

Cross-Party Group on Women in Enterprise

22nd May 2024 6-7.00pm

Minute

Present

MSPs

Michelle Thomson MSP
Audrey Nicol MSP
Pam Gosal MSP
Sharon Dowey MSP

Invited guests

Non-MSP Group Members

Wendy Wu

Annabelle Beckwith

Andrew Tweedy

Bronwen Thomas

Sammy Bishop

Kristen Hunter

Lynne Mann

Sandra Vick

Shona Cowan

Sandy Finlayson

Vikki McCall

Emma Ives

Chrissy Scott

Evelyn Mcdonald

Rachel Jones

Alison Grieve

Carolyn Currie

Lynne Cadenhead

Sophie Rooney

Apologies

Ivan Mckee MSP

Welcome and opening

Meeting commenced 6:12pm. Michelle Thomson MSP welcomes everyone to meeting. Members around the table introduce themselves. Michelle introduces first speaker.

Speaker 1 – Rachel Jones

- Passion for IP stems from a love of travel
- I Invented a baby product 20 years ago – the Totseat. Counterfeits were seized at the point of reaching its 52nd export territory
- Through this experience, I learned how to use my IP to get fakes offline and returned to UK with aim to make sure other SME's didn't experience the same thing
- I raised four million pound in VC funding, which was difficult as only 2% of all funding goes to women-led businesses, built the technology and an international team and we now work with global brands to keep them safe online
- Snapdragon monitors various sources that identify content and product that are infringing your brand and business. Once found – we remove the infringing material and we can do this within minutes
- IP infringement isn't just happening in luxury good but increasingly is being found across all sectors and industries. This has a big economic impact.
- Over half a trillion dollars lost a year to fakes – this money is funding people trafficking, drug rings, prostitution and terrorism.
- IP is something you create tangible or intangible. Some IP can be registered i.e. trademarks, design rights and patents

- However, it is territorial. UK trademark only useful in UK etc
- Other types of IP are unregistered such as copywrite – these defend an artistic idea internationally without the need to register it
- With Totseat, trademarks and design rights helped me grow internationally
- Advice 20 years ago was poor – we need more business advisors who have been there and done it.
- Trademarks protected my brand and customers for Totseat
- Three main take aways
 - Remember in taking anything to market physical and non-physical – fraudsters will be there to make counterfeits
 - Register your trademark in China if you are thinking of selling there
 - Be vigilant about your business and your brand particularly where there is a health and safety consideration.
- Recognise love and protect your intellectual property

Speaker 2 – Alison Grieve

- Journey started 14 years ago – knew the basics of running a business but not about IP
- Dreamed of being an inventor, inspired by a catering accident –Safetray was invented
- I was well advised with protecting IP at the start of the journey
- I sold a chunk of the business to a product design consultancy – commercialised and licenced the patent
- Whilst travelling and promoting Safetray, I bought an iPad – g-hold was developed from this taking inspiration and influence from Safetray. We commercialised that product and we manufacture all G-hold products in Scotland
- I learned its expensive to set up patented companies. I recently conducted a research report looking into equity funding going into early-stage businesses – which showed a lack of finance for women.
- I felt like there was something wrong with my business when I couldn't get the finance but actually, it's a widespread systemic issue
- My other learning is often women are advised they won't be able to get a patent. This is holding women back and kills their ambition
- I would like to call for Government backed IP insurance scheme

Speaker 3 – Lynne Cadenhead on behalf of Claudia Duffy

- Claudia is WES ambassador former scientist turned patent attorney
- Businesses and their founders are always generating and creating content and don't realise their potential of their IP

- Sexual bias – IP often thought about as patents and therefore have a strong lean for tech companies which most often are male-led companies
- In data from WIPO, only 16% of inventors named in international patent applications were women
- At current rates, there is a forty year gap until we reach parity among international patent applications
- There is a sectoral bias
- Women in STEM – smaller pool of talent
 - 26% of STEM workforce are women
 - 70% of women leave the STEM sector
 - at the current rate of change we would not see equal representation in STEM until 2070
- These low numbers are a universal problem as the majority of investment goes to technology driven, therefore patent-rich businesses, which are typically founded by men. Why is this happening on such a large scale?
- Women as entrepreneurs – larger pool of talent
 - 1 in 5 of Scotland’s entrepreneurs are women
 - Only 2% of institutional investment goes to women-led businesses
- Could these low numbers be because women-founded businesses are concentrated in certain sectors that are valued less compared with technology-driven sectors
- Therefore, women-founded businesses are less likely to hold any intellectual property in the form of patents - which are typical for technology-driven business
- If women understand what their IP is, they can see the value created which will bring confidence, ambition and growth
- significant disparities exist in the use of the intellectual property system by women and other minority groups.
- If women started and scaled new businesses at an equal rate to men, up to £250bn of new value could be added to the UK economy.
- A critical need to understand the types of Intellectual Property created by women-founded businesses to prevent leaving so much value unaccounted for.

