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IPR Enforcement in an International Technology Company

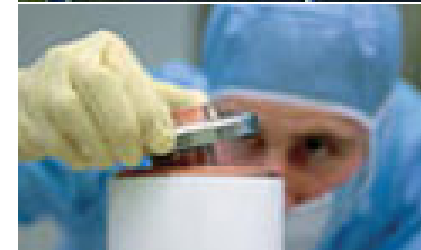
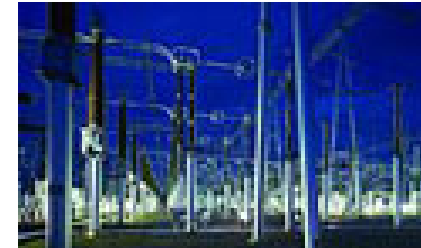
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The ABB logo, consisting of the letters 'ABB' in a bold, red, sans-serif font.

About ABB

- ABB is a global leader in power and automation technologies that enable utility and industry customers to improve their performance while lowering environmental impact.
- Technology plays a key role for ABB. We have activities all over the world working to develop unique technologies that make our customers more competitive, while minimizing environmental impact.
- 2006:
 - 24'412 MUSD Revenues
 - 10.6% EBIT
 - 108'000 Employees
 - Headquarter in Zürich
 - 660 new patent applications
 - Ca. 14'500 patents worldwide
 - 7 (8) IP departments worldwide



IP protection

Patents:
Switching and
detecting mechanism

Know How:
Flame-resistant
plastic housing

Design Rights

Trademarks



ABB and counterfeits

Fake!



