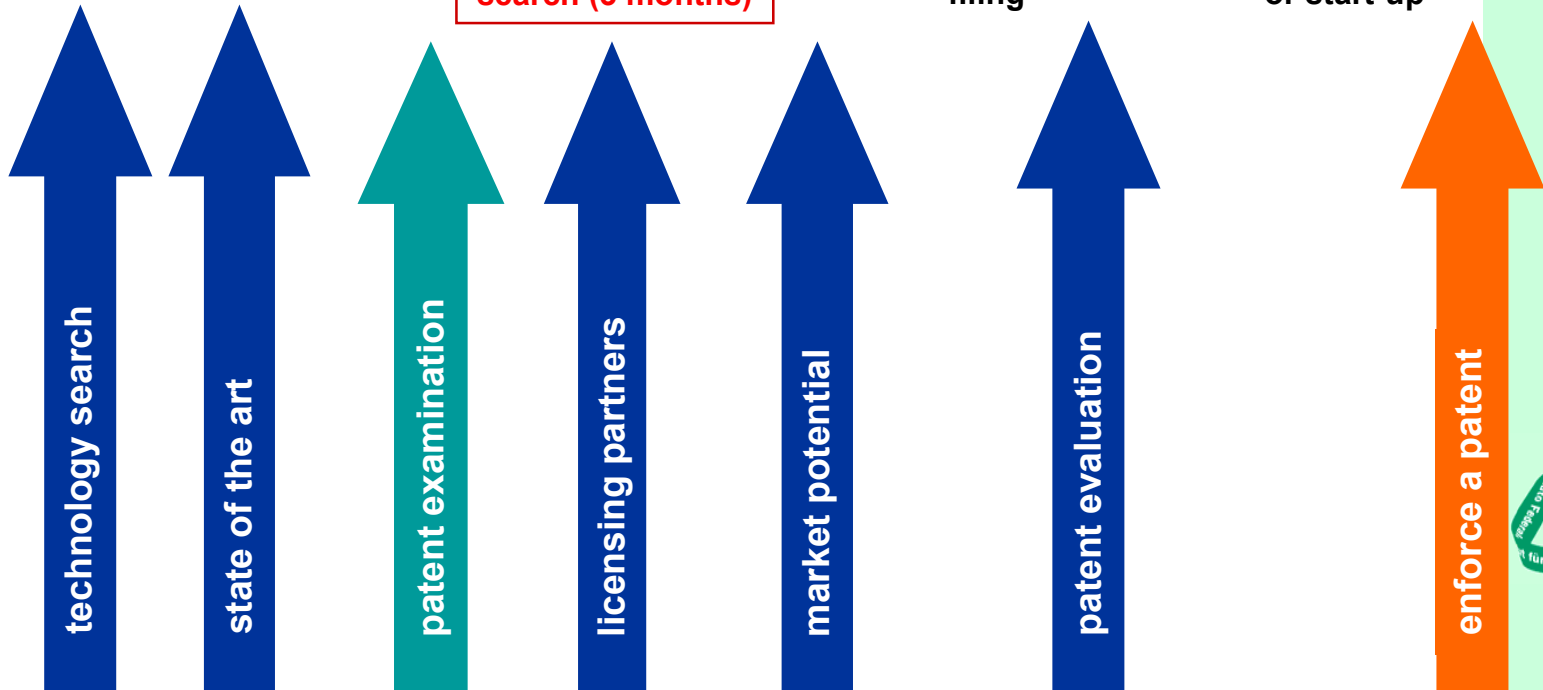
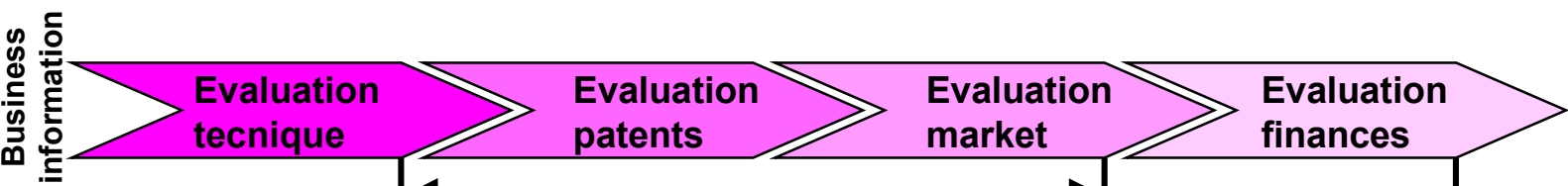
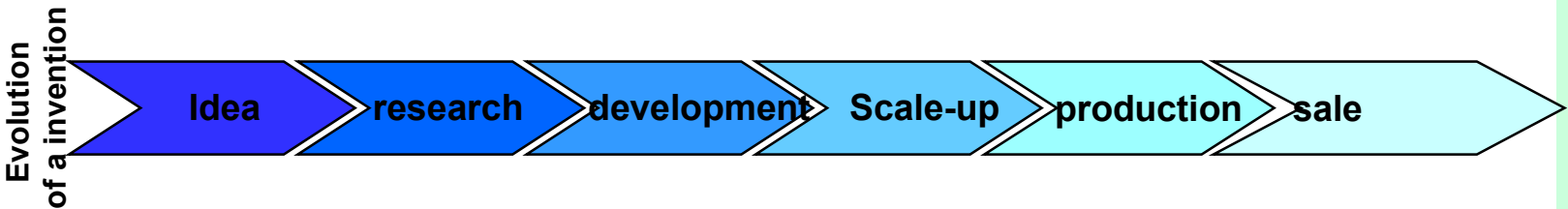
Matrix of services

MODULE	Legal status	Name search	Subject search	Novelty evaluation	Overlap analysis	Licencees	Licensing evaluation	IP Portfolio	IP Portfolio evaluation	F&E-Trend
?										
Patenting										
Infringement										
Licencing										
F&E-Management										
Competitive Intelligence										
Co-operation										
Export/Import										
Investment										



customised contributions

2001



Staff ~ 250 people

2003



Director
general

AuR 3
F+I 50
TM 90
Pat 80