

[REDACTED]

From: [REDACTED] on behalf of Eclips Corp (UK)
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Sent: 13 November 2017 17:23
To: industrialstrategy
Subject: Intellectual Property Call for Views
[REDACTED]

Dear Sir/Ma'am

I believe that our company and our technology is exactly the sort of SME (along with others no doubt) whose views are based on practical hard experience.

- Responding as a business
- ECLIPS is in the environmental energy sector - Energy from Waste, Clean-Coal, Production of Hydrogen
- SME and all our assets, our technical Know-how and new ideas, are IP'd under the Coca-Cola principal - we don't tell or publish our technology and do not IP it as we do not trust the system.
- We are based in Hampshire but because of the negative support from the UK and EU and the barriers to entry we market our technology mainly in Asia through licensed JVs
- Asia, Middle East and East Europe (before they joined the EU)
- Can IPO help UK companies overseas - see suggestion below
- We spend no money on IP because we do not trust the system is robust enough or competent enough to protect us
- We only use the Trademark part of the IPO - and that has already proved inadequate/incapable of protecting us.
- Not sure if we have any faith in UK IP's system to protect us - we had to go to Geneva for putting our trademark world-wide, then the EU raised an IP dept. (Madrid based?) so we have no idea whether or not we are UK & EU protected or we have to host everything in Madrid and pay again?
- The only barrier we found was the inadequacy of the IPO to properly protect us because civil servants represented us and not lawyers!

Our company is Eclips Corporation (UK) Ltd - see web site www.eclips-uk.com
As a company we have been trying to bring a world beating innovative technology to the world market. I have also attached a brief history of our efforts and the grant/financial assistance/support we have attempted to obtain from the UK.

I have not included the many letters to UK MPs of all parties in our quest for support.

With regard to intellectual property, before starting out we sought the views from an intellectual property lawyer at a cost of £5000 on the advantages/disadvantages of registering IP

His advice was as follows:

' The best intellectual property protection you can get is to grab market share as quickly as you can. Unless you have access to at least £1 million to £2 million then do not apply for intellectual property. The cost to patent world-wide (internationally), which you must do, will be at least £300k to £500k and the first thing it will do is reveal all your technical details and secrets. The rest of the fund will be needed in case a big company steals your technology and takes it to market leaving you with the obligation to sue them in court. The large company who has stolen will develop it quickly into the market whilst you would be faced with a costly bankrupting court case and years of legal distress trying to prove that they stole it. It is not worth it. If you do not have the money then - DO NOT IP - DO NOT PATENT!!!!!!

We took this advice and have since found it sound advice. There is absolutely no government protection for IP even if you have applied.

In fact the whole IP scenario is a confidence trick - a con! Governments around the world do not want protection of new ground breaking engineering/scientific technologies because they need it to be developed for their own political endeavours and benefits. Just think about cars, electricity, jet engines etc. how would society look if these sort of things were protected and not developed by large business. Of course one needs money to develop any innovation and if that is only available to large wealthy companies - a recent example is the British engineer whose voltage regulator for spacecraft has been stolen by NASA.

The question must also be asked why copyright of songs, plays and art has a 70 year protection warrant on it, which is fiercely protected whilst patents have to endure a costly and lengthy process to register, which is only valid for 25 years, has to be renewed at cost after every 5 years!! - which governments do not protect!

It is a con!!!! - and I would disagree strongly that the UK IPO is fit for purpose to promote and protect innovation, and that it is world class.

In fact I have already had a bad experience of the IPO not protecting our Trademark, which we feel they got wrong and permitted a larger company with money & power to influence the result. I certainly would not recommend the UK IPO to anybody.

If the UK government is serious about encouraging innovators and promote enterprise and innovation then there are a number of suggestions I have.

1. Cost: It must be reasonable and once paid should not require frequent costs to renew it at 5 year intervals. It can take years to bring a new technology to market - see the sabre engine! The patent should last a minimum of 30 years from the date of the first sale.
2. The patent should be an international world wide patent automatically.
3. The government should somehow have a world wide insurance guarantee to protect UK patent holders against IP theft. i.e. If the technology is deemed stolen say in China or the USA then the Government will pay - through an insurance bond - to take to court the deemed IP theft offender. This would thus make large companies think twice about stealing IP if they knew that the UK government would take them to court. This sort of protection would stimulate innovation and innovators to locate IP in the UK. The UK in return to fund the insurance protection could demand a 1% - 5% levy on the profits of the innovation in the market place. I'm sure that there are capable minds in the UK government who could come up with an innovative solution to fund it.
4. The UK government need to realise that wealth is created by business the cornerstone of which is innovation and enterprise. £1 million support in our technology would have developed into a £1 billion enterprise by now. Sadly that is not the case and we have given up attempting to get any support whatsoever in the UK and instead now concentrate all our efforts in Asia who will be the first to profit from our enterprise and technology.

Kind regards

MD. Eclips Corporation (UK) Ltd.