

Abstract:

This paper is an attempt to show how is the registration of intellectual property important in improving and sustaining the small and medium-sized enterprise (SME) competitiveness. It enables SME to conquer its competitors and provides a source to finance research and development, it improves its negotiation power in licensing contracts and related issues, it also prepares it to become a big enterprise and increases its assets.

In fact, when its intellectual property is registerd, the SME faces several difficulties mainly the search in intellectual property data bases, the lawsuit costs and the filing fees. These costs will, certainly, hinder the SME to keep its competitive advantage and may affect its research and development activities.

These ideas indicate the difficulties facing SME. Henceforth, this paper will focus upon the solutions allowing SME to benefit from registration and reduce its costs at the same time.

-
-
-

: .1

:(Intellectual Property)

1.

:(Intellectual Property Rights)

3.

⁴(WIPO)

:(Patent) .1

5 " 20
()

6.

7.

:(Trademark) .2

9.

8"

10

11

:(Industrial Model or Design) .3

12 "

15

13

:(Geographical Indicator) .4

"

14"

15.

:(Topography of Integrated Circuits) () .5

"Toscane"

.1989 ¹⁶(IPIC)

17.

:(Trade Secrets) .6

18"

"

"

"

19.

-

20 **:(Traditional Knowledge and Folklore)** **.7**

21 " " "

22,

-
-
-
-

" **:(Copyrights & Related Rights)** **.8**

23" ()

24

25

26,

-
-
-
-
-

Phonograph

Gramophone

()

.II

27

28

(...)

29

%50

%85

30

%5

%30

)
31
%95
%10
HJC
42
32
33
:
%30 2000 %62 1982 34
35
36
37

38

2003
Cambridge Antibody Technology, Micromet AG and Enzon : *Pharmecetical*

39

40

41

2000 1.7 *IBM* 42
500 *Texas Instruments*
43 2000 110 1990 10
OMK Design Ltd *Rodney Kinsman* *TRAX*

OMK Design Ltd

44

Pricewaterhouse Coopers

45

46 1999 100

1896 *Sakichi Toyota*
TOYOTA *G*

Platt Brothers & Co

Küchiro Toyota
25

47

48

J.K. Rowling

Harry Potter " "

93.5 Warner Brothers
 "Harry Potter à L'Ecole Des Sorciers"
 Hasbro
 Electronics Arts 50
 Mattel

51
 (Robert Brozin Fernando Duarte)
 Minas Gerais Biobràs
 Eli Lilly
 Biobràs 1977
 NEWENGLAND

(Recombiné)
 52

9018 53 1992 103000 6340 NESTLE
 54 6127
 %40
 115 %67
 55

56

57

()

