

Business & IP Centre opening hours

10.00 – 20.00 Mon
09.30 – 20.00 Tues, Wed, Thurs
09.30 – 17.00 Fri, Sat

Reader Registration opening hours

09.30 – 17.45 Mon
09.30 – 19.45 Tues
09.30 – 17.45 Wed – Thurs
09.30 – 16.15 Fri – Sat

Closed Sunday and English public holidays.

How to find us

Business & IP Centre
The British Library
96 Euston Road
London NW1 2DB

www.bl.uk/bipc

T +44 (0)20 7412 7454
E bipc@bl.uk

🚶 ➡ King's Cross St Pancras and Euston

Bus routes 10, 30, 59, 73, 91, 205, 390 and 476 pass the building, along Euston Road.

Inventing

Essentials guide for inventors

What you need to know to
protect and commercialise
your ideas

www.bl.uk/bipc/pdfs/inventing.pdf

Last updated September 2010

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At the Business & IP Centre we can help you find out if the idea for your invention is original, if there is a market for it, and help you protect your intellectual property and commercialise it.

This guide summarises the key stages of taking an invention to market; it is a handpicked list of websites, organisations and resources that will help you find what you need to know, and fast.

For general business advice, see our Business Essentials guide at www.bl.uk/bipc/pdfs/theessentials.pdf

What can you do in the Centre?

- Learn about intellectual property
- Research your market, competitors and potential suppliers
- Go to workshops on everything from patent searching to business planning
- Attend a free advice session with a business expert or our Inventor in Residence Mark Sheahan
- Complete our free e-courses on intellectual property
- Meet like-minded people at our networking events

The Centre is free and easy-to-use. You can find us on Floor 1 of the British Library in London, close to King's Cross, Euston and St. Pancras stations.

Anyone can use the Centre. To access the information you'll need a Reader Pass, for which you need to bring in proof of your signature and home address from within the last three months.

To find out more visit www.bl.uk/bipc

The essentials

What is intellectual property?

Intellectual property (IP) is about your original ideas: the aspects of your invention that are unique and innovative. For example, how it looks and the way it works. If you have an invention that you want to commercialise, you need to find out if it already exists, understand your IP and how it can be protected.

There are four main types of IP: patents, registered designs, trade marks and copyright. Sometimes all four kinds are relevant for a product. Those that are registered at patent offices (for a fee) involve renewal fees to keep them 'in force' (retain validity) and are usually published on the web. They prevent others from using the right in that country even if the infringer did not know about it. Others are free and automatic.

Some countries have differences in their IP to British practice outlined here. Registrations are needed in each country where protection is wanted.

The following is a simple, broad-brush explanation of a complicated subject. We recommend that legal advice is always taken before applying for rights or when interpreting others' rights.

Patents

These cover, in a functional way, the new features of a product or a method of making it. It should not just be an 'obvious' improvement on what has been done before. It may make the product cheaper or more efficient in use, or may simply provide an alternative to other products.

If your product includes other existing patents, you will not be able to produce it without permission from the other patent owners. For example, you can patent individual elements of a car, but you can't build a car in its entirety as you will be infringing on other people's IP. In the UK a patent is published 18 months after it has been filed as an application, and later as a grant once it has been checked to see if it is new and patentable. Patents can be registered for a maximum of 20 years from filing.

Registered designs and design rights

These cover the eye appeal of an object and not its function. Registered designs can last 25 years from filing and, as part of the process, they are rejected if they are not new. If you don't register a 3D object in the UK, it automatically receives free design rights which last a maximum of 15 years and can protect you against deliberate copying.

Trademarks

Denoted by a ® symbol, they can consist of words, logos or images, or a combination of them. Once registered, they can in theory last forever, provided that they continue to

be used and do not become 'generic' (i.e. a noun or verb). Patent offices will not check to see if they are new, although they will inform others with similar trade marks in the same area of business in case they wish to object. Offices may also object on grounds such as the trademark merely describing the product. Unregistered trademarks are informally denoted by a ™ symbol and are not used in continental Europe. They differ from registered marks in that to enforce your rights you need to prove that the mark is well known and that your business is suffering from the competition.

