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Submitted to **National Innovation Plan: call for ideas** Submitted on **2016-05-27 12:13:46**

National Innovation Plan: Call for Ideas

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No

Comments:

1 How best can our regulators drive innovation and make the UK the regulatory test bed capital of Europe?

text to speech:

CIPA supports proportionate and transparent regulation, which it believes can be beneficial for businesses. In public procurement in particular, practices should be similar to those normally used in commercial business to business deals.

The Government should be encouraged to make public procurement processes easier so that all organisations, both public sector and private sector, can participate. The associated contracts should be simple and proportionate to the value of the deal and should be accessible to participants of all sizes.

2 How can we deliver real culture change within public procurement?

text to speech:

See the answer to 1 above. Contract terms for public procurement should be simple and should take account of the procedures normally used in business to business procurement deals so that innovation is not delayed.

There have been suggestions that procurement contracts should contain IP free/ royalty free terms. Government should be open to all models of IP exploitation in public procurement and should not favour any specific IP model over another. Different sectors need different models of IP Exploitation – one size does not fit all.

The Government should consider adding a question in the tendering process, asking parties whether they have any IP rights which should be taken into consideration. This may act as a spur for SMEs to consider securing their IP rights when entering the process.

3 How can we ensure that we put the UK at the forefront of open data opportunities?

text to speech:

CIPA generally supports the work that the Government is doing on open data. The Government should continue to support businesses that wish to commercialise their aggregated data. At the same time, the privacy of individuals should be respected and individual data protected.

Care should be taken to ensure that data protection law and regulations allow for collaborations and innovation, while, of course, respecting the privacy of individuals.

4 Where can we maximise the opportunities for innovation, as we deliver high-quality infrastructure that unlocks broad economic opportunities?

text to speech:

In order to encourage businesses to use their most cutting edge technology in infrastructure projects, businesses should be reassured that the Government will not impose onerous IP ownership and licensing terms on them. Concern about such terms deters businesses from making their best technology available for infrastructure projects and consequently they are currently more likely to use older technology. Where innovations arise from collaborations, whether between businesses or between a business and a university, the parties should share the rewards fairly, taking account of their contributions and levels of risk borne.

5 Where can the UK work alongside the private sector to create the deepest pool of innovation finance in Europe?

text to speech:

The UK Government should continue to fund blue sky research in universities and research institutions that does not have an obvious short-term commercial application. It should also continue to support innovation in businesses through incentives such as the R&D tax credit.

The Government should ensure that students from diverse backgrounds are encouraged to study STEM subjects.

CIPA strongly supports the UKIPO's work in educating innovators, business people and financial professionals and will do what it can to assist.

The Government should consider making it easier for high-tech companies to obtain private sector loans and investments relating to IP. CIPA would be happy to assist in evaluating different mechanisms for improving IP finance and insurance and facilitating trade in IP assets. Specific assistance for universities may also be required to ensure that they can protect their IP.

6 What do we need to do to get maximum benefit to the UK economy from challenger businesses?

text to speech:

Starting a business is inherently risky and many will inevitably fail. The UK Government should ensure that the consequences of failure do not deter people from trying again, but rather enable them to learn from the experience and start again. We would be happy to assist with the IP aspects of any learning mechanisms that the Government might want to put in place.

7 How can we ensure that the UK's inventiveness and creativity capitalises on our strong intellectual property system to generate growth and further innovation?

text to speech:

CIPA agrees that the UK has a strong IP system. It would be beneficial for young people to receive more education on IP at school and university. CIPA also strongly supports the work that the UKIPO and IPAN are doing in helping the public understand the importance of IP and in particular, how it is a business tool rather than an academic concept.

The Lambert toolkit for agreements between businesses and universities has been very successful. We support the work to update the templates and would be happy to assist. The templates are also useful starting points for negotiations between businesses and consideration should be given to developing templates specifically for agreements between SMEs and larger companies.

The Intellectual Property Enterprise Court is a very successful forum for enforcing IP rights.

The Government should also ensure that there is a good manufacturing base in the UK with skilled employees to commercialise innovations.

A large amount of innovation in the UK is carried out by high-growth but cash-poor high-tech start-ups and small businesses. These entities often fail to protect valuable IP, for want of cash early in the development cycle and indirect benefits like the

Patent Box are typically of no assistance to these businesses which have no taxable profits. We would therefore encourage measures which could assist UK high-tech companies in obtaining IP at an early stage in development. The Government should evaluate the mechanisms used by other countries to provide such assistance.

Is there anything else the UK could need to do to create the best possible framework for innovation?

text to speech:

The UK Government should ensure that there is a level playing field for UK businesses and their European counterparts. France and Italy, for example, offer subsidies for filing internationally, which the UK does not. The UK Government should consider similar arrangements.

Care should be taken before implementing criminal sanctions for IP infringement. Innovation takes many forms and we should be careful to protect both those who create first and those who are inspired by the first creation to produce something else.

As mentioned above, the Lambert toolkit is a good model and we support the ongoing work to update the templates. Once updated, this could be extended to SMEs and other businesses.

Most importantly, the Government should ensure that there is a skilled, mobile and diverse workforce in the UK by investing in education and training, including education about IP and starting businesses. Consideration should also be given to establishing mentoring networks for businesses.