



ER2FOOD

Strategic support for facilitating the adoption of Energy and Resources efficiency as drivers for the technical and business development of Egyptian SMEs and start-ups of the FOOD sector

IPR and Sustainability Mark



This project has received funding from Europe Aid /
Contract ENI 2021/425-091



Agenda

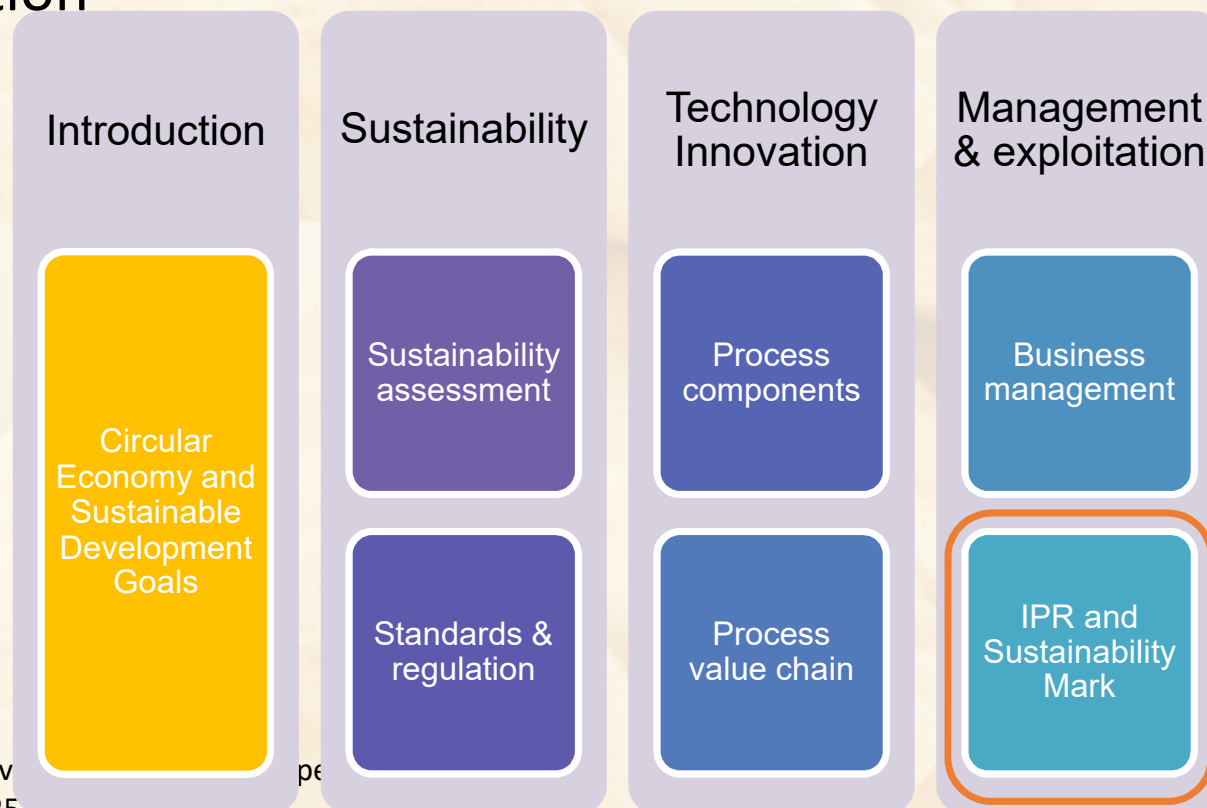
- **Introduction to the module: scope and goals**
- Intellectual Property Management tools
- The Collective Mark
- Current sustainability Marks and Labels
- Conclusions





