**B&IC Library Summaries**

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|  | | World Intellectual Property Organization, '2013 World Intellectual Property Report: Brands: Reputation and Image in the Global Marketplace' (2013), *World Intellectual Property Organization, Geneva, Switzerland*   * This article describes key trends and patterns in branding activity around the world, such as the increase in branding investments due to globalisation. It also reviews the role and effect of trademarks, reiterating the importance of trademarks and outlining recommendations to create a well-designed trademark application process. Finally, the article explores how corporations' branding strategies interact with their innovation strategies and the effect this has on the market. * Source: <http://www.wipo.int/econ_stat/en/economics/wipr/wipr_2013.html> | |
|  | | Valentine Millot, 'Trademarks as an Indicator of Product and Marketing Innovations' (2009), *STI Working Paper 2009/6, Directorate for Science, Technology and Industry, Organization for Economic Cooperation and Development, Paris, France*   * This article summarises the trademark system, discusses the link between trademarks and innovation, and considers whether the use of trademarks and trademark data can be an indicator for the non-technological innovation levels in an economy. It concludes that there is a correlation between the two, but that problems remain with using it as a measurement, requiring filters and cautions to be applied before it can be used effectively. * Source: <http://www.oecd.org/sti/inno/42534274.pdf> | |
|  | Office for Harmonization In the Internal Market, 'Intellectual Property Rights Intensive Industries: Contribution to Economic Performance and Employment in the European Union' (2013), *Office for Harmonization in the Internal Market and European Patent Office*   * This report makes a broad assessment of the combined contribution of industries that make intensive use of intellectual property rights to the economies of the EU and member states, with the dual aim of providing evidence that can be used by policymakers, and of raising awareness of the economic and social importance of the intellectual property system among the general public. * Source: <http://ec.europa.eu/internal_market/intellectual-property/docs/joint-report-epo-ohim-final-version_en.pdf> | |
|  | Sandro Mendonça, Tiago Santos Pereira, Manuel Mira Godinho, ‘Trademarks as an indicator of innovation and industrial change’ (2004), *Research Policy* Vol.33 Iss:9, pp.1385-1404   * This paper considers the viability of trademark analysis as an assessment of innovative performance, and concludes that it can be used as a complementary indicator in the portfolio of available empirical tools of innovation studies and industrial dynamics, and is thus, more broadly speaking, a tool for measuring changes in patterns of economic activity. * Source: <http://www.sciencedirect.com/science/article/pii/S0048733304001222> | |
|  | Lee Davis, 'How Do Trademarks Affect Firms' Incentives to Innovate?' (2006), *paper presented to DIME IPR Conference, London, England, Department of Industrial Economics and Strategy, Copenhagen Business School*   * This paper considers how trademarks affect a firm's incentives to innovate, observing that innovating firms make extensive use of trademarks. It argues that trademarks are incentives to innovate because (i) of their key role in firms' marketing strategies, allowing them to sell the innovation and appropriate rents; (ii) they motivate firms to engage in incremental innovation, particularly by product differentiation, and (iii) they can be leveraged to supplement other strategies to appropriate the market such as patents, lead time and secrecy. However, trademarks may also block innovation as they may be (i) used to erect barriers to entry which may deter more innovative firms from entry, and (ii) may cause firms to spend resources on protecting existing trademark rights rather than investing in innovation. Yet, the paper notes that the effects of trademarks on innovation are limited, because dissatisfied customers can switch to other brands. They are most important for innovation in the case of new products and processes that cannot effectively be appropriated by other means, such as service products and open source software. The paper considers that their arguments have implications for small and medium-sized enterprises, suggesting that a strategy of selling rights to inventions to larger firms helps circumvent trade-mark supported barriers to entry in the industry by passing the cost of trademark enforcement to the larger firm, which results in smaller firms in business-to-business markets being more able to focus on innovation, and larger corporations to focus on commercialisation. * Source: <http://www.dime-eu.org/files/active/0/Davis.pdf> | |
|  | | Lee Davis, Jerome Davis, 'To What Extent Do Trademarks Enhance - or Hinder - Innovation? Exploring an Intriguing Yet Ambiguous Relationship' (2011), Paper presented at 6th Annual Conference of EPIP Association, Bruxelles, Belgium     * This paper considers to what extent a firm's trademark position affects its ability to innovate, and argues that trademarks support innovation by (i) helping firms earn rents from the innovation and (ii) signalling that the marked goods are novel. The paper makes reference to the use of trademarks in the watch and cell phone handset industries. * Source: <https://www.epip.eu/s/EPIP2011-papers-ge6y.pdf> (pp.278-305 of the pdf) |
|  | | Lee Davis, 'Managing Trademarks to Support Innovation' (2010), *draft paper presented to EPIP Conference, Maastricht, Copenhagen Business School*   * This paper considers to what extent a firm's trademark position affects its ability to innovate, by exploring how both trademarks and patents address the same two sources of market failure (information non-excludability and information asymmetry) in different ways. It argues that trademarks are better at signalling quality and virtue, while patents are better at preventing appropriation of rights. It considers how trademarks affect innovation in four contexts: 1) where the trademark protects a non-novel product and is ineffective as an entry barrier, 2) where the trademark protects a product that is novel but is ineffective as an entry barrier, 3) where the trademark protects a non-novel product and is ineffective as an entry barrier, 4) where the trademark both protects a novel product and is effective as an entry barrier. It concludes that trademarks are best at supporting innovation in context 3, since where a trademark supports novelty but not strong entry barriers, other market players may appropriate the associated rents, while where trademarks support strong entry barriers but not novelty, the firm may lose its incentive to continue to innovate. The paper cautions that increased protection for trademarks may reduce innovation, since firms may prefer to spend resources strengthening the trademarks rather than conducting research. The paper states that it is important to leverage trademarks flexibly enough to support both existing and subsequent innovations, and both incremental and radical innovations, in response to changing technological and market condition. * Source: [(cannot](https://www.epip.eu/s/EPIP2011-papers-ge6y.pdf) find online) |
|  | | Thomson Reuters, '2014 State of Innovation: Twelve Key Technology Areas and Their States of Innovation' (2014), *Thomson Reuters*   * This report discusses the states of innovation in twelve key technology areas using patents as a benchmark, and finds that in every area apart from biotechnology, innovation investment was on the rise, with most increases being in the double digits. The twelve areas examined are: 1) computing and peripherals 2) telecommunications 3) automotive 4) semiconductors 5) medical devices 6) pharmaceuticals 7) domestic appliances 8) aerospace 9) biotechnology 10) petroleum 11) food, tobacco and beverage fermentation 12) cosmetics. * Source: <http://ip.thomsonreuters.com/sites/default/files/2014stateofinnovation.pdf> |
|  | | Meindert J. Flikkema, Ard-Pieter de Man, Matthijs Wolters, 'New Trademark Registration as an Indicator of Innovation: Results of an Explorative Study of Benelux Trademark Data' (2010), *Research Memorandum 2010-9, Faculty of Economics and Business Administration, Vrige University, Amsterdam, Netherlands*   * The paper studies the extent to which new trademarks refer to innovation. It finds that the primary stated reason for trademark registration is not innovation but to support marketing and safeguard revenue, while innovation merely plays a subordinate role. However, the paper also finds that the reference of trademarks to innovative activity is very high, such that trademarks are still a good benchmark for innovation, though limits must be kept in mind. Trademarks indicate technological innovation more in small firms, and service innovation more in big firms. Finally, trademarks also indicate innovations at the later stage of the innovation process, and add value not captured by other intellectual property rights like patents. The paper concludes that policy makers should use trademarks as an indicator of innovation, particularly with regards to service innovation, and they may help to indicate whether a policy aimed at stimulating service innovation is effective. * Source: <http://degree.ubvu.vu.nl/repec/vua/wpaper/pdf/20100009.pdf> |
|  | | Manuel Real Desantes, ‘Do We Need IP Rights in a Modern World? Why Trade Marks and What About Look-Alikes and Trade Dress?’ (2014), *PowerPoint Presentation to 33rd Annual Conference of European Communities Trademark Association, Alicante, Spain, slides 48-62*   * Unavailable. * Source: Unavailable. |
|  | | Adam Smith, ‘Locating the missing link between trademarks and innovation’ (2011), *World Trademark Review*, April/May 2011 Iss: 30, pp.17- 22   * This article examines the link between trademarks and innovation. It argues that trademarks play a role in innovation, in that it brings an invention to the market, highlighting the importance for the inventor that an invention generates revenue. Such revenue is dependent on the “right fanfare”, which is where the trademark plays a significant role. * Source: <http://www.worldtrademarkreview.com/Magazine/Issue/30/Features/Locating-the-missing-link-between-trademarks-and-innovation> |
|  | | Karis Hustad, ‘Apple, Hulu, Etsy: How Famous Tech Companies Got Their Names’ (2014), *The Christian Science Monitor* (online)   * This news article examines famous tech companies such as Google and Apple and the history behind their brand names. * Source: <http://www.csmonitor.com/Technology/2014/0519/Apple-Hulu-Etsy-How-famous-tech-companies-got-their-names/Google> |