Copyright

Copyright can cover music, writing, websites, photography, artwork, packaging and, usually, software (occasionally patents are relevant). It can protect against deliberate copying only and it is normally denoted by a © symbol, plus the name of the owner and the year it was created. The author is normally the owner, but where there is an employer they may have the IP rights. Protection is free and automatic, and varies according to format. However, lifetime plus 70 years is the usual term.

Visit the Intellectual Property Office website for detailed explanations on how to apply to protect your intellectual property.

www.ipo.gov.uk

What can't be protected?

Some areas of thought cannot be protected by patents, although trademarks, designs or copyright may apply. These include scientific theories, business concepts and, in the UK, the rules of board games and software. An exception is made for software which alters the way a computer works, such as an algorithm which compresses images. The USA tends to be more generous in what it allows, such as business methods and software.

Databases available in the Business & IP Centre

COBRA

A versatile encyclopaedia of practical information which includes bite-sized help guides on all aspects of intellectual property.

Websites

Business & IP Centre e-courses on intellectual property

A series of free, interactive, practical e-courses where you can learn about intellectual property as well as searching IP databases and analysing market data.

<http://bipc-ecourses.bl.uk/>

Business & IP Centre intellectual property guides

Free pdf guides explaining the difference between a patent, trademark, registered design and copyright.

www.bl.uk/bipc/dbandpubs/intpropres/index.html

Intellectual Property Office (IPO)

A must-view site for anyone involved in protecting an invention. It provides clear information on registering, legal issues and associated fees. Free trademark and design searches can also be made on this site.

www.ipo.gov.uk

OHIM

OHIM is the European Union agency responsible for registering trademarks and designs that are valid in all 27 countries of the EU.

<http://oami.europa.eu/ows/rw/pages/index.en.do>

US Patent and Trade Mark Office (USPTO)

USPTO is responsible for US intellectual property in the US.

www.uspto.gov/index.html

World Intellectual Property Organization (WIPO)

WIPO is responsible for the protection of intellectual property throughout the world.

www.wipo.int/portal/index.html.en

Books (all available in the Business & IP Centre)

A Guidebook to Intellectual Property
(Robin Jacob, Sweet & Maxwell, 2004)

Defending the Brand

(Brian H. Murray, Amacom, 2004)

From Assets to Profits, Competing for IP value and return

(Bruce Berman, John Wiley Chichester, 2009)

Profit from your idea

(Richard Stim, Berkeley 2008)

Teach Yourself Intellectual Property

(Miles Rees and Lawrence Smith-Higgins, Hodder Arnold, 2006)

The Inventor's and Innovator's Kick-Start Guide

(Jules May, Two Little Ducks, 2005)

Understanding and profiting from intellectual property – A guide for practitioners and analysts

(Deli Yang, Basingstoke Palgrave MacMillan, 2008)

Relevant organisations

ACID (Anti Copying in Design)

A membership organisation, committed to raising awareness and encouraging respect for intellectual property within corporate social responsibility.

<http://acid.eu.com/>

Chartered Institute of Patent Attorneys

The professional and examining body for patent attorneys (also known as patent agents) in the UK, founded in 1882. CIPA is a recommended first contact for anyone seeking legal advice for a patent application.

www.cipa.org.uk

Own-it

Intellectual property advice for creative businesses in the UK. It offers a range of services, from basic to specialist support, through online and face-to-face seminars, workshops and, where appropriate, surgeries with IP lawyers.

www.own-it.org

Workshops at the Business

& IP Centre

We offer free workshops in the Business & IP Centre covering topics such as 'A beginner's guide to intellectual property' and 'Patent searching'.

www.bl.uk/bipc/workshops.html

Is your invention original?

It is important to search to see if anyone has already published or used a similar invention to your own, as this may mean that you cannot protect it. You can conduct a quick search yourself using free websites. However, we recommend that you gain advice from an expert to help you with your search and consult a patent attorney to advise if your invention is patentable. It takes 18 months for a new patent publication to be published so occasional checking on recently published patent specifications is also a good idea.