50
 70.45 IBM Coca-cola
 70 Coca-cola 2003 58
 51.71 IBM 65.17 Microsoft
 59 %99

74

73

75

76

77

78

79

%25

80

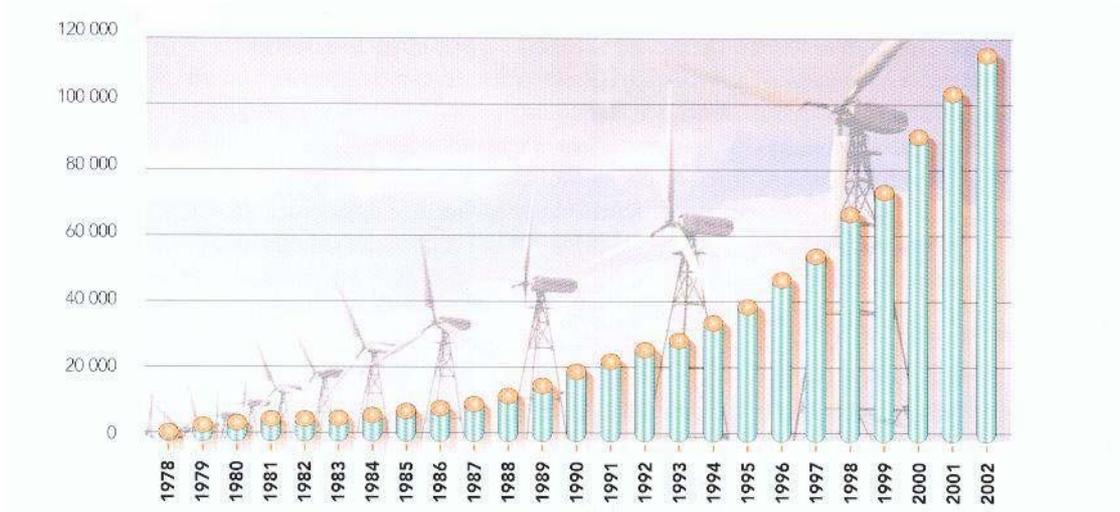
81

(PCT) Patent Cooperation Treaty

83

82

:2



Source : Kamil Idris, **La Propriété Intellectuelle Moteur de la Croissance Economique, résumé**, Publications de l'Organisation Mondiale de la Propriété Intellectuelle, Publication N° 888.1(F) (Genève: OMPI, Juin 2003), P.6.

120

2002

EnviroScrub Technologies Corporation

PCT

84

85

4700

14

86

%10

87

90

65

88

OECD

¹. **Qu'est-ce Que La Propriété Intellectuelle?**, Publications de l'Organisation Mondiale de la Propriété Intellectuelle, Publication N° 450 (F) (Genève:OMPI), p.2.

². Charles W.L. Hill, **International Business Competing in The Global Marketplace** (Chicago: Irwin, 1997), 2nd Ed., P.41.

³. OMPI, Publication N° 450 (F), Op.Cit., P.3.

⁴. World Intellectual Property Organization.

.488(A) ()

.5

Thunderbird

" Robert S. Tancer -

.6

Hill, Op.Cit., P.41. .405. (2001 :)

⁷. OMPI, Publication N°450 (F), Op.Cit., P.5.

.488(A)

.8

⁹. OMPI, Publication N°450 (F), Op.Cit., P.9.

.86. (2003 :)

.10

¹¹. OMPI, Publication N°450 (F), Op.Cit., P.9.

13. OMPI, Publication N°450 (F), Op.Cit., P.12. 488(A) 12
15. OMPI, Publication N°450 (F), Op.Cit., P.15. 488(A) 14
16. Treaty on Intellectual Property in Respect of Integrated Circuits. 396. 17
- 15.4 1967 488(A) 18
- .416. 19
- 20
- La Propriété Intellectuelle et Les Expressions Culturelles Traditionnelles ou Expressions du Folklore**, Publications de l'Organisation Mondiale de la Propriété Intellectuelle, Publication N° 913 (F) (Genève: OMPI), P.3. 881.1(A) 21
22. OMPI, Publication N°913 (F), Op.Cit., p.6. 27.
- .1. (. . . :) L450CM/A 488(A) 23
- .85. .6 -5. . L450CM/A 488(A) 24
- Thunderbird " " Alin I. Murray - 25
- .118. (2001 :) 26
28. **Investing The Future an Introduction to The Patents for Small and Medium-Sized Enterprises**, Publications of The World Intellectual Property Organization , Publication N° 917(E) (Geneva: WIPO), p.39. 27
- .4. 900(A) () 29
- .18. 30
32. OMPI, Publication N°917 (E), Op.Cit., p.3. 488(A) 31
- .10. 33
- .6. 34
- .8. 35
36. OMPI, Publication N°917 (E), Op.Cit., p.16. " " : 37
- 13 12 :) 212-209. (2005
38. "Lancement d'un Nouveau Produit : Evaluation de Votre Liberté D'agir", **Revue de l'OMPI** (Genève : OMPI, Septembre- Octobre 2005), p.14.
39. Ibid.
40. **Les Services d'Information en Matière de Brevets de l'OMPI Pour Les Pays en Développement**, Publications de l'Organisation Mondiale de la Propriété Intellectuelle, Publication N° 493 (F) (Genève:OMPI), P.8.
41. Ibid., p.p.15-16.
42. **Looking Good an Introduction to Industrial Designs for Small and Medium- Sized Enterprises**, Publications of The World Intellectual Property Organization , Publication N°498(E) (Geneva: WIPO), 2nd Ed., p.16.
43. Kamil Idris, **La Propriété Intellectuelle Moteur de la Croissance Economique, résumé**, Publications de l'Organisation Mondiale de la Propriété Intellectuelle, Publication N° 888.1 (F) (Genève:OMPI, Juin 2003), P.15.
44. Ibid., p.14. 15. 45
46. Idris, Op.Cit., P.7. 9. 47
48. Esteban Burrone; Guriqbal Singh Jaiya, "Intellectual Property (IP) Rights and Innovation in Small and Medium-Sized Enterprises", P.6. and p.10. , www.madrid.org/madridIRC/documentos/doc/intellectualproperty.pdf, Last visited : February 26th, 2006.

