



Agri-tech intellectual property rights in Europe

About Mathys & Squire

Dedicated to protecting and defending your future.

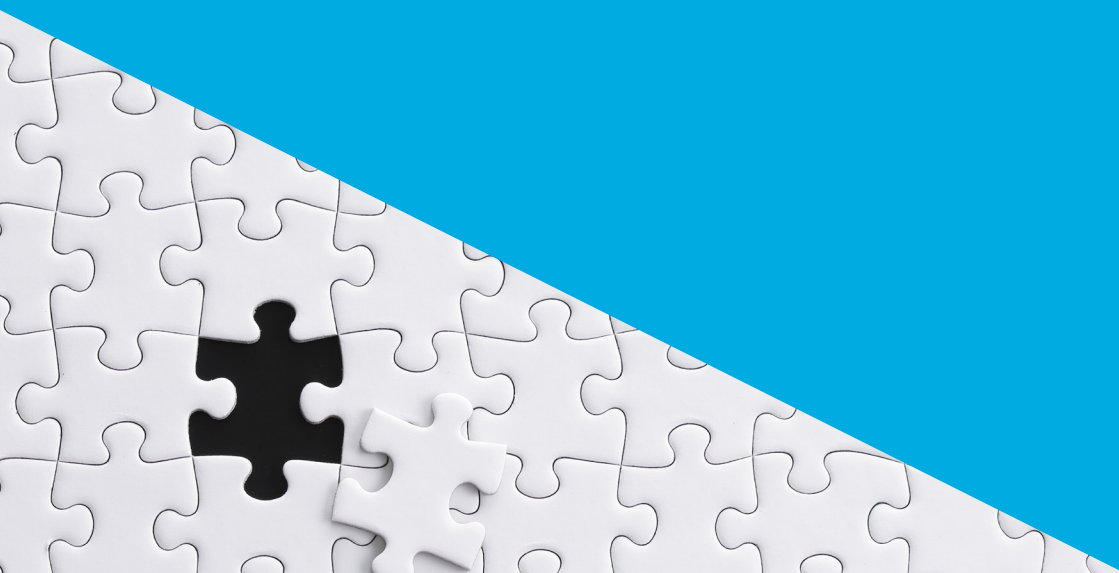
We are an IP powerhouse that puts our specialist knowledge to work for you, to strengthen and secure what most modern businesses today treat as one of their most valuable strategic assets. Our agile team of attorneys, scientists and strategists are steeped in experience, working with IP-rich and high-growth industries leveraging complex technologies and sophisticated commercial models.

A full-service IP firm with unrivalled expertise in patents, trade marks, design protection and litigation, Mathys & Squire is highly ranked in leading legal and IP directories, including *The Legal 500*, *Chambers and Partners*, *IAM Patent 1000* and *World Trademark Review 1000*.

Founded in 1910, we have over 110 years of experience in the protection and commercialisation of IP rights.

With over 65 qualified attorneys and a dedicated IP consulting team across offices in London, Birmingham, Brighton, Cambridge, Manchester, Oxford, York, Luxembourg, Munich and Paris, as well as teams based in Belfast, China and Japan, our specialists cover a wide range of technical fields and industry sectors. Our attorneys and trainees have a mix of scientific degrees extending from chemistry, biochemistry, pharmacology, genetics, microbiology, plant sciences and zoology through to physics, electronics, telecommunications and engineering.

We protect, so that you can invent the future.



Agri-tech intellectual property rights in Europe

Primary food production is the largest industry in the world, and ensuring the stability and integrity of national and international food supply chains is crucial.

The challenges faced by this sector are greater than ever, as the world population increases and the effects of climate change are felt. Technology is increasingly used to address these challenges, often involving collaboration between multiple disciplines.

As a result, agricultural technology (agri-tech) is one of the fastest-growing markets as research in this area gains momentum. Indeed, the importance of agri-tech is appreciated by governments across Europe, with both UK and EU funding streams available for research and development in this sector (typically with a requirement for the good management of any resulting intellectual property rights).

In the face of a challenging and rapidly developing commercial landscape, it is more important than ever for agri-tech businesses to obtain protection for their intellectual property.



Technical innovations may be protected by patents. Designs can protect aspects of a product's appearance, shape or configuration that may not be patentable. New plant varieties can be protected via plant variety rights. Trade marks can be used to identify the source of a product or service and provide brand recognition.

Our team has significant expertise in engineering, electronics, telecommunications and software, including in respect of automated control systems. In addition, we have experience in large scale food processing techniques, such as in the dairy industry.

We also have extensive expertise in pesticide and herbicide chemistry, food chemistry and processing, stress tolerance, plant developmental biology and transgenic plant technology. Furthermore, we have considerable experience in plant variety right matters, and our supplementary protection certificate (SPC) team can assist with matters relating to SPCs for plant protection products.

Patents protect technical innovations that are new and non obvious relative to anything that has already been made available to the public. Accordingly, if you are considering filing a patent application to protect an invention, then it is essential that the patent application be filed before you disclose the invention to anyone outside of confidence.

Our team would be happy to discuss how best to protect your innovations to provide commercial benefits to your business.

"Mathys & Squire is dynamic and exceptional in its service. The team helps clients to adapt their strategies in line with business developments and proactively responds to changing external circumstances. Communication is clear and concise, even in relation to the most highly specialised and technical patent applications."

Chambers and Partners

IP protection for agri-tech machinery, components and systems

Patents

Patents are frequently used to protect aspects of agri-tech machinery, components and systems. Patentable inventions may be found, for example, in the fields of mechanical engineering (including in respect of hydraulic and pneumatic actuation systems), electrical engineering, automotive technology, electronics, telecommunications and computer software.