Databases available in the Business & IP Centre

Derwent Innovations Index

This database provides international patent abstracts written by professionals, facilities for searching by 'owning company' and some status information. It covers many countries and results can be sorted to identify heavily cited forerunners, or analysed to identify the main companies or classes used. It is especially helpful in electronics and chemistry.

Websites

Espacenet

This is the European Patent Office's website. On the site you can search patents internationally. Many complete specifications are available, although coverage varies by country.

<http://ep.espacenet.com>

Google Patents

This site is restricted to American 'utility' patents and design patents. It allows searching through the entire documents back into the nineteenth century. Please note: you need to search using Americanisms.

www.google.com/advanced_patent_search

Trade secrets and confidentiality agreements

Trade secrets and confidentiality are not covered by standard intellectual property law but can be useful for things which are not easy to formally protect, such as internal business procedures, recipes for food and business contacts. They last for ever if you manage to stop them leaking, so keeping a manufacturing process secret can give you a longer-lasting monopoly than a patent.

You automatically have a right to sue somebody for breaching confidence if: the information is not already common knowledge; it was disclosed to the other person in conditions that implied that they should keep it confidential; and you have suffered, or are likely to suffer, actual damage because of the disclosure. Having a formal non-disclosure or confidentiality agreement is often a safer option.

Databases available in the Business & IP Centre

COBRA

This database contains a report called 'Using Confidentiality Agreements' (ref BIF409) with general information on when you might want to use one and what they need to cover.

Websites

Business Link: Information security best practice

The Business Link website covers how to keep confidential information safe.

www.businesslink.gov.uk

Freelance UK

This site includes a confidentiality agreement form designed for situations where you are disclosing information to a supplier.

www.freelanceuk.com/resources/fuk_docs/confidentiality_agreement.pdf

Intellectual Property Office: Confidential disclosure agreements

A leaflet on confidentiality with a sample agreement. It is intended for people intending to collaborate on patentable inventions.

www.ipo.gov.uk/cda.pdf

Books in the Business & IP Centre Essential Documents: Employment (Indicator, 2009)

Small Business Employment Law for Dummies

(Liz Barclay, John Wiley & Sons, 2005)

Finding an attorney and legal issues

We recommend that you use qualified intellectual property attorneys to draft patent applications and to advise on strategy in protecting the innovation. You also need to consult them if you are considering legal action for infringement, which is a civil and not a criminal matter.

Websites

Chartered Institute of Patent Attorneys (CIPA)

This site includes a list of those who are qualified by examination to practise before the Intellectual Property Office.

www.cipa.org.uk

The Institute of Trademark Attorneys (ITMA)

The Institute is the professional body responsible for the regulation of the trademark attorney profession and for representing the interests of the profession, nationally and internationally.

www.itma.org.uk

The Law Society: Lawyers for your business

A network of 1,000 solicitor firms in England and Wales offering specialist advice to small and medium-sized businesses.

www.lawsociety.org.uk/choosingandusing/helpyourbusiness/foryourbusiness.law

Researching your market

Before you commercialise your invention it's essential that you find out if there is a market for it by researching your potential customers, the size of your market, trends and the major players. Market research can also help you to identify new ideas and find inspiration.

The internet contains a great number of press releases, government reports and news stories, but it can be difficult to find relevant market research material. The Business & IP Centre provides free access to market research reports, directories and company data and staff are on hand to help you find the information you need.

Resources available in the Business & IP Centre

View a complete list of databases available from within the Business & IP Centre Reading Room.

www.bl.uk/eresources/business/cd-busin.html

Search the Business & IP Centre catalogue

Search the Centre's business catalogue of printed market research reports in advance of your visit.

www.bl.uk/catalogues/business

Websites

Business & IP Centre industry guides

Lists of websites, organisations and resources by industry.

www.bl.uk/bipc/dbandpubs/Industry%20guides/industry.html

Business Essentials wiki

This Business & IP Centre wiki includes a list of sites you can use to find company data, research products, monitor news and find statistics.

