

# *Propiedad Industrial e Intelectual en el sector de las ciencias gastronómicas*

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# Modalidades de protección

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# Bienes y modalidades de protección

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## Propiedad Industrial:

Inventiones ⇒ **Patentes y Modelos de Utilidad**

Creaciones de forma ⇒ **Diseños Industriales**

Signos distintivos ⇒ **Marcas**

Productos agrarios, alimentarios, bebidas ⇒ **Denominación de Origen, Indicación Geográfica Protegida**

## Propiedad Intelectual:

Obras de creación, software ⇒ **Derechos de autor**

Bases de datos ⇒ **Derecho sui generis**

## Una modalidad especial:

Información confidencial de valor comercial ⇒ **Secreto empresarial**

# Bienes y modalidades de protección

Table 13:  
The 20 most patent-intensive industries\*

NACE code	NACE description	Patents per 1,000 employees
77.40	Leasing of intellectual property and similar products, except copyrighted works	74.01
26.30	Manufacture of communication equipment	27.29
72.11	Research and experimental development on biotechnology	21.84
28.91	Manufacture of machinery for metallurgy	20.03
20.59	Manufacture of other chemical products n.e.c.	19.46
21.10	Manufacture of basic pharmaceutical products	17.71
28.11	Manufacture of engines and turbines, except aircraft, vehicle and cycle engines	16.06
23.11	Manufacture of flat glass	15.99
20.11	Manufacture of industrial gases	14.18
26.11	Manufacture of electronic components	14.03
27.51	Manufacture of electric domestic appliances	12.79
26.70	Manufacture of optical instruments and photographic equipment	12.00
26.60	Manufacture of irradiation, electromedical and electrotherapeutic equipment	11.75
24.45	Other non-ferrous metal production	11.51
72.19	Other research and experimental development on natural sciences and engineering	11.24
28.95	Manufacture of machinery for paper and paperboard production	10.71
28.99	Manufacture of other special-purpose machinery n.e.c.	10.54
30.30	Manufacture of air and spacecraft and related machinery	10.28
28.94	Manufacture of machinery for textile, apparel and leather production	10.23
28.93	Manufacture of machinery for food, beverage and tobacco processing	9.01

\*Based on patent applications filed in 2010-2014 and subsequently granted.

Table 14:  
The 20 most trade mark-intensive industries\*

NACE code	NACE description	Trade marks/(classes) per 1,000 employees
77.40	Leasing of intellectual property and similar products, except copyrighted works	346.64
26.80	Manufacture of magnetic and optical media	72.25
10.86	Manufacture of homogenised food preparations and dietetic food	63.51
17.24	Manufacture of wallpaper	56.39
21.10	Manufacture of basic pharmaceutical products	54.25
11.01	Distilling, rectifying and blending of spirits	51.59
11.02	Manufacture of wine from grape	48.14
20.42	Manufacture of perfumes and toilet preparations	38.90
58.19	Other publishing activities	38.80
72.11	Research and experimental development on biotechnology	38.08
32.40	Manufacture of games and toys	37.33
32.30	Manufacture of sports goods	37.00
58.21	Publishing of computer games	35.91
59.20	Sound recording and music publishing activities	34.75
18.11	Printing of newspapers	33.98
11.03	Manufacture of cider and other fruit wines	31.56
59.13	Motion picture, video and television programme distribution activities	31.28
32.99	Other manufacturing n.e.c.	31.07
10.89	Manufacture of other food products n.e.c.	30.78
63.12	Web portals	30.24

\*Based on trade mark applications filed in 2010-2014 and subsequently granted.

# Bienes y modalidades de protección

Table 15:  
The 20 most design-intensive industries\*

NACE code	NACE description	Designs/ 1000 employees
77.40	Leasing of intellectual property and similar products, except copyrighted works	104.22
27.40	Manufacture of electric lighting equipment	42.08
46.47	Wholesale of furniture, carpets and lighting equipment	41.57
25.71	Manufacture of cutlery	41.00
23.42	Manufacture of ceramic sanitary fixtures	30.51
32.40	Manufacture of games and toys	30.03
23.41	Manufacture of ceramic household and ornamental articles	29.12
26.52	Manufacture of watches and clocks	28.11
28.14	Manufacture of other taps and valves	26.95
27.51	Manufacture of electric domestic appliances	26.78
32.91	Manufacture of brooms and brushes	24.63
25.72	Manufacture of locks and hinges	22.96
46.48	Wholesale of watches and jewellery	22.56
46.15	Agents involved in the sale of furniture, household goods, hardware and ironmongery	19.76
32.30	Manufacture of sports goods	19.61
32.12	Manufacture of jewellery and related articles	18.82
46.42	Wholesale of clothing and footwear	17.77
14.19	Manufacture of other wearing apparel and accessories	16.85
32.99	Other manufacturing n.e.c.	16.82
23.19	Manufacture and processing of other glass, including technical glassware	16.23