|  | | Brandirectory, 'Global 500 2014: The World's Most Valuable Brands' (2014), *Brand Finance plc, London, England*   * This report provides a list of the most valuable 500 brands in the world. * Source: <http://brandirectory.com/league_tables/table/global-500-2014> |
|  | | Interbrand, *'*Best Global Brands 2013' (2014), *Interbrand, New York*   * This infographic provides a list of the most valuable 100 brands in the world. * Source: <http://interbrand.com/best-brands/best-global-brands/2013/ranking/> |
|  | | The IPKat, *Trade Marks and Innovation: How Strong is the Link?* (2010), *The IPKat* (online)   * This blog article considers the arguments for and against the link between trade marks and innovation. It considers the value of trade marks as an aspirational statement spurring employees working under that brand to innovate. The role of trade marks is contrasted with the role of patents and copyright for innovation. Copyright provides incentives and/or rewards for innovation by creating artificial scarcity (and thus a market) in information products – the non-rivalrous and non-exhaustible nature of information being constrained by legal intervention thereby creating “property” in the patented invention or copyright work, whereas the trademark is not directly concerned with this process. Arguments in favour of the connection included: (i) the brand provides an aspirational statement that may induce the firm to innovate; (ii) reputation acts as a “spur to innovation”, given that goodwill required “topping-up” and this could be achieved by creating better products i.e. “innovating”. However, the article noted that these two points were “a simple market-induced innovation point” – that there are some innovations that the patent system is not required to incentivise. * Source: <http://ipkitten.blogspot.sg/2010/11/trade-marks-and-innovation-how-strong.html> |
|  | | P. Andrew Riley, Elizabeth D. Ferrill, Benjamin T. Sirolly, Finnegan Henderson Farabow 'Catch Me If You Can: Auto Parts in the Era of 3D Printing' (2014), *Law 360*   * This article discusses the new technology of 3D printing, demonstrating how it has rapidly become significantly cheaper and more effective, its present limits, and how it will continue to improve in the future. The article considers the challenges this could pose for intellectual property right holders, by making infringement easier and more prevalent, and by making it harder to find infringers. The article makes several suggestions as to how this threat can be managed- by filing for IP rights in countries where infringers may potentially be situated, and by educating customers as to the risk of buying inferior goods instead of the genuine ones. The article also points out that 3D printing also provides an opportunity for firms to reduce costs and customise products for customers. * Source: <http://www.law360.com/articles/538090/print?section=ip> |
|  | | Jonathan Moskin, 'Commentary: Roll Over Gutenberg, Tell Mr. Hull The News: Obstacles and Opportunities from 3D Printing' (2014), *The Trademark Reporter*, Vol.104, No.3, May-June 2014, pp. 811-816   * This article discusses the rise of 3D printing, and the impact this will have on intellectual property holders. It states that the advent of this technology will likely result in an increase in infringements when it becomes widely accessible, as it makes infringing on intellectual property significantly easier. However, it considers that 3D printing also presents an opportunity to manufacturers by allowing them to involve consumers in customising products. It considers the legal difficulties that patent and copyright holders will have in protecting designs, in particular the difficulty in proving a likelihood of confusion, and the impracticality of cracking down on small-scale copying, and discusses how these problems can be solved or minimised. * Source: <https://www.inta.org/TMR/Pages/vol104_no3_a5.aspx> |
|  | | Neil Wilkof, 'Commentary: Trademarks and Brands in the Competitive Landscape of the 3D Printing Ecosystem' (2014), *The Trademark Reporter*, Vol.104, No.3, May-June 2014, pp. 817-821   * The article discusses the expanding ecosystem of 3D printing and considers how manufacturers of 3D printing machines, and suppliers of materials for 3D printing will make use of trademarks and brands to seek competitive advantage in the field. It states that two major U.S. based companies dominate and seek to consolidate their position in the industry, but can expect multi-national firms to make a concerted effort to challenge them in the 3D printing world in the near future. The article considers the need to use complementary assets successfully to maximise economic returns from the innovation, and uses the history of the PC market as a cautionary tale- with the formerly dominant IBM unable to maintain its market position. * Source: <https://www.inta.org/TMR/Pages/vol104_no3_a6.asp> |
|  | | Portland State University, *Innovation & Intellectual Property*,   * This online portal of Portland State University provides explanations of the University’s use of intellectual property to shape the use and deployment of its innovations in the wider community. * Source: <https://www.pdx.edu/research/innovation-intellectual-property> |
|  | | Matthias Gotsch, Christiane Hipp, 'Using Trademarks to Measure Innovation in Knowledge-Intensive Business Services' (2014), *Technology Innovation Management Review, May 2014, pp.18-30*   * This report analyses the use of trademarks as a tool to measure innovation in knowledge-intensive business services. Such industries have traditionally been considered non-innovative, however this is because innovation in service industries take different forms, and traditional measurement such as patents or R&D spending are not suited to measuring it. The report finds that there is a positive interrelation between trademark registration and innovative success, and that trademarks are usually registered by these industries to protect new products and service as the primary motive. This means that trademarks are a promising low-cost indicator of innovation in this industry, which can help policy makers and entrepreneurs better understand innovation activities in this sector. * Source: <https://timreview.ca/article/790> |
|  | | Lisa Larrimore Ouellette, 'Trademarks & Innovation' (2013), *Written Description, November 2013*   * This blogpost summarises four related papers with regards to IP law.   *Empirical Studies of Trademarks: The Existing Economic Literature* by Philipp Schautschick & Christine Greenhaigh: the blogpost states that this is a good place to start for those new to empirical studies of trademarks, in particular section 2 on the role of trademarks as an innovation indicator.  *Why Do Small Innovative Firms File Trademarks?* by Alexander Hahn, Stephan Hock, Jorn H. Block & Philipp Sandner: this paper examines survey responses from trade-mark filing small US firms in innovative industries, and concludes that the most important motive for registering trademarks was to protect products and services from imitation. The survey grouped firms into four groups based on trademarking motives: firms with high values for all motives, firms with low values for all motives, marketing-focused firms and IP protection-focused firms. The paper finds some interesting data about differences between the clusters such as the higher proportion of IP-protection-focused firms in service industries.  *Do Trademarks Diminish the Substitutability of Products in Innovative Knowledge-Intensive Services?* by Dirk Crass & Frank Schwiebacher: This survey of 4154 German firms looks to find out why firms file trademarks, but try to extract this answer from objective survey questions rather than direct interrogative questions. They found that trademark use has no significant effect on the ease of product substitutability for non-innovative firms, but among innovative firms, those using trademarks perceived the competitive environment as less characterized by easy product substitutability. They argue that trademarks are an important supplementary mechanism for protecting innovations.  *When a Reputation for Innovativeness Confers Negative Consequences for Brands* by Jeffrey S. Larson, Kelly Goldsmith & Bradley J. Allen: This project conducts four laboratory experiments to explore the connection between branding and innovation, finding that a reputation for innovativeness could sometimes be damaging to consumer expectations.   * Source: <https://writtendescription.blogspot.hk/2013/11/trademarks-innovation.html> |
|  | | Dan Swinhoe, ‘Wearable Tech Show: Augmented Optimism?’ (2015), *IDG Connect* (online)   * This news article examines the potential rise of augmented reality as the latest mass consumer technological product. It considers the future of augmented reality through an interview with Ori Inbar, CEO of AugmentedReality.org, and his predictions for augmented reality in the market. It also highlights the quick moving nature of the wearable technology industry, where companies are increasingly required to go from concept to market quicker than ever, and the divide between the consumer market and the enterprise market as different target audiences for the products. * Source: <http://www.idgconnect.com/abstract/9608/wearable-tech-show-augmented-optimism> |
|  | | Globe Law and Business, ‘Wearable Technology: Do You Know What You Are Getting Into?’ (2015), *Lexology* (online)   * This news article discusses IP rights as applied to wearable technology. In particular, it examines the protection IP affords to the technology and the aesthetics of wearable technology. This article also briefly considers the importance of IP considerations in a collaboration agreement between independent companies for the production of wearable technology, and outlines key issues for consideration. * Source: <http://www.lexology.com/library/detail.aspx?g=833df07b-4fcd-4d22-a225-be1c5218b78d> |
|  | | Nick Redfern ‘Holographic technology: The new IP Battleground’ (2015), *Intellectual Property Magazine*, Iss:Nov 2015   * This article examines holographic technology as an example of new and innovative technology giving rise to new IP issues. As holographic technology allows the creation of lifelike holographs of deceased celebrities, the article explains the intersection of IP issues covering personality rights, copyright over a given celebrity’s artworks, patents over holographic technology, and trademarks registered in the celebrity’s name. It also discusses the creation of lifelike imaginary characters, and the difficulties when structuring a deal to ensure that all licensing rights are obtained. * Source: <http://www.intellectualpropertymagazine.com/trademark/holographic-technology-the-new-ip-battleground-112574.htm> |