<http://bl-business-essentials.wikispaces.com>

Chipwrapper

Indexes the news archives of many UK national newspapers and the BBC. A good source for business stories.

www.chipwrapper.co.uk

National Statistics

The official UK site contains data collected by the government, including sample surveys, in numerous topics. It includes census data by locality in its 'Neighbourhood Statistics' pages and general reports covering social and regional trends.

www.statistics.gov.uk

RBA: Market and Industry research

This site includes an excellent selection of sites that are useful for market research, many of which are free.

www.rba.co.uk/sources/mr.htm

Workshops in the British Library

The Library offers free workshops on topics such as 'Knowing your market' and 'Researching a company' for entrepreneurs and inventors.

www.bl.uk/bipc/workshops.html

Following standards

Standards describe the criteria that your products, methods or services need to meet. Some are legally required, whereas others just suggest best practice. There are both national and international standards organisations that you can consult as well as non-profit organisations. Products that conform to a standard usually indicate this by a two or three letter code (e.g. BS for British) plus a number to identify it.

Databases available in the British Library Science Reading Rooms

ASTM International: Standards Worldwide

The American Society for Testing and Materials issues standards for materials, products, systems and services in many fields including construction, manufacturing and transportation. Browsing by subject to identify the number for a standard is free, but payment is required to see the text. You can access this resource for free in the British Library.

www.astm.org

British Standards Online

This database offers current, historic, and draft British standards, technical handbooks, codes of practice, guidelines, specifications for products and glossaries in science, technology and business.

IEEE Xplore (Institute of Electrical and Electronics Engineers)

It covers topics such as power, energy, telecommunications and information technology. It includes current IEEE standards.

Websites

For the sites below, browsing and searching is free, but payment is required to see full text.

IEEE Standards Association

This site focuses on standards relating to electronics, information technology and the sciences.

<http://standards.ieee.org>

International Electrotechnical Commission (IEC) Webstore

Publishes standards in electrical and electronic technologies.

<http://webstore.iec.ch>

ISO Standards

The ISO is the International Organisation for Standardization. You can browse by subject to identify the number for a standard for free.

www.iso.org/iso/iso_catalogue.htm

Producing a prototype, manufacturing and branding

There are a number of elements that are essential in taking your invention from idea to market. You need to develop a prototype, manufacture your product and also get your branding and design right. There are different types of prototyping, according to your business need. For example, you could develop a fully functional prototype that is visually very basic, or alternatively a fully designed prototype that does not work.

Relevant organisations

British Design Innovation

The trade organisation for leading industrial designers, service designers and innovation professionals.

www.britishdesigninnovation.org

Designing Demand

A government-funded service to help you become more innovative, competitive and profitable through design.

www.designingdemand.org.uk

Manufacturing Advisory Service (MAS)

This government-funded service is set up to help you streamline your processes, reduce waste and increase profits.

www.mas.bis.gov.uk/about-us

The Manufacturing Technologies Association

Represents the UK machine tool and manufacturing technology sector.

www.mta.org.uk

The Manufacturer

This website promotes best practice in manufacturing and search functionality by products, companies and wholesale.

www.manufacturer.com

Licensing

If you have protected an invention, but do not want the responsibility, or financial risk, of producing or selling it, you can licence the right to a third party for a fee. There are three main types of licenses:

- Non exclusive – licensor grants any number of licences
- Sole – licensor and single licensee can use the rights
- Exclusive – only single licensee can use rights.

You need to ensure that you have a solid contract in place; it is a good idea to have a lawyer look over your contract to make sure it covers exactly what you think it does. It is not possible to change at a later date without forming a new contract.

Databases available in the Business & IP Centre

Business Insights

This database offers reports on areas such as licensing strategies, deal types and technology transfer.

COBRA

Includes guides on obtaining a licence to develop a third party's product (ref BIF398).

EBSCO – Business Source Complete

Includes articles on IP licensing and other areas of intellectual property.