50. Idris, Op.Cit., P.20. .14 -13. 900(A) 49
51. Ibid., P.19. Idris, Op.Cit., P.14. 14. 52
.6. 53
54. "Pour Rester au Sommet, NESTLE Affine Ses Services de Propriété Intellectuelle", **Revue de l'OMPI** (Genève : OMPI, Novembre- Décembre 2005), p.19. .7. 55
.10. 56
57. OMPI, Publication N° 917 (E), Op.Cit., p.35. .4. 900 (A) 58
59. "Valuation of Intellectual Property: what, why and how", **WIPO Magazine** (Geneva : WIPO, September- October 2003), p.5. .21. 60
61. WIPO Magazine, September- October 2003, Op. Cit., p.p.7- 8.; Gordon Smith, "Assessment and Valuation of Inventions and Research Results For Their Use and Commercialization", International Work Shop on Management and Commercialization of Inventions and Technology (Monterrey, Mexico: April 17 to 19th, 2002), Document N° wipo/inv/mty/02/4, p.p.2-5, www.wipo.int/innovation/en/meetings/2002/inv_mty/pdf/mty02_4.pdf, last visited: February 7th, 2006. 62
13 (2005 :) .115 -114. 63
488 (A)
64. WIPO, Publication N° 498 (E), Op.Cit., p.9.
65. Ibid., p.11.
66. Edwin E. Wallis, "The Madrid Protocol: Will This International System Succeed in the United States?", www.lawtechjournal.com/articles/2004/01_040320_wallis.php, last visited : February 8th, 2006.
67. WIPO, Publication N° 917 (E), Op.Cit., p.20.
68. WIPO, Publication N°498 (E), Op.Cit., p.9. end p.11.
69. Ibid., p.12.
70. Ibid., p.12. end p.19.
71. WIPO, Publication N° 917 (E), Op.Cit., p.p.16-20.
72. www.trademarkroom.com, last visited : February 8th; 2006.
73. WIPO, Publication N° 498 (E), Op.Cit., p.16.
74. Ibid., p.12.
75. WIPO, Publication N° 498 (E), Op.Cit., p.21; WIPO, Publication N° 917 (E), Op.Cit., p.20. WIPO, Publication N° 498 (E), Op.Cit., p.19. 21. 900 (A) 76
.22. 900 (A) 77
78. WIPO, Publication N° 498 (E), Op.Cit., p.16.
79. **Revue de l'OMPI**, Septembre- Octobre 2005, Op.Cit., p.14.
80. OEB: Office Européen Des Brevets.
81. **Revue de l'OMPI**, Septembre- Octobre 2005, Op.Cit., p.14.
82. 126 member countries in April 3rd, 2005. See: WIPO, Publication N° 917 (E), Op.Cit., p.32. and p.46. PCT Newsletter N° : 128 PCT 83
10/2005, Publications of The World Intellectual Property Organization , Publication N°115(E) (Geneva: WIPO, October 2005), p.p.9-15., available at www.wipo.int/edocs/pctndocs/en/2005/pct_news_2005_10.pdf, last visited : February 26th; 2006.
84. WIPO, Publication N° 917 (E), Op.Cit., p.32. .14. 900 (A) 85
86. Wallis, Op., Cit.
87. "Résultats Des Assemblées Des Etats Membres De L'OMPI", **Revue de l'OMPI** (Genève : OMPI, Novembre- Décembre 2005), p.3.
88. Burrone; Op.Cit., p.3.