



# Agri-tech intellectual property rights in Europe

# About Mathys & Squire

***Dedicated to protecting and defending your future.***

**Mathys & Squire is an intellectual property (IP) powerhouse that puts its specialist knowledge to work for clients, to strengthen and secure what most modern businesses today treat as one of their most valuable strategic assets - intellectual property.**

The firm's agile teams of attorneys, scientists and strategists are steeped in experience, working with IP-rich and high-growth industries to leverage complex technologies and sophisticated commercial models across a broad range of industry sectors.

A full-service IP firm, Mathys & Squire has unrivalled expertise in patents, trade marks, design protection and litigation. Highly ranked in leading legal and IP directories, and leading the field with insight, innovation and quality, Mathys & Squire will be celebrating its 115th Anniversary this year, testament to its proven track record in the protection and commercialisation of IP rights.

The firm has a broad spread of clients, ranging from start-ups to major UK and global corporations, many of which are household names. Clients of the firm value its commitment to professional excellence and technical expertise.

Mathys & Squire has over 100 attorneys (both training and qualified) and a dedicated IP consulting team across offices in London, Birmingham, Cambridge, Manchester, Newcastle, Oxford, Luxembourg, Munich and Paris, as well as teams based in China and Japan. The firm's 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 are passionate about creating and delivering innovative, high-quality, client-focused services and building close and longstanding relationships with clients in order to establish defensive and offensive IP portfolios that generate commercial value. We are proactive when working with clients and valued for our integrity, honesty and collegiate approach.

***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.

*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.*

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).



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.](#)



# IP protection for agri-tech machinery, components and systems

## Patents

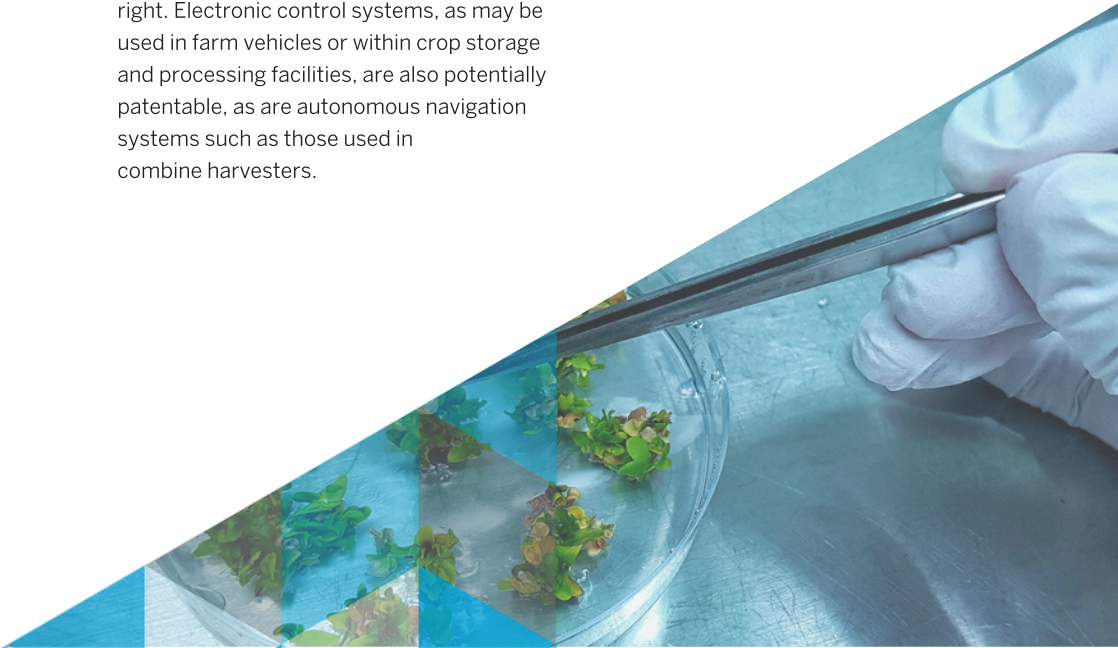
Patents are frequently used to protect aspects of agri-tech machinery, components and systems. Patentable inventions may be found, for example, in the fields of mechanical engineering (including in respect of hydraulic and pneumatic actuation systems), electrical engineering, automotive technology, electronics,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

**Our design and trade mark teams will be happy to discuss how best to protect your brand and designs.**



## Team biographies



**James Pitchford**

Partner

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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.



**Anna Gregson**

Partner

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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, plant biotechnology, diagnostics and biomarkers and stem cells. She also has experience of advising on plant variety rights.



**Michael Stott**

Partner

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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 multi-national corporations. He has a particular interest in working with technologies across the “farm to fork” innovation space. In addition to agri-tech and food chemistry and processing, Michael also has expertise in pharmaceuticals, chemical processing and catalysis, polymers, and materials chemistry.



**Craig Titmus**

Partner

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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.