Algeria



China

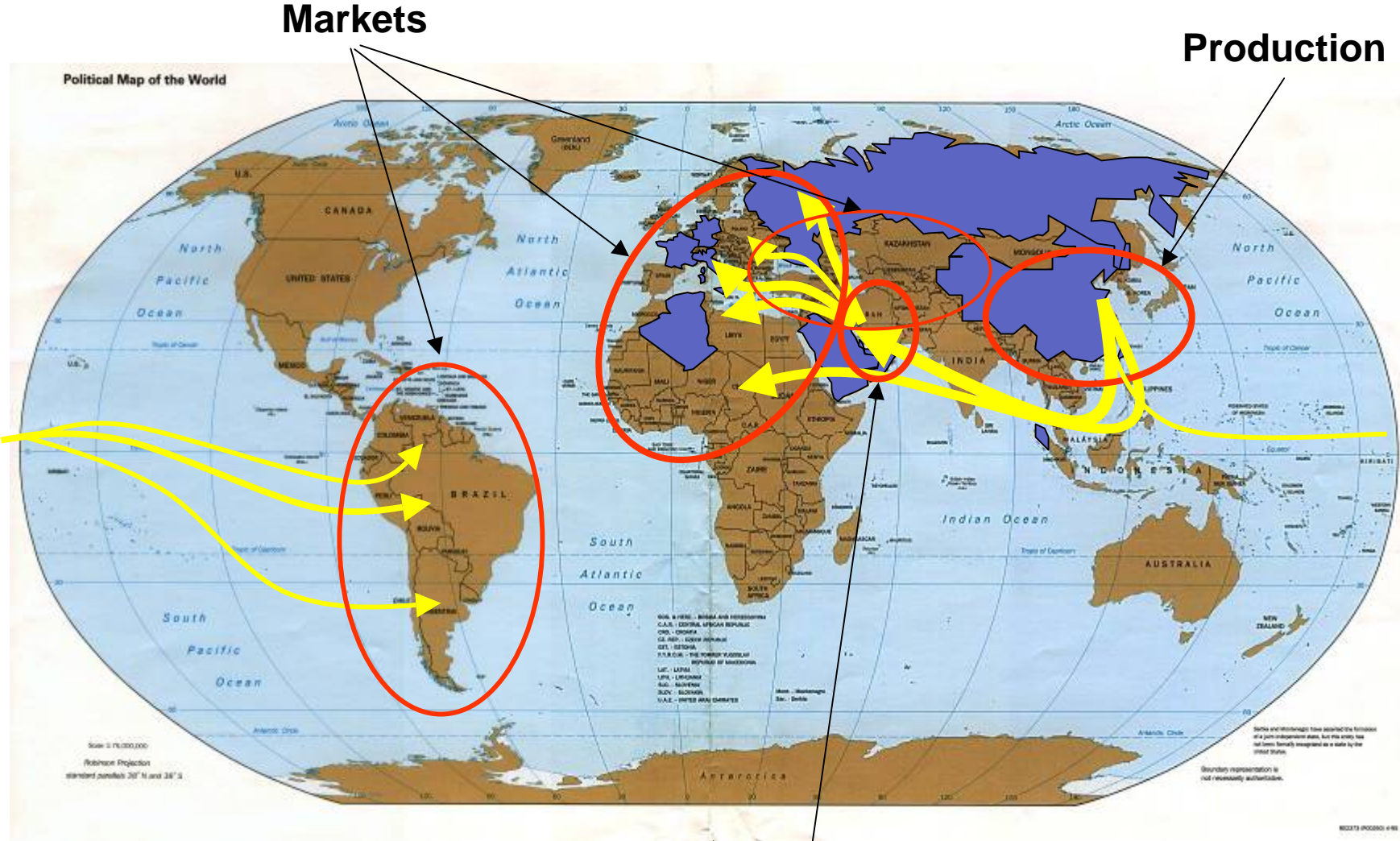


Italy



ABB

Flow of counterfeit circuit breakers



Distribution



Why IPR enforcement?

- To secure the competitive advantage and economic growth of a company by protecting its technology with IPRs
- To make sure that a company's Intellectual and Industrial Property is respected
- To make sure that we are not hit for product liability of counterfeit goods
- To encourage international companies to invest and do R&D in other countries
 - Investment in R&D in other countries is only interesting if the company can protect its technology developed there and fully dispose over it
 - Technology must be possible to export
 - Protectionist IP legislation have to completely contrary effect



Identical MV Switches produced in China

Vacuum Circuit Breaker 12T12-31, Company: DECOM GmbH, Liese-Meitner-Straße,
40878 Ratingen, Type VEP VCB

- ✦ Type: VCB: VEP 12T1231D11P13W, No. 058890, Test according to the IEC62271-100
- ✦ Ref. Xiamen Husulin Switchgear Co Ltd.
- ✦ Contact system RMF, Assembled contact system



Pole part by DECOM



P1 Pole ABB



Needs for IPR protection and enforcement

- We need to be able to protect and enforce our IPRs
 - Along the entire flow of products, i.e. from China over the Arabic peninsula to Africa, Asia and Europe
 - Also inside a country or even a company in order to prevent “stealing” of IP by competitors or even former employees
 - In a lasting way, i.e. infringers must be deterred do the not do it again



Needs for IPR protection and enforcement

■ We need ...

- Efficient, harmonised and non-protectionist IPR protection in all countries, possibly via regional or international patent applications and granting procedures
- Legal certainty and effective sanctions for civil enforcement proceedings:
 - Preliminary measures (injunctions) to stop infringement quickly
 - Efficient and effective proceedings to increase the respect of IPRs
 - Qualified judges for legal certainty and reliable judgements
 - Collection of damages to cover lost and deter repeaters
 - Effective injunction to stop infringement in lasting way
 - Possibility to enforce IPR also in TRANSIT to prevent distribution in free trade areas
 - Charging of cost for losing party to deter infringers and prevent misuse
- In case civil proceedings are not enough or in case of repeated infringement, criminal actions and sanctions
- Support by other authorities like
 - Customs
 - Technical security and homologation bodies
 - Fair organisers



The ABB logo consists of the letters 'A', 'B', and 'B' in a bold, red, sans-serif font. Each letter is composed of two overlapping shapes, creating a sense of depth and movement. The 'A' is formed by two overlapping 'A' shapes, the first 'B' by two overlapping 'B' shapes, and the second 'B' by two overlapping 'B' shapes.

Power and productivity
for a better world™