

Sir, Madam:

This address goes out to every creator, inventor and their supporters over the planet. Notwithstanding the sequential reverberations caused by today's economic crises, we expect innovative minds to continue creating novel solutions that will foster prosperity, thus improve the quality of human society as a whole.

To ultimately achieve this goal, State Organizations were created throughout the globe, particularly to encourage creators and inventors. Intellectual or Industrial Property Institutes and Offices offer services under the aegis of the **World Intellectual Property Organization** in Geneva (*W.I.P.O.*), which governs the aforementioned Offices and Institutes under the authority of the **United Nations** (*U.N.*).

These State organizations are notably responsible for registering temporary monopolistic titles specifically conceived for three distinct categories of professionals: **inventors of commercializable products, innovators from any discipline and creators of literary or artistic works**. For *inventors*, such title is called: **utility patent** (or *patent* in Canada and Great Britain); for *innovators* (depending on each country's specific culture), there are a few: **design patent, industrial design, design, model and trademark for products or services**, etc; for *creators*, the applicable title is: **copyright (resulting in royalties)**. Unlike other titles, copyright provides an **exclusive right** ~ rather than a *monopoly* ~, since it results from the only natural, nontransferable, inalienable, worldwide and perpetual property: **Ownership on a Work of the Mind**.

In order to handle successive economic crises and Nations' endemic indebtedness, new wealth creation has become a top priority. From the dawn of human civilization, creating new wealth has always been a source of progress. Every political system is aware of that; this explains why all insistently call on peoples' imagination, hence their creativity.

As industrialized countries are perforce the wealthiest, it seems logical that utility patents (*titles*) were specifically conceived for inventions with industrial potential. Consequently, it seemed *a priori* that it was through a patent application that one could support and encourage the largest number of inventors; particularly those who use their talents within a **SME** (*Small and Medium Enterprises*). Alas, nothing could actually be farther from the truth!

In 2010, according to **W.I.P.O.**'s statistics, out of the seventy million active enterprises in the world, twenty million **SMEs** in the industry only annually filed one million national patents and less than one hundred thousand patents extended internationally; this represents, annually, **only one** international extension per **two hundred SMEs**. During the same period, two thousand multinationals filed more than four hundred thousand national patents and approximately fifty thousand extended internationally; or, **twenty-five** international extensions **per enterprise**. Accordingly, in 2010, it means that multinationals applied and filed **five thousand times more** patents extended internationally than **SMEs**. This demonstrates how incoherent the situation is since **SMEs** are multinationals' largest source of inventions.

Initially (in 1790 and 1791), the basic criteria upon which the internal Laws of Nations first legislated on patent were based on **ethics, reward and efficiency**:

- **Ethics**, because one had to do justice to those who, without knowing the outcome of their research, invested almost all of their time and meager resources;
- **Reward**, because, without the prospect of a fair compensation for their efforts and risks, human beings lose much of their motivation;
- **Efficiency**, because, originally, it is the inventors' continuous and brilliant effort that led to the innovations which, during the 20th century, allowed our society to enjoy greater wealth, and thus create contemporary technology, whether it concerned industry, services or arts.

When the First Laws governing what we call "Intellectual Property" were promulgated, one was far from imagining the hundreds of millions of dollars that would recently be invested by Samsung and Apple in counterfeit procedures. As in many other cases, these litigations are an example of how **SMEs** were progressively denied access to international titles, which henceforth depend solely on the claimant's financial means, in violation of utility patent's initial criteria. How much does it cost to have a patent extended internationally? It ranges from **\$7,000** to **\$15,000** per country or group of countries, including any specialist fee, legal costs and the annual renewal fee for a period of twenty-years. This represents a total ranging from **\$200,000** to **\$500,000**. As for legal procedures, in case of infringement, they may last from ten to twenty years and cost as much if not more, thus reaching levels far beyond the means of a **SME**, depending on the commercial and even political interests that are at stake.

Even though we have nothing against utility patents per se, this title, internationally speaking, holds a price tag that seems far beyond the reach of independent inventors and most **SMEs**. This situation is compounded by the fact that, as invention holders with international market potential, they must seek equitable partnerships with investors, to whom they may even have to assign commercial rights in order to market and distribute their inventions.

The question is: how can inventors and **SMEs** equitably negotiate a license or assignment of his/its rights with an industrial or financial giant? In order to palliate their usual weakness by giving them every chance of success, one must implement a new operational process that, without replacing monopolistic titles, allows the inventor to hold an international property on the undisclosed description of his concept, thus preserve its secrets for as long as necessary. Given our current knowledge of intellectual property and commercial rights, it seems to be the only method available to an inventor and a **SME** to restore balance in any negotiation held with an otherwise natural predator. That being said; let us return to the basic questions that one must imperatively answer:

- How can one increase wealth creation?
- How can one stimulate human imagination and creativity?

The answer is simple: By using our new operational process, the inventor can free himself from the financial and administrative constraints hindering his genius. In order to do so, the inventor working in an **SME** must have the following seven elements at his disposal:

- 1 - international and perpetual property on his creation(s);
- 2 - secured preservation of his secrets for as long as necessary;
- 3 - a business forecast specifically adapted to his social condition;
- 4 - a portfolio of international contracts adapted to his commercial strategy;
- 5 - an effective dissuasion means of any technical and commercial espionage;
- 6 - a relatively inexpensive legal procedure to defend his rights;
- 7 - a guarantee that the six elements mentioned above are efficient.

Dear inventors:

How can you obtain these essential elements?

How can you apply these existing tools?

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to fashion your very own Intellectual Passport Omnibus Volume
The Intellectual Passport is your effective, legal and affordable solution!**