|  | | Andrew Krok, ‘Audi Uses 3D-Printing to Build a 1:2-Scale Auto Union Race Car’, *Roadshow* (online)   * This news article briefly discusses Audi’s use of 3D printing technology to build a half-sized scale model metal racecar, and the benefits such technology brings by reducing waste metal and time required to produce parts with complex contours. * Source: <https://www.cnet.com/roadshow/news/audi-3d-printed-metal-parts/> |
|  | | Mark Gurman, ‘Apple Plans March Apple Watch 2 Event, 4-Inch 'iPhone 6c' Possible’, *9TO5Mac* (online)   * This news article discusses the Apple Watch 2 and the iPhone 6c, and highlights the fact that Apple invests in research and development of the underlying technology long before products using such technology are launched. * Source: <https://9to5mac.com/2015/12/08/apple-watch-2-march-4-inch-iphone-6c/> |
|  | | Asian Legal Business, ‘The Future is Here: How is Technology Impacting Law Firm Practice? A Panel Discussion at the International Malaysia Law Conference 2014 Offered Some Answers’ (2014), *Asian Legal Business*, October 2014   * This article examines the law firm and how it can adapt to changes brought by technological developments. It identifies some advantages that technology can bring to a law firm, while also raising the challenges in successfully adopting technology. Observations of technological changes in the context of law firms included: enabling the re-engineering of certain workflow tasks to act effectively and quickly at lower cost; smaller firms can be more innovative as they are more agile; and technology enables law firms to focus on high value work and services to clients. * Source: Asian Legal Business, Issue: October 2014 (offline copy) |
|  | | Meindert Flikkema, Ard-Pieter de Man, Carolina Castaldi, and Marcel Seip, ‘Revealing the Link between Trademarks and Innovation’ (2015), *World Trademark Review*, Iss:52, Dec 2014 / Jan 2015   * This article examines the link between trademarks and innovation, and concludes that there is a strong link in that trademarks are used primarily to identify new products or services and to distinguish. The article discusses the main findings of a major in-depth cross-sectional study conducted by the authors of Community trademarks and Benelux trademarks. The study examined (i) the extent to which trademarks refer to innovative products and services; and (ii) the motives for trademark registration, for both innovators and non-innovators. The basic research question it sought to address was “How do new trademark filings relate to innovation?” Its methodology consisted of online questionnaires to successful trademark applicants to the Office for Harmonisation in the Internal Market or the Benelux Office for Intellectual Property. In answer to (i), the study’s conclusion was yes, new trademarks refer to innovation, with the reference to product innovation being the highest, followed by service innovation. In answer to (ii), the dominant motive was IP protection, followed by building brand value. The study also examined how timing of filing relates to the innovation process, and the bundling of trademarks with other IP rights. * Source: <http://www.worldtrademarkreview.com/Magazine/Issue/52/Features/Revealing-the-link-between-trademarks-and-innovation-2> |
|  | | Karis Hustad, ‘Apple, Hulu, Etsy: How Famous Tech Companies Got Their Names’ (2014), *The Christian Science Monitor* (online)   * This news article examines famous tech companies such as Google and Apple and the history behind their brand names. * Source: <http://www.csmonitor.com/Technology/2014/0519/Apple-Hulu-Etsy-How-famous-tech-companies-got-their-names/Google> |
|  | | Portland State University, *Innovation & Intellectual Property*,   * This online portal of Portland State University provides explanations of the University’s use of intellectual property to shape the use and deployment of its innovations in the wider community. * Source: <https://www.pdx.edu/research/innovation-intellectual-property> |
|  | | The IPKat, *Trade Marks and Innovation: How Strong is the Link?* (2010), *The IPKat* (online)   * This blog article considers the arguments for and against the link between trade marks and innovation. It considers the value of trade marks as an aspirational statement spurring employees working under that brand to innovate. The role of trade marks is contrasted with the role of patents and copyright for innovation. Copyright provides incentives and/or rewards for innovation by creating artificial scarcity (and thus a market) in information products – the non-rivalrous and non-exhaustible nature of information being constrained by legal intervention thereby creating “property” in the patented invention or copyright work, whereas the trademark is not directly concerned with this process. Arguments in favour of the connection included: (i) the brand provides an aspirational statement that may induce the firm to innovate; (ii) reputation acts as a “spur to innovation”, given that goodwill required “topping-up” and this could be achieved by creating better products i.e. “innovating”. However, the article noted that these two points were “a simple market-induced innovation point” – that there are some innovations that the patent system is not required to incentivise. * Source: <http://ipkitten.blogspot.sg/2010/11/trade-marks-and-innovation-how-strong.html> |
|  | | Cees de Bont, ‘Positioning creativity and innovation in Hong Kong’ (2015), *Hong Kong Echo*, Vol.74, Winter/2015, pp.16-18   * This article examines the elements and characteristics of innovation to arrive at a definition of innovation. It argues that successful innovation is one that changes consumer behaviour, and gives examples to support this. * Source: Hong Kong Echo, Volume 74 (offline version) |
|  | | David Goldsmith, ‘Driving innovation through leadership management’ (2015), *Hong Kong Echo*, Vol.74, Winter/2015, pp.20-21   * This article examines the role of leadership management for innovation, in particular its function of driving employees to innovate. It articulates the process of creating conditions to drive innovation within an organisation. It concludes on the note that innovation is process-driven. * Source: Hong Kong Echo, Volume 74 (offline version) |
|  | | Stanislas Bocquet, ‘Setting the course for innovation’ (2015), *Hong Kong Echo*, Vol.74, Winter/2015, pp.26-27   * This article presents ways in which digital innovation can be achieved with the help of the author’s company PALO IT. It highlights the context of fast technological change and the need for companies to innovate and adapt. * Source: Hong Kong Echo, Volume 74 (offline version) |
|  | | Daryl Chan, ‘“Agile” the new practice innovation’ (2015), *Hong Kong Echo*, Vol.74, Winter/2015, p.28   * This article introduces the concept of “Agile” as a set of principles for better ways of working together towards achieving innovation. The approach emphasises the delivery of value iteratively and incrementally rather than creating products using a big bang approach. It also outlines some benefits of innovation, which include “more concrete benefits such as increased brand recognition and profit”. * Source: Hong Kong Echo, Volume 74 (offline version) |
|  | | John Ho, ‘An industrialist investor’s view on “innovation mindset” (2015), *Hong Kong Echo*, Vol.74, Winter/2015, pp.34-35   * This article adopts an investor’s perspective in introducing the notion of the “innovation mindset” as a key component of success in modern businesses to thrive in the wake of changes brought by digital technology. Such a mindset involves “having an enquiring mind about a business’s true long-term strategic value creation drivers… and as a result constantly modifying or creating improved ways in their execution that is congruent with long-term value creation. * Source: Hong Kong Echo, Volume 74 (offline version) |
|  | | Christine Brendle, ‘Innovation continues…’ (2015), *Hong Kong Echo*, Vol.74, Winter/2015, p.46   * This article states that the key element of innovation is persistence, while discussing other developments of the French Trade Advisors in Hong Kong. It suggests that creativity and innovation are not cultivated in meetings and brainstorming sessions, but rather they emerge from the desire to solve a specific problem combined with the stamina to be persistent to do so. * Source: Hong Kong Echo, Volume 74 (offline version) |
|  | | Nathalie Remy, Marco Catena and Benjamin Durand-Servoingt ‘Digital inside: Get wired for the ultimate luxury experience’ (2015), *McKinsey & Company Apparel, Fashion & Luxury Group*, July 2015   * This study examines current trends and challenges in relation to luxury e-commerce. It examines the paradox of the digital luxury experience, the rise of luxury e-commerce, the digital influence on luxury e-commerce, and the three priorities for luxury brands to get wired and deliver the ultimate luxury experience. * Source: <https://www.mckinsey.de/files/dle-2015-global-report.pdf> |
|  | | Marty Swant, ‘Instagram Partners with 41 Tech Companies to Improve Advertising Experience: And Looks to Add Around 60 More’, (2015), Adweek (online)   * This news article reports on Instagram’s new 41 marketing-tech partners to improve its advertisement experience. The article examines the business problems these partnerships will seek to address, including the desire for advertising businesses to meet brand and performance objectives. The increased brand presence on Instagram which will result is also highlighted in this article, along with mobile advertising revenue figures for Facebook. * Source: <http://www.adweek.com/digital/instagram-partners-41-tech-companies-improve-advertising-experience-168044/> |
|  | | Gus Lubin, ‘McDonald's Twitter Campaign Goes Horribly Wrong #McDStories’ (2012), Business Insider (online)   * This article reports on how the use of the hashtag “#McDStories” by users sharing negative stories went against McDonald’s intended use of the hashtag for advertising purposes. It provides examples of the stories and the statement subsequently issued by McDonald’s. * Source: <http://www.businessinsider.com/mcdonalds-twitter-campaign-goes-horribly-wrong-mcdstories-2012-1> |