Introduction to the module: scope and goals

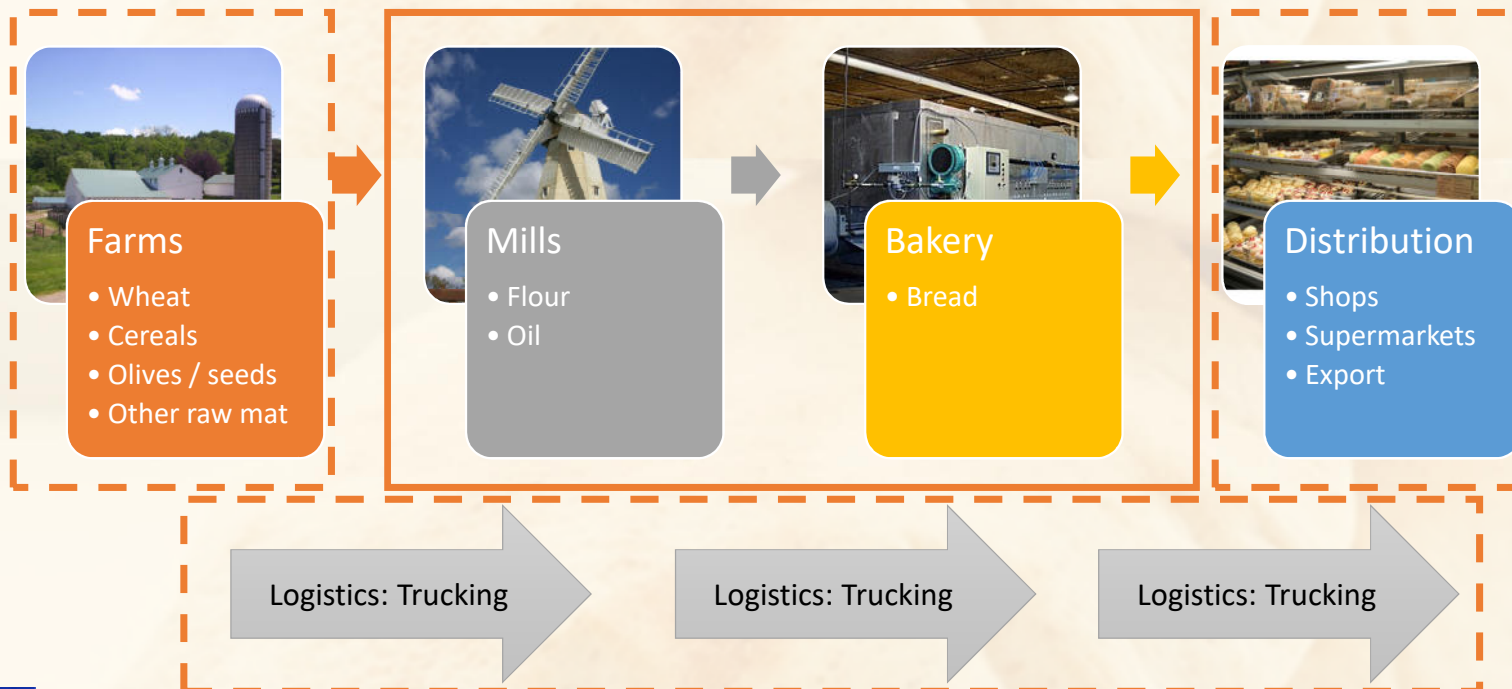
This is one of the training modules defined for the group: “Management & Exploitation”





SCOPE and GOALS

The scope of the present training course and of the module itself is part of the wider perimeter of industrial bakery value chain. This includes:



Farms, other suppliers, distribution chains and logistics are not directly included in the scope of the training course, but they can be indirectly involved in case a sustainability mark is requested or defined.





SCOPE and GOALS

This module is aimed to better clarify how the investments and improvements done can be effectively promoted and communicated to the target audience., to increase the reputation of a company, product or brand and increase its competitiveness

- The module provides the list of the alternative tools and available labels that players in the market are already using
- The module shows a few case studies from food and in particular from the bakery sector, that are taking advantage of these tools
- The module proposes the guidelines to follow for managing IP, e.g. by creating an ad-hoc collective mark





Why this module?

This module is aimed to better clarify how the typical processes of milling and packaging affect the energy consumption of a company and, in general, it wants to stimulate the evaluation of the different possible alternatives a company has to achieve a higher level of sustainability and competitiveness

- For each of the key component of the milling and packaging processes, the module provides a list of actions that can be done, to achieve a higher efficiency and reduce the energy bill and improve sustainability
- The module also provides figures about the typical return on investment for the suggested actions, leveraging on past experiences and recent publications and use cases
- The use cases here provided give not only a benchmark but also a further evidence of the possible results and improvements that a company can achieve





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Glossary

KER – Key Exploitable result. This is the result of a project: a product, a service, a process, some know-how, a software, a database, a design etc... Independently from the format, the result comes from an investment and can belong to one or several entities

Protection. Whenever new intellectual property is being developed, it is worth to evaluate the most efficient ways for protecting it. More than just protection, the available tools for IPR management can become a strong means for increasing commercial competitiveness

Exploitation. This is the way how companies get benefits from KERs. Benefits can be commercial (revenues) but not only: the submission of a paper, of an abstract that allows a company to participate to a conference, the licensing to third parties, the future scientific use of results....





IPR protection tools

According to the nature and format of a result (the KER), there are different available solutions, to protect it and managing it during the commercial phase.