\*Based on design registrations filed in 2010-2014 and subsequently granted.

Table 18:  
GI-intensive industries

NACE code	NACE description	Total employment
10.51	Operation of dairies and cheese making	331,762
11.01	Distilling, rectifying and blending of spirits	55,461
11.02	Manufacture of wine from grape (including part of 01.21 <i>Growing of grapes</i> )	104,777
11.05	Manufacture of beer	139,856

Table 19:  
PVR-intensive industries

NACE code	NACE description	PVR/1,000 employees
	Horticulture	n/a
77.40	Leasing of intellectual property and similar products, except copyrighted works	19.6
46.22	Wholesale of flowers and plants	7
72.11	Research and experimental development on biotechnology	6.6
46.21	Wholesale of grain, unmanufactured tobacco, seeds and animal feeds	4.2
46.11	Agents involved in the sale of agricultural raw materials, live animals, textile raw materials and semi-finished goods	1.3
72.19	Other research and experimental development on natural sciences and engineering	1.2
10.61	Manufacture of grain mill products	0.44
11.06	Manufacture of malt	0.42
10.89	Manufacture of other food products n.e.c.	0.28

# Modalidades de protección más habituales

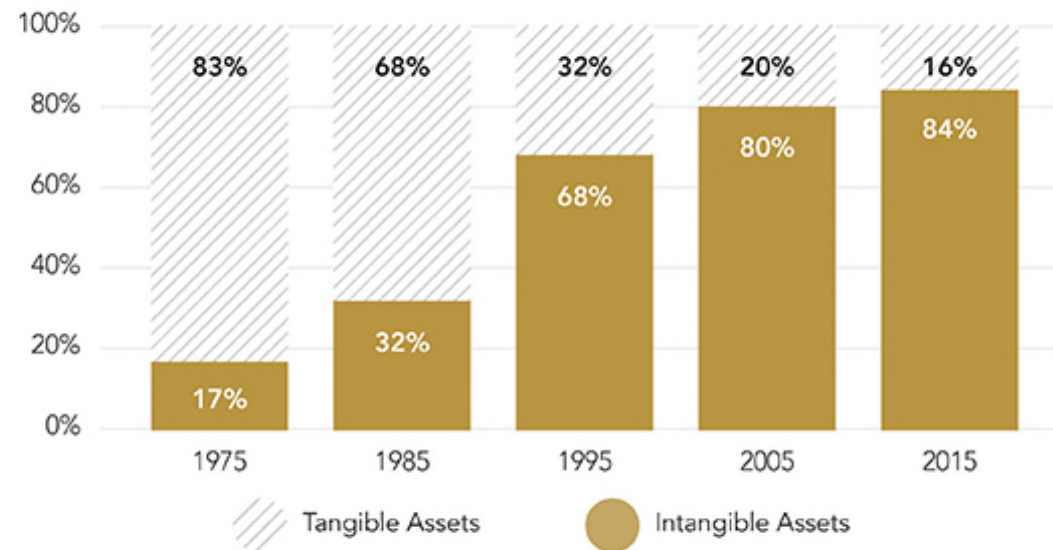
CNAE	Descripción	Marcas	Diseños	Patentes	Derechos de autor	Denominación origen
10.41	Fabricación de aceites y grasas	x	x			
10.51	Lácteos y queserías	x	x			x
10.62	Almidón y y productos de almidón			x		
10.72	Fabricación de bizcochos y galletas; fabricación de pasteles y pasteles conservados	x	x			
10.82	Fabricación de cacao, chocolate y productos de confitería	x	x			
10.83	Procesamiento de té y café	x	x	x		
10.86	Fabricación de preparaciones alimenticias homogeneizadas y alimentos dietéticos	x	x	x		
11.02/11.03/ 11.05	Elaboración de vinos, cerveza	x	x			x