|  | | INTA Bulletin, ‘Finding the Link between Brands and Innovation’ (2015), The International Trademark Association (online)   * This article is an interview with Heather Steinmeyer and Curtis Krechevsky, Co-Chairs of the Brands and Innovation Task Force, discussing progress on INTA’s efforts towards establishing a link between brands and innovation. In this article, Steinmeyer and Krechevsky explain that a definitive link has not been found, suggesting that work remains to be done towards understanding the link. Steinmeyer refers to the general perception that innovation is positive for brands, although this may not be universally true, as innovation can be disruptive. Furthermore, when brand changes substitute for true product and service innovation, this may potentially undermine innovation. Krechevsky referred to three ongoing near-term projects: studies examining (i) the economic impact of brands, (ii) how branding can help fund research and development, and (iii) the potential negative impact of branding. * Source: <http://www.inta.org/INTABulletin/Pages/BrandandInnovationPTF_7011.aspx> |
|  | | David C. Edelman, ‘Branding in the Digital Age: You’re Spending Your Money in All the Wrong Places’ (2010), *Harvard Business Review*, December 2010   * This article examines the impact of the internet on how consumers engage with brands. It considers the ways in which the digital age has rendered traditional aspects of marketing obsolete. The changing behaviour of consumers, as remaining engaged with their purchased products’ branding post-purchase, and the opening up of points of contact between the business and the consumer through the internet, are highlighted to demonstrate the fluid nature of branding. * Source: <https://hbr.org/2010/12/branding-in-the-digital-age-youre-spending-your-money-in-all-the-wrong-places> |
|  | | Neil Patel, ‘8 Absolutely Brilliant Content Marketing Innovations from the World’s Best Brands’ (2015), *Content Marketing Institute* (online)   * This article examines 8 case studies in innovation in content marketing. It explains the aspects that different companies focus on for their branding, ranging from authoritative, technical expertise in IBM to spreading a feeling of magic for Disney. * Source: <http://contentmarketinginstitute.com/2015/03/content-marketing-innovations-brands/> |
|  | | David Benady, ‘Brands, Technology and the Changing Face of Retail’ (2014), *The Guardian* (online)   * This news article examines the impact of technological change on the retail sector, and the issue of brand building in future retailing. On the one hand, the article discusses the challenges of technology for brand building arising from the increase of touchpoints between the customer and the retailing experience, which potentially gives rise to brand splintering and adverse social media comments. On the other hand, technology allows for interaction between the brand and the customer, allowing the latter to engage in “co-creation”, where brands can be opened up to customers. The article also reports on observations made at a roundtable discussion hosted by the Guardian on these issues. * Source: <https://www.theguardian.com/media-network/media-network-blog/2014/mar/03/brands-technology-changing-face-retail> |
|  | | Walker Smith, ‘The Impact of Technology on Brand Marketing’ (2011), *Branding Strategy Insider*   * This article discusses the relation between technology and brand marketing. It argues that technology is not merely a new medium through which brands are marketed, but a new lens through which people perceive the world. In particular, the article asserts that digital technology creates a “presumption of dialogue” i.e. the expectation now that marketers could be engaged in dialogue. The article then argues that this expectation is extended to every point of contact of the consumer e.g. at retail, in customer service, for promotions, and with media content. Aside from dialogue, the article states that there are three other expectations – portability, video and speed. * Source: <https://www.brandingstrategyinsider.com/2011/11/the-impact-of-technology-on-brand-marketing.html#.WQ_OiVWGPcs> |
|  | | Leighann Morris, ‘7 new companies appear in 2015’s top 20 most innovative tech brands’ (2015),   * This news article lists out the top 20 technological innovators based on a survey of 4,400 consumers in 2015. A comparison is drawn with a similar list for 2014. The article provides commentary on consumer perception vis-à-vis the brand and technological innovation. * Source: <https://www.clickz.com/7-new-companies-appear-in-2015s-top-20-most-innovative-tech-brands/20312/> |
|  | | Ernst & Young, ‘Implications for Retailers and Brands: The Rise of a New Digital Shopping World Creates Many Operational and Financial Implications’ (undated), *Ernst & Young* (online)   * This article outlines the financial and operational implications of digital technology for retailers and brands. It considers the impact of digital technology on the shape and size of the traditional store, the platform for conducting retail transactions, and logistics structures, among other things. * Source: <http://www.ey.com/gl/en/industries/consumer-products/digital-retail---implications-for-retailers-and-brands> |
|  | | Alice Woodhouse, ‘Hong Kong chief executive announces HK$2 billion fund to boost investment in innovation and technology’ (2016) *South China Morning Post* 13 January 2016   * This news article reports on the Hong Kong government’s initiative to establish an Innovation and Technology Venture Fund. The fund aims at encouraging increased funding from private venture funds in technology start-ups through a matching process. * Source: <http://www.scmp.com/news/hong-kong/economy/article/1900595/hong-kong-chief-executive-announces-hk2-billion-fund-boost> |
|  | | Information Age, ‘Current and future applications for wearable technology’ (2015), *Information Age* 8 December 2015   * This news article discusses the future of wearable technology, citing among other things the example of Google Glass and its possibilities in the field of healthcare. The device allows data to be projected into the field of vision of the wearer and live-stream demonstrations of surgeries. This article also highlights the advertising industry and entertainment industry as beneficiaries of the technology. It continues to suggest other ways in which wearable technology may develop, such as the possibility for computers to be embedded in / on human beings. * Source: <http://www.information-age.com/current-and-future-applications-wearable-technology-123460636/> |
|  | | Sophie Curtis, ‘How technology is transforming the cosmetics industry’ (2014) *Telegraph* 7 October 2014   * This news article discusses the impact of technology vis-à-vis the cosmetics industry. It explains the need for cosmetics companies to utilise advanced technology to deliver an in-store experience to “close the deal”. Giving examples of L’Oréal’s use of technology (beauty app “Makeup Genius”) to provide a virtual reality experience of applying make-up to enhance the process of buying cosmetics, it considers the possibilities for technology to add new dimensions to the traditional experience of consumers with cosmetics. * Source: <http://www.telegraph.co.uk/technology/news/11146752/How-technology-is-transforming-cosmetics.html> |
|  | | David Benady, ‘How technology is changing marketing’ (2014), *The Guardian* 29 September 2014   * This news article considers the impact of technology on marketing. It highlights the fact that technology now exposes customers to social media, display advertising and e-commerce, and opens up real-time conversations between customers and the brand. The article cites the need for marketing departments to combine creative narratives and technical data analytics to meet the changes brought by technology. Finally, it reports on a panel hosted by the Guardian in association with Adobe to address the question: “What does the merging of technology and marketing mean for marketers?” * Source: <https://www.theguardian.com/media-network/media-network-blog/2014/sep/29/technology-changing-marketing-digital-media> |
|  | | Luxury Society, ‘7 Digital Innovations for Luxury Brands’ (2015), *Luxury Society* 5 June 2015   * This article examines seven examples of digital innovation that may help luxury brands to enhance their digital transformation. It highlights the importance of continuous innovation in order for brands to remain relevant. The examples are: (i) .LUXURY - luxury generic top level domain; (ii) connected paper; (iii) apparel data analytics; (iv) personalised online shopping portals; (v) monetising digital luxury content; (vi) outstream video advertising; (vii) online luxury personalisation. * Source: <http://luxurysociety.com/en/articles/2015/06/7-digital-innovations-for-luxury-brands/> |
|  | | Brian Phipps, ‘Value-based brands: Part II – Brand Innovation’ (2013) *Brands Create Customers*   * This blog article argues that brands should be considered as being part of the innovation process and brands can be powerful engines of innovation, provided that brands are value-based brands. It explains that brands are a core value connection between companies and their customers. As brands that don’t innovate, it argues, are overcome by inertia, brand builders must be able to innovate new forms of brand value. In the article, brand is defined as: “avenues of value innovation in a creative engagement between companies and their customers”. * Source: <http://tenayagroup.com/blog/2006/12/13/value-based-brands-part-ii-brand-innovation/> |
|  | | James Heskett, ‘Does Internet Technology Threaten Brand Loyalty?’ (2014) *Harvard Business School – Working Knowledge* 4 June 2014   * This article examines the relationship between internet technology and more broadly information technology on the one hand and customer brand loyalty on the other. It considers two sides of the question. Firstly, that with information technology the amount of information will be so voluminous that it will lead to increased consumer confusion. As a result, the use of surrogates (such as brands) in purchasing decisions will lead to greater brand loyalty. Secondly, that the quality of information technologies is improving faster than the proliferation of information, which will give users of the Internet the upper hand in the battle for access to information and the ability to organise it, value it (based on feedback from users), and use it for decision-making. The article concludes on the implications of a future better-informed, less loyal customer for business planning. * Source: <http://hbswk.hbs.edu/item/does-internet-technology-threaten-brand-loyalty> |