Websites

Business Link: License your patent

This site includes information on licensing your intellectual property.

www.businesslink.gov.uk

Intellectual Property Office (IPO)

A pdf guide to licensing intellectual property.

www.ipo.gov.uk/licensingbooklet.pdf

WIPO: Licensing of intellectual property rights

There is a web page on this site dedicated to licensing.

www.wipo.int/sme/en/ip_business/licensing/licensing.htm

Books (all available in the Business & IP Centre)

A Better Mousetrap

(Peter Bissell and Graham Barker, wordbase, 2007)

Inventing for Dummies

(John Wiley & Sons, Peter Jackson, Philip Robinson, Pamela Riddle Bird, 2008)

Raising finance

Raising money to commercialise your invention can be a difficult process. It all depends on how much you need to raise and from whom. You can find information below on the various sources of finance, from business angels to bank loans and grants. You may need to consider whether you're willing to give up equity for your invention, or whether you would prefer to pay interest on a loan. It's also unlikely that you'll be able to gain commercial or grant funding to cover the costs of making a patent application.

Databases available in the Business & IP Centre Grantnet

This database covers government and charitable grants and low-interest loans. The database collects detailed information about the type of business, what you need the money for, and any special qualifications for grants you may have, and suggests schemes that may be available.

Websites

Business Link Finance

This section of the Business Link website looks at how to raise finance through borrowing, shares, equity, grants and government support.

www.businesslink.gov.uk/finance

J4b.co.uk

Comprehensive grant information for the UK and Ireland with over 4,500 programmes covering European, national, regional local and lottery funds.

www.j4b.co.uk

Relevant organisations

Angels Den

A fee-based service that connects entrepreneurs searching for business funding with private investors.

www.angelsden.co.uk

British Business Angels Association (BBAA)

The trade association for the UK's Business Angel Networks and its associates and affiliates.

www.bbbaa.org.uk

London Business Angel Network

130 business leaders from the south of England, offering £50m for potential investment. Selection is made through submitting an executive summary or business plan.

www.lbangels.co.uk

London Innovation Network

It supports existing businesses looking for R&D funding, especially from European grant sources.

www.london-innovation.org

London Seed Capital

Working in conjunction with the London Business Angel Network, London Seed invests alongside business angels for London based companies.

www.londonseedcapital.com

Microfunding

This organisation matches up inventors with investors and managers, to commercialise ideas collaboratively.

www.microfunding.co.uk

Marketing and sales

Marketing means understanding your customers and providing them with an appropriate product, whilst also promoting your invention in a way that makes people want it. Market research can help you understand more about what the consumer wants and the trends that are taking place.

Databases available in the Business & IP Centre

COBRA

This site offers guides on profiling your target market, writing a marketing plan and online marketing.

eMarketer

This database publishes global, up-to-the-minute information on digital marketing from e-commerce to mobile apps.

Websites

Business Link: Sales and Marketing

This site has useful links and advice on this large and essential area.

www.businesslink.gov.uk

Google Business Solutions

Google offers a range of services for small businesses including web analytics and Google Adwords.

www.google.co.uk/services

Marketing Week

Website of the weekly publication with all the latest marketing news.

www.marketingweek.co.uk

Mashable: The Social Media Guide

An excellent site for all things web 2.0 and a great starting point for anyone looking to understand this topic better.

<http://mashable.com>

Twitter for business

A guide from Twitter with advice on how to use its service for your business.

<http://business.twitter.com/twitter101>

The Chartered Institute of Marketing

A professional body for marketing standards and practice. It also offers training and personal development to members.

www.cim.co.uk

Books (all available in the Business & IP Centre)

The Complete Idiot's guide to Marketing

(Sarah White, Alpha Books, 2003)

The Guerrilla Marketing Revolution

(David Frey, Cobweb Information, 2007)

The UK Small Business Marketing Bible

(David Frey, Cobweb Information, 2007)

UK inventor networks

You can connect with inventors across the UK through clubs. They typically offer programmes of talks, and networking with other inventors, business advisors and patent attorneys.

You can view a full list of clubs at

<http://bl-business-essentials.wikispaces.com>