The most used protection tools are:

- **Patents:** A patent is a form of right granted by the government to an inventor or their successor-in-title, giving the owner the right to exclude others from making, using, selling, offering to sell, and importing an invention for a limited period of time, in exchange for the public disclosure of the invention. The content of a patent is generally a product or a method/process that should be new, innovative and industrially applicable.





IPR protection tools

- **Copyright:** A copyright gives the creator of an original work exclusive rights to it, usually for a limited time. Copyright protection extends to any element of expression of the creativity of its author but not to the ideas behind it, procedures, methods of operation, or mathematical concepts as such
- **Industrial design rights:** This instrument protects the visual design of objects that are not purely utilitarian
- **Trademarks:** A trademark is a recognizable logo, sign, design or similar expression which characterizes products or services of a particular trader from similar products or services of other traders. An interesting example of trademark is the Collective Trademark, which is specifically treated later in this module





IPR protection tools

- **Industrial secrecy:** this is usually a formula, algorithm, practice, process, design, instrument, pattern, or compilation of information which is not generally known or reasonably ascertainable, by which a business can obtain an economic advantage over competitors and customers. There is no formal government protection granted. The maintenance of secrecy is left to IP owners and their processes to manage it. This could be applied for example whenever we're in front of a "black box" exploitable result, which hardly can be copied by third parties.





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Trademarks

According to the nature of this project, one family of interest for IP protection is that of trademarks. The module will investigate in details this tool.

WIPO (the World Intellectual Property Organization) defines trademark as: **“A trademark is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises”**

How can a trademark be protected?

At the national/regional level, trademark protection can be obtained through registration, by filing an application for registration with the national/regional trademark office and paying the required fees. At the international level, there are two options: either to file a trademark application with the trademark office in each country of interest, or to use WIPO's International Trademark System





Trademarks

What rights does trademark registration provide?

In principle, a trademark registration will confer an exclusive right to the use of the registered trademark. This implies that the trademark can be exclusively used by its owner, or licensed to another party for use in return for payment. Registration provides legal certainty and reinforces the position of the right holder, for example, in case of litigation

How long does trademark protection last?

The term of trademark registration can vary, but is usually ten years. It can be renewed indefinitely on payment of additional fees. Trademark rights are private rights and protection is enforced through court orders.





Trademarks

What kinds of trademark can be registered?

A word or a combination of words, letters, and numerals can perfectly constitute a trademark. But trademarks may also consist of drawings, symbols, three-dimensional features such as the shape and packaging of goods, non-visible signs such as sounds or fragrances, or color shades used as distinguishing features – the possibilities are almost limitless



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source WIPO (the World Intellectual Property Organization)



Collective Trademarks

- A collective mark is quite similar to the simple Trademark, as it guarantees a given origin or membership in a group of professionals
- In most cases, the collective trademark is often held by a single entity (an association, an interest group, a cooperative, a trade union, etc.) which will authorize its members to use the mark
- In order to have the right to use this symbol on its own products, an authorization from the entity holding the collective trademark is necessary
- The collective marks are thus most often used to promote products that are characteristic of a given region, to identify the origin of a product or service, the method of manufacture or any other characteristic that are common to all (most of) the members of the entity that owns the Collective Trademark





Collective Trademarks

IPR and Sustainability Mark

- A typical example of Collective Mark is that certifying the geographical origin of a product
- Several producers can use the mark, but only if they fulfill the rules defined by the trademark owners, that typically include the geographic origin and the traditional production process
- **“Unity is strength”**. With a common effort, the synergy among the trademark owner and the members support an increasing awareness of the brand in the market, that will recognize it as a synonymous of quality, safety, health, sustainability, tradition etc...



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Collective Trademarks – ER2FOOD

- Within the ER2FOOD project, the creation of a Collective Trademark could be an opportunity to further raise awareness on the increased sustainability reached by the participants (and their products) and create some common marketing campaign around it

The steps to follow are:

1. Definition of the aim of the mark (e.g. stimulate members reaching a list of KPI related to circularity and sustainability)
2. Identification of the owner of the mark (e.g. a local association)
3. Definition of the rules to allow companies using the mark (e.g. the minimum level of KPIs, a continuous training on ER2FOOD arguments...)
4. Definition of rules for sample audits
5. Design and registration of the mark
6. Definition and financing of a common marketing strategy





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Current sustainability Marks and Labels

- Over the last three decades, a number of public and private initiatives have started communicating sustainability-related information about food to consumers, introducing labels and logos in-store and on-pack.
- Approximately 432 labelling schemes are available in 246 countries, of which 147 include standards for food/beverage.
- The objective of these schemes **is to increase transparency along the food chain and inform the consumer in a way that can promote sustainable consumption**. It is commonly believed **that food consumption and dietary choices can make an important contribution to meeting current environmental challenges**. Informed choice, much as in the case of nutrition labelling, is hoped to empower people to consume more sustainably.