|  | | Matthias Gotsch, Christiane Hipp, 'Using Trademarks to Measure Innovation in Knowledge-Intensive Business Services' (2014), *Technology Innovation Management Review, May 2014, pp.18-30*   * This report analyses the use of trademarks as a tool to measure innovation in knowledge-intensive business services. Such industries have traditionally been considered non-innovative, however this is because innovation in service industries take different forms, and traditional measurement such as patents or R&D spending are not suited to measuring it. The report finds that there is a positive interrelation between trademark registration and innovative success, and that trademarks are usually registered by these industries to protect new products and service as the primary motive. This means that trademarks are a promising low-cost indicator of innovation in this industry, which can help policy makers and entrepreneurs better understand innovation activities in this sector. * Source: <https://timreview.ca/article/790> |
|  | | Meindert Flikkema, Carolina Castaldi, Ard-Pieter De Man and Marcel Seip ‘Explaining the Trademark-Innovation Linkage: the Role of Patents and Trademark Filing Strategies.’ (2015) *DRUID society* 15-17 June 2015   * This study examines the relationship between trademark activity and innovation. In particular, it considers how trademark filing strategy provides clues as to trademark-innovation linkage, especially with regard to unpatented innovations. The article also traces arguments for adopting trademark data as innovation indicators, and advocates a case level (i.e. studying the characteristics of individual trademarks) rather than a raw data approach to examining trademarks. The role of joint use of patents and trademarks is also discussed and how the two complement each other. * Source: <http://druid8.sit.aau.dk/acc_papers/nv9r3f3sl6p5e0431rj6sxfblv4g.pdf> |
|  | | Lee Davis, 'How Do Trademarks Affect Firms' Incentives to Innovate?' (2006), *paper presented to DIME IPR Conference, London, England, Department of Industrial Economics and Strategy, Copenhagen Business School*   * This paper considers how trademarks affect a firm's incentives to innovate, observing that innovating firms make extensive use of trademarks. It argues that trademarks are incentives to innovate because (i) of their key role in firms' marketing strategies, allowing them to sell the innovation and appropriate rents; (ii) they motivate firms to engage in incremental innovation, particularly by product differentiation, and (iii) they can be leveraged to supplement other strategies to appropriate the market such as patents, lead time and secrecy. However, trademarks may also block innovation as they may be (i) used to erect barriers to entry which may deter more innovative firms from entry, and (ii) may cause firms to spend resources on protecting existing trademark rights rather than investing in innovation. Yet, the paper notes that the effects of trademarks on innovation are limited, because dissatisfied customers can switch to other brands. They are most important for innovation in the case of new products and processes that cannot effectively be appropriated by other means, such as service products and open source software. The paper considers that their arguments have implications for small and medium-sized enterprises, suggesting that a strategy of selling rights to inventions to larger firms helps circumvent trade-mark supported barriers to entry in the industry by passing the cost of trademark enforcement to the larger firm, which results in smaller firms in business-to-business markets being more able to focus on innovation, and larger corporations to focus on commercialisation. * Source: <http://www.dime-eu.org/files/active/0/Davis.pdf> |
|  | | WIPO, ‘Chapter 3: Branding, Innovation and Competition’ in ‘2013 World Intellectual Property Report: Brands – Reputation and Image in the Global Marketplace’ (2013) *WIPO Economics & Statistics Series* 14 November 2013   * This chapter explores how branding affects innovation and competition in the marketplace. It draws on the economic literature to highlight the linkages between branding and innovation. Its method is first to describe the relationship between innovation and competition and then examines the impact of branding on this relationship. It observes that firms who invest more in innovation also invest more in branding, and concludes that branding helps firms to appropriate their investments in innovation. * Source: <http://www.wipo.int/econ_stat/en/economics/wipr/wipr_2013.html> |
|  | | Ronda Majure, ‘The impact of technology on brands’ (2016), *World Trademark Review Yearbook 2016/2017*   * This article discusses the impact of digital technology on brand management. It highlights the new opportunities brought by digital technology for reaching a global audience, in that barriers to market entry have essentially been obliterated through Internet access to consumers. The article also considers new challenges posed by this new environment to brand owners, in increased brand misuse by internet users and counterfeiters, and the steps a brand owner may take to address this. * Source: <http://www.worldtrademarkreview.com/Intelligence/Yearbook/2016/Special-focus/The-impact-of-technology-on-brands> |
|  | | Neil Dawson, 'Brands in 2015: How Technology Changes the Way Brands Work' (2015), *Campaign*, 6 March 2015   * This article discusses how advances in technology changes the context and role of brands, namely through the impact of technology on consumer behaviour and expectations, and the implications this has for brand management. The article sets out four big challenges which brands must deal with: 1) consumers expecting instant gratification, 2) redundancy of brand linear narratives, 3) availability of information about the brand and alternatives, and 4) the importance of data. * Source: <http://www.campaignlive.co.uk/article/brands-2015-technology-changes-brands-work/1335570> |
|  | | Lee Davis, 'Managing Trademarks to Support Innovation' (2010), *draft paper presented to EPIP Conference, Maastricht, Copenhagen Business School*   * This paper considers to what extent a firm's trademark position affects its ability to innovate, by exploring how both trademarks and patents address the same two sources of market failure (information non-excludability and information asymmetry) in different ways. It argues that trademarks are better at signalling quality and virtue, while patents are better att preventing appropriation of rights. It considers how trademarks affect innovation in four contexts: 1) where the trademark protects a non-novel product and is ineffective as an entry barrier, 2) where the trademark protects a product that is novel but is ineffective as an entry barrier, 3) where the trademark protects a non-novel product and is ineffective as an entry barrier, 4) where the trademark both protects a novel product and is effective as an entry barrier. It concludes that trademarks are best at supporting innovation in context 3, since where a trademark supports novelty but not strong entry barriers, other market players may appropriate the associated rents, while where trademarks support strong entry barriers but not novelty, the firm may lose its incentive to continue to innovate. The paper cautions that increased protection for trademarks may reduce innovation, since firms may prefer to spend resources strengthening the trademarks rather than conducting research. The paper states that it is important to leverage trademarks flexibly enough to support both existing and subsequent innovations, and both incremental and radical innovations, in response to changing technological and market condition. * Source: [(cannot](https://www.epip.eu/s/EPIP2011-papers-ge6y.pdf) find online) |
|  | | The Innovation Policy Platform, ‘Trademarks’ (undated), *The Innovation Policy Platform*   * This article gives a brief overview of what trademarks are, and explains the link between trademarks and innovation, showing that trademarks 1) help the marketing of new products, 2) extend patent time length, 3) point out product improvements, and 4) protect innovations from copying. It also discusses non-innovation related uses of trademarks as 1) creating barriers to entry, 2) varying and expanding competition, 3) extending patent protection, and 4) other non-innovation purposes. * Source: <https://www.innovationpolicyplatform.org/content/trademarks> |
|  | | World Intellectual Property Organization (WIPO), *World Intellectual Property Report 2015: Breakthrough Innovation and Economic Growth*   * This report focusses on the theme of breakthrough innovation and economic growth and the importance of IP protection for economic growth. In particular, the report aims to shed light on the precise channels through which IP shapes growth outcomes, which are complex and vary across technologies and different forms of IP. The report begins by reviewing patterns of economic growth throughout history and exploring the different ways in which innovation affects growth. The report also contains a series of case studies that explore the concrete linkages between innovation, IP, and growth in six areas of breakthrough innovation. * Source: <http://www.wipo.int/edocs/pubdocs/en/wipo_pub_944_2015.pdf> |
|  | | Craig Lambert, 'Disruptive Genius: Innovation Guru Clayton Christensen on Spreading His Gospel, the Gospel, and How to Win with the Electric Car' (2014), *Harvard Magazine, July-August 2014*, pp.38-43   * This article discusses the two different types of innovation - sustaining innovations and disrupting innovations. The former produce incremental improvements in the performance of established products, and are done to compete for a share of the existing market. Disrupting innovations however usually provide worse product performances in the near term, but offer other advantages in price, size and convenience. They initially focus on emerging markets of buyers who are currently non-consumers, but the end result is often to undermine the established products by attracting a large share of their consumers too. The article states that it is difficult for established firms to engage in disruptive innovation, since it is a long-term goal that competes for resources against the goal of maintaining the core business of the firm, but that such a process is nonetheless important in the long-term.      * Source: <http://harvardmagazine.com/2014/07/disruptive-genius> |
