

INTELLECTUAL PROPERTY

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An invention is a unique or novel device, method, composition or process which leads to technological progress, and for inventors, it is vital to protect their creation from being copied and misused. And as IP Lawyer Franco Oriti explains: 'Henry Ford, has condensed this concept in his most famous slogan stating that "there is real innovation only when a technology is accessible to everyone."' To make it accessible, it is important to hire the right IP attorney to represent you, to ensure everything runs smoothly.

Franco has been involved in the world of IP since 1991 and has vast experience in safeguarding, filing and maintaining Intellectual Property, in a variety of jurisdictions. He speaks with *Lawyer Monthly* about IP in Switzerland and how the internet is changing his field.



Why is it important to file and protect IP in Switzerland?

Switzerland is a small but one of the richest, most efficient and innovative countries in the world. I would say this is a strong reason to why IP should be also taken into consideration to be filed here, because it is in the middle of the European Union but it is not a part of the European Union Intellectual Property Office (EUIPO), meaning a trademark or design must be filed also here to be valid. Since Switzerland has more than 8 million inhabitants which are possible consumers, it may be a good idea to file a national trademark or industrial design here, in order to cover Europe entirely, especially when considering products may also transit from here.

How has the field of IP changed with the internet changing the scope of development?

Most information is now easily available on the web and this

is very useful for transparency, especially in relation to procedures and the costs associated. This does not mean that IP professionals or IP attorneys will see their work decreasing, because I think that companies and inventors are more conscious nowadays to protect their rights through the IP laws and tools. We must always be prepared everyday, in order to highly protect and maintain the applicants' and inventors' rights.

What are common obstacles clients face when renewing patents? How would you go about advising on such an issue?

I think that renewals let IP holders become very anxious because of the different and several due dates (legal due date and grace period due date), and for the quantity of cases and money, the IP holders must spend time chasing for the renewal payment receipt that often takes a few months to be obtained. **LM**

About Franco Oriti

Franco Oriti, born in Australia, lived in Sydney and has worked in safeguarding, filing and maintaining Intellectual Property (IP) since 1991. He has a university degree in International Political Science which was obtained at University of Milan.

He is currently working in Lugano (CH) after having done so in Milan at Montedison Group and at Notarbartolo & Gervasi and in Lugano at N&G Patent Services.

Franco has many years' experience throughout the world, in the Renewal of Patents of Invention, Designs, Utility Models, Supplementary Protection of Certificates, Textile Designs, Plant Varieties and Trademarks.

Since 1999, Franco also takes care of filings till the grant and maintenance of IP in Switzerland.

He is registered as a "Trademark Representative" before the Swiss Federal Patent Office and is also a European (n. 4688) and Italian (n. 793M) Trademark and Design Attorney.

He has very good skills for creating "ad hoc" IP Databases for handling due dates and reports, and has an ability to establish plans, for the internal departments of companies and patent firms, to manage costs and reduce expenses for all IP maintenance fees and renewals, worldwide.