# Creando valor con la PI

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# Evolución del valor de las empresas



SOURCE: INTANGIBLE ASSET MARKET VALUE STUDY, 2017

S&P 500 market value. Fuente: Ocean Tomo

# La creación de valor en la economía actual

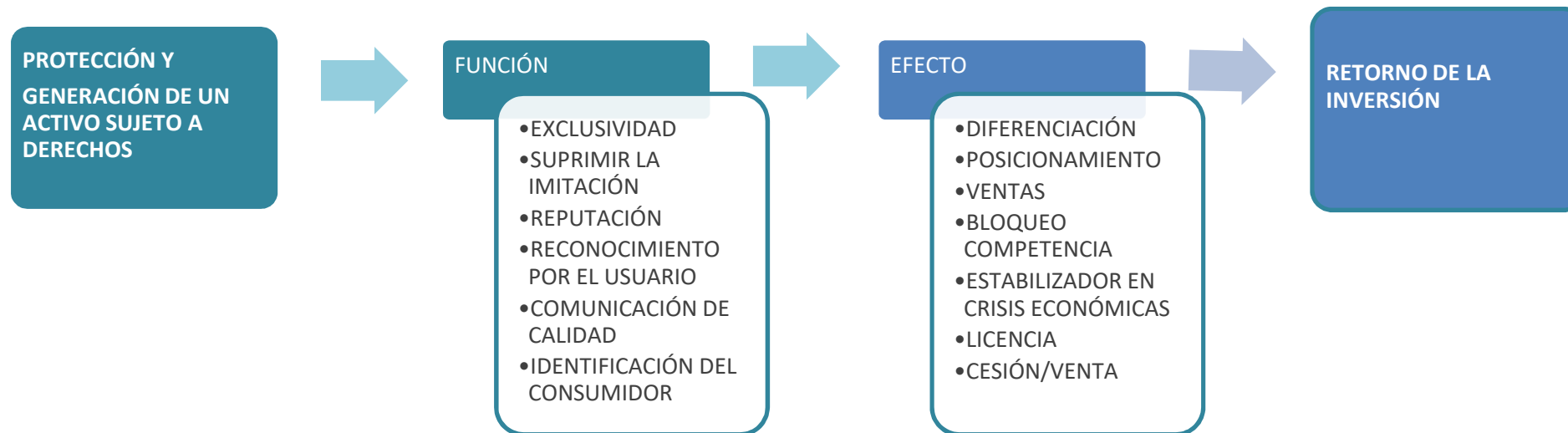
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Generación de una **esfera de exclusividad** sobre tu producto/servicio que el consumidor estaría dispuesto a pagar respecto a otras alternativas del mercado (tu competencia).

Esfera de exclusividad:

- basada en un **beneficio distintivo para el cliente**,
- **duradera** y **defendible** (legalmente) => Propiedad Industrial e Intelectual

# La creación de valor en la economía actual



# Estrategia de PI

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# Estrategia en materia de PI

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# Estrategia en materia de PI

## ESTRATEGIA DE PI



# Estrategia en materia de PI

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Tiene que estar perfectamente **integrada en la estrategia de la empresa/ organismo**.

El objetivo ha de ser el de **crear valor** con la PI. La **apropiación del efecto económico** de la PI.

La Dirección ha de marcar **directrices claras** en esta materia.

El personal **tiene que saber lo que se espera de ellos** en materia de PI.

# Política de PI

Nuevos productos/servicios con una estrategia de PI definida





# Conclusiones

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La utilidad de la PI en el sector de las ciencias gastronómicas.

Un producto/servicio puede estar **protegido por más de una modalidad de protección**. Hay que tener en cuenta todas las modalidades de protección que te permitan generar tu **ESFERA DE EXCLUSIVIDAD**.

La **PI** debe ser una herramienta **estratégica** para **generar valor**.

La empresa debe **diseñar una estrategia de PI en base al modelo de negocio y que genere valor**, considerando distintas perspectivas:

Perspectiva de reducción costes y riesgos derivados de la PI de terceros.

Perspectiva de diferenciación (protegida).

Importancia de disponer de una **política de PI interna** con los siguientes objetivos:

Aprender del estado de la técnica

Prevenir riesgos de infracción

Gestionar y explotar la cartera de PI

Muchas gracias por su atención

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