|  | | P. Andrew Riley, Elizabeth D. Ferrill, Benjamin T. Sirolly, Finnegan Henderson Farabow 'Catch Me If You Can: Auto Parts in the Era of 3D Printing' (2014), *Law 360*   * This article discusses the new technology of 3D printing, demonstrating how it has rapidly become significantly cheaper and more effective, its present limits, and how it will continue to improve in the future. The article considers the challenges this could pose for intellectual property right holders, by making infringement easier and more prevalent, and by making it harder to find infringers. The article makes several suggestions as to how this threat can be managed- by filing for IP rights in countries where infringers may potentially be situated, and by educating customers as to the risk of buying inferior goods instead of the genuine ones. The article also points out that 3D printing also provides an opportunity for firms to reduce costs and customise products for customers. * Source: <http://www.law360.com/articles/538090/print?section=ip> |
|  | | Mark A. Lemley, 'IP in a World Without Scarcity' (2015), *New York University Law Review* Vol 90:460, pp.460-515   * This essay claims that the world is moving into a post-scarcity era, due to the advent of the Internet, robotics, and 3D printing, such that in the future, not only information but also services and goods will be created at minimal marginal cost. The role of IP in such a world is controversial, with traditional IP doctrine considering that since IP rights are designed to artificially replicate scarcity to incentivise design, the increasing lack of scarcity means that IP rights need to be significantly expanded. The article however argues that the experience of the internet demonstrates that traditional IP doctrine is severely flawed, since the increased access to information did not result in a dearth of content producers, but rather an increase in content. Furthermore, many of the industries affected by piracy have actually increased their revenue. The article gives six reasons for the lack of a collapse in content creation despite the widespread and unstoppable infringement of IP rights on the internet: 1) the reduction in reproduction and distribution cost for infringers correlates with a reduction in distribution costs for producers 2) many people may still pay for content despite the existence of pirated free alternatives, and those who try free content may end up paying for it if they enjoy it 3) the costs of production of content has also decreased 4) the reduction in production and distribution costs has opened the doors to numerous new creators who could not find an audience previously 5) the advent of new creators encourages creativity by others 6) the IP theory is wrong about what motivates people to create, since many people are motivated to create not for monetary reasons but because they are driven to do so, or want recognition. The article states that there are several lessons that can be drawn from the experience of the internet 1) that IP owners will fight the death of scarcity 2) IP owners will probably lose that fight, because the only effective way to stop infringement is by taking action which destroys a large amount of social value along with infringement 3) that the loss of IP owners will mostly be the success of innovation. The article does not recommend the abolition of IP laws in general, but notes that it was created in a world of scarcity and may no longer be appropriate for large sections of today's world, and argues it should change to only protect industries which require strong IP protection to compensate for regulatory barriers or which are too costly to develop otherwise. The article concludes arguing that the experience of the internet demonstrates that people create even without effective IP protection, and claims that understanding what a post-scarcity economy will look like is the task of economics for the next century. * Source: <http://www.nyulawreview.org/sites/default/files/pdf/NYULawReview-90-2-Lemley.pdf> |
|  | | Greg Migliore, 'Bring Back the Bronco! Trademarks We Hope are Actually (Someday) Future Car Names' (2015), *Autoblog,* March 17 2015   * This article gives a list of trademarks recently registered by car companies that the author wishes would be future car names, including several that have had iconic histories in the past but were not in use at the time the article was created. The article notes that sometimes these trademarks are filed simply to maintain the rights to an iconic name, and sometimes for other merchandise like toys and clothing, but points out that sometimes the trademark is required because the company actually intends to use the name on a new car (the revival of the Ford Bronco starting from 2020 has since been announced for instance). * Source: <https://www.autoblog.com/2015/03/17/ford-bronco-10-trademarks-future-models/> |
|  | | Michael B. Beverland, Julie Napoli, & Francis Farrelly, *Can All Brands Innovate In The Same Way? A Typology of Brand Position and Innovation Effort*, 27 Journal of Product Innovation Management 33 (2010)   * This article addresses how differently positioned firms should organize their innovation efforts. The study outlined four different categories of firms: 1) incremental and market driven (follower brands); 2) radical and market driven (category leader brands); incremental and driving market (craft-design-driven brands); and 4) radical and driving markets (product leader brands). Success in each of these categories was dependent on access to market information, bold product initiatives, authenticity, and pioneering status respectively. As such, differently positioned brands will require deployment of different strategies. This research was conducted through 35 interviews and across 12 cases, and was focused on business-to-consumer brands. * Source: <http://www.academia.edu/6288571/Can_All_Brands_Innovate_in_the_Same_Way_A_Typology_of_Brand_Position_and_Innovation_Effort_A_BRAND-INNOVATION_TYPOLOGY> |
|  | | Jorn H. Block, Geertjan De Vries, Jan H. Schumann, & Philipp Sandner, *Trademarks and Venture Capital Valuation*, 29 Journal of Business Venturing 525 (2014)   * This paper addresses venture capital valuation of startup companies in regards to their trademarks. In examining 13,269 funding rounds extracted from VentureXpert, the study concluded that trademarks are strong predictors of venture capital valuation of startups. The number and breadth of trademarks are positively correlated with valuation but diminish, and can eventually become negative, because of the marginal value of trademarks past a certain point; resulting in a U-shaped relationship. Furthermore, the value placed on trademarks by venture capitalists decreases over time when more tangible factors become available. * Source: <https://pdfs.semanticscholar.org/cde6/a529b8af035be42b0fb1673c1759f2a3eadc.pdf> |
|  | | Jorn H. Block, Christian O. Fisch, Alexander Hahn, & Phillip G. Sandner, *Why Do SMEs File Trademarks? Insights from Firms in Innovative Industries*, 44 Research Policy 1915 (2015)   * This article seeks to understand why small and medium sized enterprises (SMEs) file trademarks. In analyzing a survey of 600 SMEs, the study outlined three different motives: protection, marketing, and exchange. The study also outlined four different types of firms depending on their trademark motives through a clustering analysis. These include trademark advocates, marketing-focused trademarking SMEs, marketing-plus protection-focused trademarking SMEs, and trademark skeptics. Advocates value all motives, marketing-focused SMEs are focused on marketing exclusively and do not trademark for protection or exchange, Marketing plus Protection SMEs do not focus on exchange, and Skeptics have negative opinions or are passive about trademarking. No one group was specifically focused on trademarking for exchange, and the study noted that only marketing-plus-protection SMEs considered it an important factor. Finally, the study profiled each type of firm, noting that certain industries are more likely to fall within certain clusters. * Source: <https://pdfs.semanticscholar.org/7d12/8c103089265ff5105ab87573ccf9d2542f7b.pdf> |
|  | | Tim O. Brexendorf, Barry Bayus, & Kevin L. Keller, *Understanding the Interplay between Brand and Innovation Management: Findings and Future Research Directions*, 43 Journal of the Academy of Market Science 548 (2015)   * This paper analyzes the relationship between branding and innovation noting that the two benefit from one another. As such, the paper argues that the two topics should be more deeply integrated with one another and proposes a framework to achieve this goal. The framework is depicted as a circle in which brands support the introduction and adoption of innovations, which in turn influence brand perceptions, attitudes, and usages, which in turn provide strategic focus and guidance to innovations, which wraps back around to supporting new innovations. * Source: <https://www.springerprofessional.de/understanding-the-interplay-between-brand-and-innovation-managem/11798434> |
|  | | Martin Carree, Roberta Piergiovanni, Enrico Santarelli, & Ingrid Verheul, *Factors Favoring Innovation from a Regional Perspective: A Comparison of Patents and Trademarks*, 11 The International Entrepreneurship and Management Journal 793 (2015)   * This paper analyzed 103 Italian provinces from 1998-2007 to understand what factors are determinant in whether or not parties are engaging in patent and trademark activity. The study found that both patent and trademark activity were influenced by financial, human, and network capital. Patent activity was more closely tied with financial and network capital whereas trademark activity was found to be more correlated with human and social capital, the latter of which did not influence patent activity at all. Entrepreneurship capital was not strongly tied to either patent or trademark activity. * Source: <https://www.infona.pl/resource/bwmeta1.element.springer-doi-10_1007-S11365-014-0313-8> |
|  | | Deven Desai & Spencer Waller, *The Competitive Significance of Brands*, CPI Antitrust Chronicle (2014)   * This paper seeks to establish how to integrate brand management into existing legal doctrine and 1) describes the way brands work, 2) outlines the mistakes of trademark and antitrust law, and 3) explains how a brand perspective would alter antitrust and trademark law. For part 1, the paper notes that brands work by obtaining a competitive advantage by undercutting the way consumers shop and obtain the lowest price for goods. For part 2, the paper argues that brands affect price and competition in ways that the law may not wish to foster, and effectively grants brands strong protection. Finally, for part 3, the paper argues that policy makers need to apply knowledge of brands to trademark and antitrust law. This would serve the functions of ensuring that these systems make coherent decisions about the businesses they regulate and would improve doctrine and analysis. * Source: <https://www.competitionpolicyinternational.com/assets/Uploads/DesaiWallerJUL-2.pdf> |