Current sustainability Marks and Labels

	<p>Carbon Neutral Certification is a label given to businesses that offset their Scope 1 and 2 carbon footprint. Verus Carbon Neutral first calculates the carbon footprint of a business wanting to be Carbon Neutral Certified. They then offset the carbon footprint by retiring carbon credits. Offsetting allows businesses to mitigate the greenhouse gases they are unable eliminate through energy efficiencies and other reduction strategies.</p> <p>http://www.verus-co2.com/certification.html</p>
	<p>Compostability Mark of European Bioplastics enables compostable products to be identified by a unique mark and channeled for recovery of their constituent materials in specially developed processes.</p> <p>The Compostability Mark thus conveys product information to waste-disposal plant operators and product image to consumers.</p> <p>https://www.european-bioplastics.org/bioplastics/standards/labels/</p>
	<p>Compostable: Biodegradable Products Institute Label</p> <p>The BPI's Compostable Logo identifies products that meet ASTM D6400 (for plastics) or ASTM D6868 (for fibre based applications) and will compost satisfactorily in large scale composting facilities.</p> <p>https://bpiworld.org/</p>





Current sustainability Marks and Labels

	<p>ECOLOGO Certification Program was acquired by UL Environment, a division of UL (Underwriters Laboratories) in 2010. ECOLOGO Certification is based on multiattribute, life cycle–based standards. All products certified to an ECOLOGO standard must meet or exceed each of the listed criteria before receiving the mark. ECOLOGO Certification is classified as an ISO (International Organization for Standardization) Type 1 ecolabel and has been successfully assessed by the Global Ecolabeling Network, further demonstrating its credibility.</p> <p>https://www.ul.com/resources/ecologo-certification-program</p>
	<p>Environmental Product Declaration (EPD)</p> <p>The overall goal of an EPD, is to provide relevant verified and comparable information to meet various customer and market needs. The International EPD® System has the ambition to help and support organisations to communicate the environmental performance of their products (goods and services) in a credible and understandable way.</p> <p>https://www.environdec.com/home</p>
	<p>Forest Stewardship Council (FSC) Chain of Custody Certification FSC promotes environmentally appropriate, socially beneficial, and economically viable management of the world's forests. FSC® chain of custody (CoC) tracks FSC certified material through the production process - from the forest to the consumer, including all successive stages of processing, transformation, manufacturing and distribution. Only FSC CoC certified operations are allowed to label products with the FSC trademarks.</p> <p>https://fsc.org/en</p>





Current sustainability Marks and Labels

	<p>Global Recycle Standard</p> <p>The Global Recycled Standard is intended for companies that are making and/or selling products with recycled content. The standard applies to the full supply chain and addresses traceability, environmental principles, social requirements, and labeling. Developed with the textile industry in mind, the GRS may also be applied to products from any industry.</p> <p>https://textileexchange.org/documents/grs-4-0-rcs-2-0-consultation-feedback-summary/</p>
	<p>GreenCircle</p> <p>GreenCircle Certified, LLC provides third-party certification of sustainable aspects of products and manufacturing operations. Manufacturers, suppliers, regulators, and consumers can be assured that products labeled with the GreenCircle Certified mark have been thoroughly assessed and their claim verified.</p> <p>https://www.greencirclecertified.com/</p>





Current sustainability Marks and Labels



NSF Sustainability Certified Product

The NSF Sustainability Certified mark is available to products that meet conformity assessment to a NSF/ANSI or other national or international sustainable product standards.

Use of the NSF Sustainability Certified Mark is granted once certification has been completed through product evaluation, conformity assessment against standards and protocols, and production systems review.

<https://www.nsf.org/knowledge-library/sustainable-product-certification-services>



On-Pack Recycling Label

The On-Pack Recycling Label (OPRL) scheme (operates in the UK to provide a standard consumer recycling label, which is simple, consistent, evidence led and provides sufficient information to make it easy for consumers to recycle more packaging, more often.

<http://www.onpackrecyclinglabel.org.uk//>





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Conclusions

- An overview of different ways to protect new intellectual property is reported.
- Due to the nature of this project, a focus is presented on trademarks and collective marks.
- Finally, an overview on current sustainability marks and labels has been reported.





IPR and Sustainability Mark

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