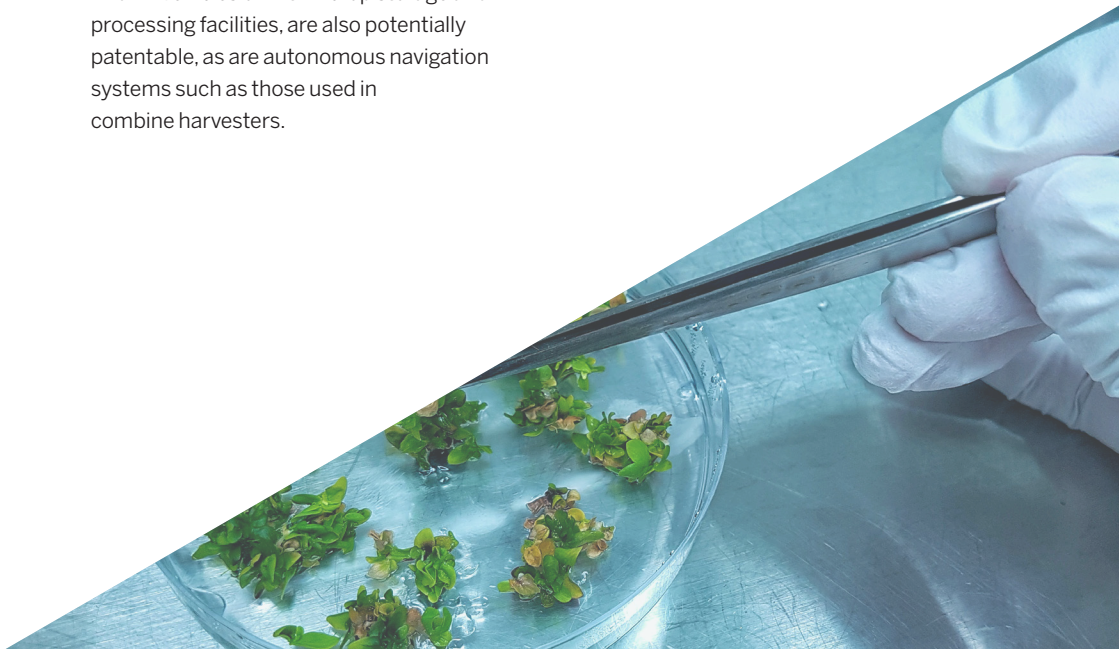
For example, a new piece of agricultural machinery may be patentable as a whole, or a component part of a complex piece of equipment may be patentable in its own right.

Electronic control systems, as may be used in farm vehicles or within crop storage and processing facilities, are also potentially patentable, as are autonomous navigation systems such as those used in combine harvesters.

As well as hardware, it is possible to obtain patent protection for software (e.g. in a control or navigation system) that provides a so called 'technical effect' – i.e. a new and non-obvious technical solution to a technical problem.

Food processing techniques are also potentially patentable – for example in relation to new and non obvious methods for producing milk, yogurt and other products in the dairy industry.

We have an experienced team of attorneys who specialise in engineering, IT and electronics, and are able to handle patent matters in all of the above fields.



Registered designs

Registered designs can be used to protect the outward appearance of products, and component parts of complex products that are visible during normal use. Registered designs are quick, straightforward and relatively inexpensive to obtain, and may be used as a way of obtaining registered IP protection for agricultural equipment that may not meet the criteria for being considered 'patentable'.

Both patents and registered designs can provide a valuable deterrent effect, to dissuade third parties from copying or coming too close, and can also be useful for marketing purposes.

Trade marks

Registered trade marks remain a powerful deterrent to third party competitors and are an essential tool when combating counterfeit activities. A registered trade mark may be renewed indefinitely and outlive its other IP counterparts (patents and designs).

The multi-jurisdictional registration of trade marks is readily achievable at relatively little cost via the EU trade mark and the Madrid Protocol systems. Registration of trade marks with local customs authorities allows for effective anti counterfeiting policing at minimal cost.



Team biographies



James Pitchford

Partner

James is a Partner in our IT & engineering team and is based in our Cambridge office.

James has particular experience in the fields of electromechanical devices, power engineering, electronics, optics, imaging techniques and image processing, telecommunications, semiconductor devices, composite materials, surface treatment techniques, computer software and data processing algorithms.

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Anna Gregson

Partner

Anna is a Partner in our biotech team and is based in our Manchester office.

Anna has experience in a wide range of subject matter in the fields of biotechnology and life sciences, including plant biotechnology, therapeutic antibodies, vaccines, diagnostics and biomarkers and stem cells. She also has experience of advising on plant variety rights.

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Michael Stott

Partner

Michael is a Partner in our chemistry team and is based in our London office.

Michael has a diverse range of clients which includes SMEs, universities and multinational corporations. He has a particular interest in working with technologies across the “farm to fork” innovation space. In addition to agri-tech, food chemistry and processing, Michael also has expertise in pharmaceuticals, chemical processing and catalysis, polymers, and materials chemistry.

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Craig Titmus

Partner

Craig is a Partner in our life sciences team and is based in our Cambridge office.

Craig has significant experience of patent drafting and European and international patent prosecution, and he coordinates global IP strategies for many startups, SMEs, universities, large corporations and the UK Government. Craig's practice covers a range of biotechnological subject matter, with a particular focus on vaccines, diagnostics, therapeutic antibodies, plant protection products and biofuels.

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