|  | | Deven Desai, *From Trademarks to Brands*, 64 Fla. L. Rev. 981 (2012)   * This paper argues that the business world has moved from using trademarks, meaning simple symbols to identify a product, to brands, meaning rich symbols that identify business strategy. However, trademark law has not kept pace and thus the article proposes a new theory of trademarks: brand theory. Current trademark theory favors the interests of producers while brand theory would identify differing stakes in the product, including the corporation’s, the consumer’s, and the community’s. Brand theory views trademarks not as static symbols but as dynamic devices subject to interpretation and reworking by all connected to it. * Source: <https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1007&context=flr> |
|  | | Brian J. Focarino, *The Trademark as a Novel Innovation Index*, 9 J. Bus. Entrepreneurship & L. 73 (2016)   * This article states that trademarks are vital to industries where technology is standardized and where technical innovation is not a condition for success. As such this article argues that trademarks can function as indexes of entrepreneurship in 1) small and developing economies, and 2) in service sectors and low-tech industries. Both functions are illustrated through a case study in China, which received just over 25,000 trademarks in 1980 and over 1.4 million in 2011. The article also discusses ways in which trademarks affect the lifecycle of firms and how firms can achieve their goals through brand activity. Here the article uses examples ranging from social networking companies to men’s fragrance companies. * Source: <https://digitalcommons.pepperdine.edu/jbel/vol9/iss1/4/> |
|  | | Matthias Gotsch & Christiane Hipp, *Measurement of Innovation Activities in the Knowledge-Intensive Services Industry: A Trademark Approach*, 32 The Service Industries Journal 2167 (2011)   * This article seeks to determine the adequacy of using trademarks to measure innovation in knowledge intensive service (KIS) industries. Two independent studies were conducted, one using the data from a German section of the Community Innovation survey and another using a survey sent to 278 firms. The studies indicated that trademark registration can be a useful indicator of innovation in KIS. The articles also discussed which factors influenced trademark registration. Specifically, the article noted that International distribution markets, competitive market environments, and highly standardized or product-accompanying services increased trademark registrations. * Source: <http://www.tandfonline.com/doi/abs/10.1080/02642069.2011.574275> |
|  | | Matthias Gotsch & Christiane Hipp, *Using Trademarks to Measure Innovation in Knowledge-Intensive Business Services*, 4 Technology Innovation Management Review 18 (2014)   * This paper seeks to establish the usefulness of trademarks in measuring innovation in the knowledge intensive business services (KIBS) industry. A survey of 278 companies showed that trademarks are used as a way to protect innovation and intellectual property, and thus are useful indicators of innovations in the KIBS industry. Trademark registration was positively correlated with innovation success. The paper also argues that analysis of trademarks is a low cost and accurate alternative to surveying, which was traditionally used to analyze innovation in the KIBs industry. * Source: <https://pdfs.semanticscholar.org/30c5/10b813dfce07e2642a19f01eda85b4d0fd5a.pdf> |
|  | | Marco Hubert, Arnd Florack, Rafael Gattringer, Tim Eberhardt, Ellen Enkel, & Peter Kenning, *Flag Up! – Flagship Products as Important Drivers of Perceived Brand Innovativeness*, 71 Journal of Business Research 154 (2017)   * This paper analyzes how to transform objective brand innovation into perceived brand innovation. Four studies indicate that part of the way consumers perceive brand innovativeness is based on perceptions of flagship product innovation. The paper indicates that other factors, including the flagship product price, can affect the spillover from the flagship product to the brand as a whole. The paper argues that management, in developing methods to make their brand more competitive, can apply these findings. * Source: <http://pure.au.dk/portal/en/publications/flag-up--flagship-products-as-important-drivers-of-perceived-brand-innovativeness(3e208988-6db6-4a58-93d9-37a1e848f264).html> |
|  | | John Hudson & Alexandru Minea, *Innovation, Intellectual Property Rights, and Economic Development: A Unified Empirical Investigation*, 46 World Development 66 (2013)   * This paper analyzes the joint effect of intellectual property rights (IPR) and economic development on innovation. Using a dataset from 62 countries from 1980-2009, the study found that innovation is dependent on both the initial levels of IPR and per capita GDP and that there is a golden area where countries should lie within to encourage innovation. As of now, only around 1/3 of countries lie within this range and as such the other 2/3 of countries will need to modify their existing IPR to better encourage innovation and growth. * Source: <https://econpapers.repec.org/article/eeewdevel/v_3a46_3ay_3a2013_3ai_3ac_3ap_3a66-78.htm> |
|  | | Jacob Rooksby and Christopher Collins, *Trademark Trends and Brand Activity in Higher Education*, 40 Review of Higher Education 33 (2016)   * This paper looks at how higher education institutions are using trademarks for institutional slogans, internet domains, and in furtherance of name change initiatives, and what this means for institutional conceptions of brand. After reviewing 1,105 registered institutional trademarks, 373 distinct domain names, and the full list of technology transfer office name changes from 2010-2013, this paper argues that institutions are using the power of private rights to present higher education as an avenue for personal and social wealth generation. The paper goes on to discuss how this differs from earlier higher education messages, which valued free expression and market detachment. The paper further argues that the modern message may even be in opposition to this earlier imagery. * Source: <https://muse.jhu.edu/article/629908/pdf> |
|  | | Cassandra M. Sweet & Dalibor S. Maggio, *Do Stronger Intellectual Property Rights Increase Innovation?*, 66 World Development 665 (2015)   * This paper seeks to address whether stronger intellectual property rights increases innovation. Using an index of economic complexity for 94 countries from 1965 to 2005, the paper states that generally, those countries that implemented stronger intellectual property rights had stronger economic complexity. However, only those countries with above average development truly benefited from this effect. This means that for developing countries, increases in intellectual property protection at best have a non-significant effect on economic complexity. On the other hand, nations with higher levels of human capital enjoyed larger innovation movements as a result. * Source: <http://www.sciencedirect.com/science/article/pii/S0305750X14002630> |
|  | | Geertjan De Vries, Enrico Pennings, Joern H. Block, & Christian Fisch, *Trademark Or Patent? The Effects of Market Concentration, Customer Type and Venture Capital Financing on Start-Ups’ Initial IP Applications*, 24 Industry and Innovation 325 (2016)   * This article analyzed 4,703 U.S. startups while distinguishing between trademark and patent applications. The paper found that startups are more likely to file trademarks as their initial intellectual property when entering markets with low concentration, when entering into business-to-consumer markets rather than business-to-business markets, and when backed by venture capital. The article argues that this data suggests that venture capitalist backing is good, as they not only supply funding but push for swifter commercialization. This article further argues that policy makers can use this information to design and improve initiatives to increase startup intellectual property usage, which will in turn foster innovative entrepreneurship. * Source: <https://repub.eur.nl/pub/93408/REPUB_93408_OA.pdf> |
|  | | Innovation Enterprise - Brand Strategy Innovation Summit, Maintaining Brand Narrative in a Digital Age to Strengthen Customer Loyalty (2017)   * This conference’s goals for September of 2017 include discussing storytelling and branding, engaging consumers in the brand, building brand awareness, and aligning brand and corporate strategy. Interesting key note speakers include Vince Voron from Dolby Laboratories, Eric Solomon from Google, Belen Pamukoff from Heineken, and many others. * Source: <https://theinnovationenterprise.com/summits/brand-strategy-innovation-summit-san-francisco-2017/brochures> |
|  | | Columbia Business School Center on Global Brand Leadership, BRITE (Brands, Innovate, Technology) 2016 Conference (2016)   * The goal of this conference was to discuss how innovation and shifting social trends affect branding. The topics of this year specifically included going beyond “user experience” to build a brand, marketing to generation Z, avoiding false compromises, differentiating your brand, learning from the revival of craft, marketing the smart home, and reflections on past and future brand building. * Source: <https://www8.gsb.columbia.edu/globalbrands/events/briteconference> |
|  | | Guriqbal S. Jaiya, The Importance of Intellectual Property for the Competitiveness of SMEs (2003)   * This presentation discusses the role of small and medium sized enterprises (SMEs) in national economies, how intellectual property can help SMEs, national strategies related to IP for SMEs, best practices regarding IP for SMEs, and the World Intellectual Property Organization’s SME initiatives. It is noted that SMEs play an important role in the economy (and constitute the bulk of enterprises), though there is no standardized definition across the world of what constitutes and SME. Because of this there is an incentive to utilize SMEs for economic growth, and the presentation discusses why and how to go about doing this by utilizing intellectual property. * Source: [www.wipo.int/edocs/mdocs/sme/en/wipo\_insme\_smes\_ge\_06/wipo\_insme\_smes\_ge\_06\_www\_63852.ppt](http://www.wipo.int/edocs/mdocs/sme/en/wipo_insme_smes_ge_06/wipo_insme_smes_ge_06_www_63852.ppt) |
|  | | Phil McKinney, “Should You Trademark Your New Innovation?” *Killer Innovations*. Podcast Audio, Apr. 20, 2016.   * In this podcast, guest speaker Andrei Mencov, CEO of Trademark Factory, discusses topics from his personal life, why people overlook trademarks, and whether you should patent or trademark a product if you only have limited funds. * Source: <http://killerinnovations.com/should-you-trademark-your-new-innovation/> |