Q&A

Michelle Thomson to Rachel Jones – What is the impact of AI on IP?

- Rachel Jones - AI everyone’s best friend and everyone’s enemy, fraudsters are very clever and makes it more difficult to identify fraudsters. But AI can be trained and improved to find fraudulent products

Michelle Thomson to Alison Grieve – Suggestion to meet to discuss govt backed IP propositions discussed in Alison’s presentation.

Michelle Thomson acknowledges findings that the biggest structural driver of inequalities is caring responsibilities

Michelle Thomson opens for questions from attendees

Sandy Finlayson – protecting IP is very important and more so for selling a company as that is extremely hard if IP not protected. Both Alison and Rachel touched on costs of IP in the presentation, can they talk more about that

- Alison Grieve – huge cost for patent protection when you don't know which markets are going to be successful especially when you are internationally focussed. Biggest year was £60,000. It's also about routes to market, you are nothing without patents.
- Rachel Jones – took the Totseat to 52 countries without a patent, snapdragon is a tech company with no patent as tech is changing all the time, but they do have a trademark. Protect yourself with copywrite to protect artistic businesses.

Lynne Mann – We recently had our trademark challenged for Supernature Oils and was surprised the responsibility was on us to say why the other company shouldn't use the same name and categories as our business. We were encouraged not to settle and put in an objection. In the end we said they could have the name if they don't use the oil in the categories her business does. Felt like what was the point in having a trademark if someone else can set up with that name. Having insurance for fighting a claim seems like a good thing to do.

IP is not just relevant for physical things. I have a framework which I could trademark in the UK but looking to do that in the states was a huge barrier with costs etc. What steps can be taken to protect nontangible things?

- Sandy Finlayson – kwikfit success story. They didn't event tyres just a new way of putting them on cars. Trademarks are important and the brand protects the process.
- Lynne Cadenhead – IP can be a difficult conversation to have – we have to do a lot better and transferring this knowledge. A woman who was a life coach – built her business from nothing and sold her business because she had focussed on protecting her IP from the outset for 25 years

Audrey Nicol – Costs: significant costs associated and the barrier of this, where are these costs coming from and why is it such an issue?

- Rachel Jones- Costs come from official filing costs and the advice you pay for. It is £170 to register 1 trademark in 1 class. The cost comes from paying an IP attorney to file for you. Patent costs are the same and must be renewed every 5 years. In the EU there are significant grants for entrepreneurs for filing patents. Costs can also come from having to defend patents.

Audrey Nicol – In the North-East we have a lot of innovators associated with Universities doing work around things in the energy sector, Net Zero, Tech. There are lots of start-ups showing innovation. When I go to hand out Innovator of the Year

Awards particularly for a woman, what should I as a constituency MSP be directing them in terms of patents trademarks?

- Lynne Cadenhead – helping them to understand from the outset there is much more value in their IP than they may initially recognise. They have a business not a ‘wee business’ - this is often the discourse around women’s businesses, and they need to get comfortable to ask for help. We believe at Women’s Enterprise Scotland (WES) that we need dedicated places for women to support them.

I’m currently in development of an app. At what stage do I need to register IP?

- Alison Grieve – seek advice of a lawyer at the earliest stage
- Rachel Jones – ACID is a good organisation to consult with
- Lynne Cadenhead – IPO webinars are a good resource, Scottish Enterprise could also be of help
- Evelyn McDonald – Scottish Enterprise do free IP audits

Pam Gozal – I am an ex-trading standards officer so out of interest did you get any help and advice from the council, trading standards, banks like natwest when registering patents/trademarks? Were you aware of this advice, was it available out there?

- Alison Grieve – The Business Gateway team helped when I started but I think for Patents you do need lawyers and their expertise.

Pam Gozal – Was there any help from trade departments?

- Alison Grieve – I found that UK IPO was a useful organisation

Observation of 70% women leaving STEM – I had put post-it on a wall at a recent tech event saying encourage more women in tech and stem, as soon as this was mentioned a man commented what do you mean, this has gone too far and was unwelcoming towards this point.

Closing Remarks

The Convener thanked all speakers and everyone for attending the meeting.

Meeting closed at 7:13pm