From idea to market –
Introduction to Intellectual Property Rights

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Exercise Session
Inhalator: SMART-INHALE

Device

• Electro-mechanical inhalator device, delivers medication to patients
• Medication is mixed in the inhalator from multiple cartridges
• Cartridges are easy to insert

• Equipped with a display, control unit and Wi-Fi interface
  • Tracks user behavior → controls operation
  • Connects to smartphone
  • Displays advertisements

App on smartphone

Slogan “Smart, smarter, smart-inhale”
Which elements can be protected?

- Device with multiple cartridges
- Mixing process
- Controller in device
  - Interconnected inhalator – smartphone
  - Behavior tracking
  - Advertisement presentation
- Cartridge
- Branding “SMART-INHALE”
- Slogan
- Advertisement
Patents & utility models

• Device with multiple cartridges
• Cartridge
• Mixing process
  → Device, system, and method

• Interconnected inhalator-smartphone system
  → System, device(s) and method(s)

• Advertisement presentation

• App on smartphone
  • Technical effects?
**Designs**

- Inhalator Device
- Smartphone App: GUI
- Cartridge
Trademarks & Copyright

• Branding “SMART-INHALE” ❌
  • Most likely, absolute ground for refusal: descriptive for an inhalator
  • Consider using another brand
• Graphical Logo ✔
  → Trademark
• Slogan “Smart, smarter, smart-inhale” ✔
  → Trademark
• Smartphone app, controller software on inhalator device ✔
  → Copyright
• Advertising material ✔
  → Copyright
• Register Domains!
Next steps

• Who owns this IP?
  • Are the inventors, originators, or authors employees?
  • Check contracts with other contributors
• Quality of IP
  • Are the inventions novel, inventive and patentable?
  • Do the designs have an individual character?
  • Any absolute or relative grounds for refusal of trademarks?
• Do you risk infringing other people's rights?
• Who could you license it to?
• Who could you license from?
• Who are your potential customers, suppliers and competitors?

→ Consider professional advice
Thank you for your kind attention