

2017 Curaçao Business Point Conference

Workshop - Innovation and the Patent Process

Our world today is in great need of innovation. True innovation is not the design of a new more colorful toothpaste package, or the fabrication of a new financial derivative to facilitate financial speculators. True innovation needs to be fruitful leading to improvement of our lives and other people's lives. True innovation requires a different way of thinking: Thinking "out-of-the-box", which is easier said than done.

Once the innovation has been made and work is already going on with regards to the proof-of-concept and commercialization it becomes important to protecting ones ideas from "piracy".

Contents of the workshop

1. Origin of Innovation: Thinking, Intuition and Beyond

We start by asking the question: Why innovate?

Then we explore together how to think "out-of-the-box", trying to find out what that "box" actually is, and how we can actually get out of it.

We may learn from the experience (biographies etc.) of great innovators, inventors and artists. Innovators can get in trouble like their predecessors in the past: who were sometimes called heretics and then burned on the stack. Even today innovation demands courage. The courage to think differently and to create.

Recent studies on the functioning of the Brain will be discussed which gives some clues on better understanding the process of innovation.

2. Innovation in groups/teams

It is important to innovate together and in teams. This will energize and strengthen the team and gives it the passion and energy to follow through with the realization and execution of the innovation created together. Examples of this approach in practice (case studies) will be discussed.

3. The "Soul" of innovation.

The inspiration, enthusiasm and excitement involved with innovation is a crucial part and brings enjoyment ("fun") and energy to the innovators.

Exercise: We will try to re-create this in a "group-innovation" exercise.

4. Translating an innovation into a patent

The patent process is a very intense time-consuming and costly process and a clear challenge, especially for start-ups and small companies who want to and need to protect their crown jewels": ideas, intellectual property.

To translate an idea/innovation into a patent application the following questions need to be critically considered:

- a. What is the discovery; do we need to protect it from others?
- b. Novelty: Is the discovery actually new? (Is there prior art?)
- c. Inventive step: What is clearly different compared to others?
- d. Claims: What exactly can be and should be claimed?

Exercise: Answering the above questions for an unique example.

5. The Patent process: from filing till the end..

Several strategies for filing patents can be pursued depending on the situation. Usually this starts with a provisional filing, followed by a PCT filing (Patent Convention Treaty) after a set period and then followed by National country filings.

Idea → Provisional → PCT → National Filing

All the above aspects will be discussed, including the several steps before a patent is actually granted: Patent Examination(s), Patent Prosecution.

Even if a patent is granted the possibility still exists of opposition proceedings by opponents. Examples of in practice (case studies) will be discussed.