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English Version

Innovation management - Part 4: Intellectual property management

Management de l'innovation - Partie 4 : Management de la propriété intellectuelle

Innovationsmanagement - Teil 4: Management des geistigen Eigentums

This Technical Specification (CEN/TS) was approved by CEN on 27 October 2014 for provisional application.

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Foreword

This document (CEN/TS 16555-4:2014) has been prepared by Technical Committee CEN/TC 389 “Innovation Management”, the secretariat of which is held by AENOR.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. CEN [and/or CENELEC] shall not be held responsible for identifying any or all such patent rights.

This document is not intended for the purpose of certification.

The CEN/TS 16555 series consists of the following parts with the general title *Innovation management*:

- *Part 1: Innovation Management System;*
- *Part 2: Strategic intelligence management;*
- *Part 3: Innovation thinking;*
- *Part 4: Intellectual property management;*
- *Part 5: Collaboration management;*
- *Part 6: Creativity management;*
- *Part 7: Innovation management assessment.*

Part 7 is in preparation.

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Introduction

This Technical Specification CEN/TS 16555-4 is linked to CEN/TS 16555-1:2013 (especially to CEN/TS 16555-1:2013, 11.4).

The effective management of intellectual property, developed as a lever and a tool to support the process of innovation, is a necessary prerequisite for organizations' development, growth and protection of their competitiveness. Intellectual property management thus supports, gives rise to and enhances outcomes of the innovation process.

Intellectual property management includes observation and analysis of third parties' intellectual property, for instance, for the purpose of achieving freedom to operate for an organization's products.

In order to adequately address intellectual property management, the organization should consider the following:

- intellectual property strategy, as an integral part of the organization's business strategy;
- intellectual property strategy, as an integral part of innovation management strategy;
- the safeguarding of the potential intellectual property throughout the entire organization;
- methods used to manage and use intellectual property as a support of business strategy, for example traceability, protection);
- applicable legislation in the territories or regions under consideration;
- costs of obtaining and maintaining intellectual property and possible enforcement costs which could ensue;
- differences in the contribution of various public authorities to acquiring IP rights and promoting practices throughout the world;
- methods of protecting 'know-how', where appropriate.

In this Technical Specification, the terms intellectual property and intellectual property rights are precisely defined, and are given a broad and general definition in Clause 3.

1 Scope

This Technical Specification provides guidance to assist an organization to identify, capture, and safeguard intellectual property, in order to:

- provide organizations with an overview of the fundamental principles of intellectual property management, in the context of the innovation process;
- promote best practices in intellectual property matters that result in efficiently acquiring intellectual property, while increasing the organizations' ability to effectively address intellectual property owned by third parties.

This Technical Specification is applicable to all types of organization, including the public sector. Special consideration has been given to the needs of SMEs.

2 Normative references

Not applicable.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

3.1

background

pre-existing IP that a party brings to a collaborative joint venture

3.2

foreground

intellectual property and/or intellectual property rights that are collectively generated by the one or more of parties within a collaborative joint venture

3.3

freedom to operate

state wherein a product or service is not exposed to IP other than own IPR or licensed-in IPR

3.4

intellectual property (IP)

part of intellectual assets owned by a person or organization as a result of creations of the mind or the intellect

Note 1 to entry: Intellectual property can be either registered (i.e. statutory) or unregistered (i.e. non statutory or owned by default without any specific registration action).

3.5

intellectual property rights (IPR)

legally protected intellectual property which can be registered and unregistered

3.6

side ground

IP that may be generated by a party during the period of the collaborative joint venture, but specifically excluded from the scope of the joint venture