|  | | WilmerHale, Intellectual Property Law Webinar Series: Building a Brand (2014)   * The speakers in the webinar discuss what nonprofit businesses can legally do to protect their trademarks, copyrights, and proprietary information. They also discuss how the internet can be used to carry out organization activities and how it can affect a nonprofit’s ability to protect its reputation. * Source: <https://www.wilmerhale.com/pages/EventDetails.aspx?eventId=17179872550> |
|  | | European Commission, Directive (EU) 2015/2436 of the European Parliament and the Council of 16 December 2015 to Approximate the Laws of the Member States Relating to Trade Marks (2015)     * The purpose of this directive is to align European Union member laws regarding the registration of trademarks and to make registration systems more accessible and efficient for business. The directive is also designed to promote trade and protect trademark holders. Specifically the directive outlines the new required format of trademarks, the grounds for refusal, the rights of the trademark owner, the registration procedure, and the duration of the trademark. The directive orders member States to adopt the directive into national law by January 14, 2019. * Source: <https://publications.europa.eu/en/publication-detail/-/publication/e5cbd28f-a93c-11e5-b528-01aa75ed71a1/language-en> |
|  | | European Commission, European Parliament and EU Council Back European Commission Trade Mark Reform Package (2015)   * This press release states the European Parliament, European Union Council, and European Commission have agreed to modify the trademark registration system to make it cheaper, faster, more predictable, and more legally certain. The key features of the reform will include 1) a significant reduction in fees for trademark registration, 2) a streamlined and harmonized registration process, 3) stronger measures to fight against trademark infringers, and 4) modernized rules and increased legal certainty regarding rights. * Source: <http://europa.eu/rapid/press-release_IP-15-4823_en.htm> |
|  | | Executive Office of the President of the United States, Special 301 Report (2016)   * This report looks at American intellectual property right (IPR) protection and enforcement throughout the world. Though many issues are discussed in the report, the following are the most noteworthy: 1) deteriorating IPR with trading partners throughout the world, including formerly strong partners such as Switzerland, 2) inadequate trade secret protection in India and China, 3) protective polices giving indigenous IP stronger protection than international IP, 4) continuing issues with online piracy, and 5) barriers to U.S. market access and IP protection in certain countries. * Source: <https://ustr.gov/sites/default/files/USTR-2016-Special-301-Report.pdf> |
|  | | Government of India, National Intellectual Property Rights Policy (2016)   * The government of India’s policy on intellectual property rights (IPR) seeks to stimulate creativity, innovation, entrepreneurship, and development. The policy particularly emphasizes healthcare access, food security, and environmental protection. The government also set forth the following seven objectives, which would arise from its policy: 1) IPR awareness, 2) generation of IPR, 3) legal and legislative framework, 4) administration and management of IPR, 5) commercialization of IPR, 6) enforcement of IPR, and 7) human capital development. * Source: <http://dipp.nic.in/sites/default/files/National_IPR_Policy_English.pdf> |
|  | | United States Department of Justice Intellectual Property Task Force, Press Room and Speeches.   * This resource lists press releases and speeches on matters related to intellectual property enforcement and the Department of Justice. Such matters include prosecutions and their corresponding verdicts along with initial discoveries of illegal operations. * Source: <https://www.justice.gov/iptf/press-room> |
|  | | UK Intellectual Property Office, Intellectual Property Minister Encourages Further IP Collaboration between UK and China (2016)   * This press release discusses the success of the UK Minister of State for Energy and Intellectual Property’s visit to China.  Highlights include witnessing of an intellectual property protection agreement between Tencent, the China Britain Business Council, and British Businesses; the launch of a new UK-China film and TV toolkit; the launch of a factsheet to assist Chinese companies with overseas IP protection; and the hosting of a UK-China IP symposium. Parts of the delegation also met with members of China’s highest court to discuss bad-faith trademarks, copyright licensing, and evidence disclosure. * Source: <https://www.gov.uk/government/news/intellectual-property-minister-encourages-further-ip-collaboration-between-uk-and-china> |
|  | | Brand Finance, *Global 500 2016: The most valuable brands of 2016* (last visited June 13, 2017)   * This online resource contains a list of the top 500 brands of 2016, their value in millions, and their brand rating. The top five brands included Apple, Google, Samsung, Amazon, and Microsoft. * Source: <http://brandirectory.com/league_tables/table/global-500-2016> |
|  | | Zach Brooke, *More Brands Getting a #Trademark on Hashtags*, American Marketing Association (Mar. 23, 2016)   * This article states that because hashtags are used in social media searches, they are powerful tools for marketers in driving viral conversations with their brand. However, competitors can latch on to this viral stream to drive attention to their products. To protect against this, an increasingly large number of companies are seeking trademark protection for their hashtags. The article notes that in 2010 only four companies submitted applications for trademark specific hashtags, whereas in 2015 this number increased to 1,400. * Source: <https://www.ama.org/publications/eNewsletters/Marketing-News-Weekly/Pages/More-Brands-Getting-a-Trademark-on-Hashtags.aspx> |
|  | | Jack Ellis, *New Brand ‘Dynamism’ Index Shifts Focus to Engagement and Innovation Performance*, but Misses Out Trademarks, World Trademark Review (Oct. 24, 2016)   * This article states that a new index for brands has been created that focuses on such things as media engagement, adaptability to trends, and consumer interaction. Over 10,000 consumers were surveyed and over 1,200 brands were analyzed and given a score out of 100 on this index. The ranking matched up closely with more established indexes with brands such as Google being among the highest ranked, but there were a few surprises. For example, NASA was ranked in the top 10, whereas Apple was missing from the top of the list. The article then goes on to argue that, because the new index has no metric for trademarks, it is overlooking an important part of brand value. This is because trademarks serve protection purposes and are relevant to the potential sale value of a brand. * Source: <http://www.worldtrademarkreview.com/Blog/detail.aspx?g=a7ec995c-f4a5-4dd8-9a40-ed63f2124008> |
|  | | Jack Ellis, *Singapore Comes Out Top In Asia-Pacific For Innovation Thanks To Enhanced Focus On Filing And Licensing*, World Trademark Review (Aug. 19, 2016)   * This article states that the Global Innovation Index (GII) released in 2016 showed an increase in Asian economies due to trademark filings and increased intellectual property monetization. The article discusses various indicators that factor into the GII, and notes that typically in Asia, student teacher ratios and productivity growth are the strongest indicators of performance. However, this year IP played a significant role in the growth of Singapore, and in fact, both the World Economic Forum and the US Chamber of Commerce ranked Singapore the top country in Asia for IP protection. Singapore has made IP development a priority in recent years and has seen significant increases in trademark filings. * Source: <http://www.worldtrademarkreview.com/blog/detail.aspx?g=77ec6abf-0d8b-44f4-803a-2062214d2b0e> |
|  | | Interbrand, *Best Global Brands 2016 Rankings* (last visited June 13, 2017)   * This resource contains a list of the top 100 brands of 2016, their value in millions, and the percentile change in their brand value from the preceding year. The top five brands listed include Apple, Google, Coca-Cola, Microsoft, and Toyota. * Source: <http://interbrand.com/best-brands/best-global-brands/2016/ranking/#?listFormat=ls> |
|  | | Lisa Ouellette, *Trademarks & Innovation*, Written Description (Nov. 3, 2013)   * This blog post discusses four papers, which analyze the relationship between trademarks and innovation. The first paper looks at trademarks as an innovation indicator. The second paper discusses why small firms file trademarks. The third paper also looks at why firms file trademarks, but instead of asking subjective questions, tries to extract the answers through objective questions. The final paper looks at four experiments to explore the connection between branding and innovation. * Source: <http://writtendescription.blogspot.com/2013/11/trademarks-innovation.html#more> |
|  | | World Intellectual Property Organization, *Small Groups of Countries Drives Innovation in Breakthrough Technologies* (last visited June 13, 2017)   * This release states that the US, the UK, Japan, Germany, France, and Korea account for 75% of all patent filings in 3D printing, nanotechnology, and robotics. China also plays a significant role in these important technology areas. The release then goes on to say the following are the most significant elements of a successful innovation ecosystem: 1) government funding, 2) competition, 3) financial market support and regulation, and 4) links between public and private innovators. * Source: <http://www.wipo.int/pressroom/en/articles/2015/article_0015.html> |
|  | | World Intellectual Property Organization, *World Intellectual Property Report 2015: Breakthrough Innovation and Economic Growth* (last visited June 13, 2017)   * This report argues that economic growth is fueled largely by technological innovation, and that economic growth results in a better world to live in. To emphasize this point, the paper goes on to discuss historical innovations including airplanes, antibiotics, and semiconductors and then analyzes current important technological innovations. These include 3D printing, nanotechnology, and robotics. The report also discusses what ecosystems are the best environments for innovation. Finally, the report discusses future prospects for economic growth while looking at the subject through both an optimistic and pessimistic lens. * Source: <http://www.wipo.int/publications/en/details.jsp?id=3995#chapter> |