

New survey on EU SMEs and intellectual property

- 9,000 EU SMEs surveyed in the first EU-wide study of its kind from the EUIPO
- Internet domain names and confidentiality (trade secrets) are the most used protection measures used by SMEs
- 60% of firms that own intellectual property rights say securing their IP rights was positive for their business
- Around one third of intellectual property right owners said they had suffered from infringement, but 12% of them took no action when their IP rights were infringed

A new survey from the European Union Intellectual Property Office ([EUIPO](#)) has questioned nearly 9,000 small and medium enterprises (SMEs) in the EU to find out how they use intellectual property rights to support their economic activity.

The survey found that 60% of all intellectual property rights-owning firms questioned said that protecting their innovation had been positive for their business, notably increasing their reputation and image of reliability as well as strengthening long term business prospects.

The EU SMEs surveyed were more likely to register internet domain names and use trade secrets than opt for any other form of protection measure, with prevention of copying singled out as the main reason for registering intellectual property rights.

Almost one third of the SMEs surveyed said their intellectual property rights had been infringed and used primarily bilateral negotiations next to court procedures to solve IPR infringements conflicts. SMEs said they refrain from court procedures because they are too long and costly. 12% of SMEs said they had taken no action when the infringement had occurred.

Of the firms questioned which had not secured their intellectual property rights, 35% said they saw no benefit in protecting their IP. Other reasons mentioned by respondents for not availing themselves of protection measures included: lack of knowledge about the registration procedure; the complexity and costs of intellectual property rights registration; and court proceedings in cases of IP infringement.

The Executive Director of EUIPO, António Campinos, said:

"SMEs represent 99% of all business in the EU, and are the backbone of Europe's economy. Therefore, we need information which clearly shows the reality of the IP environment for innovative EU SMEs – why they seek IP protection and what barriers they face. We also want to get their direct feedback as to how those problems can be overcome."

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In 2015, the EUIPO published the [Intellectual Property Rights and Firm Performance in Europe](#) report, which showed that large companies are more likely to own IP rights than smaller companies; 40% of larger firms have registered rights, compared with 9% of SMEs. The report also showed that SMEs owning IPRs have over 32% higher revenue per employee than those that do not own IPR.

Today's survey, released through the European Observatory on Infringements of Intellectual Property Rights, was commissioned as a follow up to the findings of that report, to further investigate the issues encountered by SMEs when accessing IP protection.

ABOUT THE EUIPO

The EUIPO is [a decentralised agency of the EU](#), based in Alicante, Spain. It manages the registration of the European Union trade mark (EUTM) and the registered Community design (RCD), both of which provide intellectual property protection in all 28 EU Member States, as well as carrying out cooperation activities with the national and regional IP offices of the EU. Up until 23 March 2016, the EUIPO was known as the Office for Harmonization in the Internal Market (OHIM).

[The European Observatory on Infringements of Intellectual Property Rights](#) was established in 2009 to support the protection and enforcement of intellectual property rights and help combat the growing threat of IP infringements in Europe. It was transferred to the EUIPO on June 5 by Regulation (EU) No 386/2012 of the European Parliament and of the Council.

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