

EXPORT GUIDELINES


How to certify and protect your brand abroad

How to use the guidelines


IN ORDER TO FACILITATE THE READING AND THE USE OF THESE GUIDELINES, WE DESIGNED THEM ALONG THE SAME LINES.

The guidelines are classified in 6 categories:


- **NUMBER OF THE GUIDELINES + HASHTAGS** indicates the number of the guideline and 4 hashtags specify main key-words.
- **OBJECTIVES** defines the goal of the guideline.
- **DESCRIPTION** presents the main subjects that will be developed in the "content" section.

GUIDELINE 

#hashtag

OBJECTIVES 

Goal of the guideline.

DESCRIPTION 



• Main subjects

- **CONTENT** develops the topics written in "description".
- **TIPS & TRICKS** gives you general advice following the topic of the guideline.


TIPS AND TRICKS

Advice following the guideline.

- **FURTHER INFO** helps you to go further by following the useful links to find more by yourself or gives you experts' contacts.

FURTHER INFO  

Useful links:
 Contact person:
 Name Surname - function
 Email: name@agency.com | Mobile : + 32 0 000 000

 We hope that you will enjoy the reading and that they will be helpful for your exporting projects. We wish you good luck and lots of achievements.

#26 Intellectual property: how to defend my products abroad

#26

GUIDELINE

#intellectual
#property
#protection
#abroad

OBJECTIVES

How to defend my products abroad?
The basics of intellectual property law protection.

DESCRIPTION

- What is copyright?
- Economic and moral rights
- Exceptions for copyrights
- What is a trademark?
- What is a patent?

CONTENT

WHAT IS COPYRIGHT?

Definition: an intellectual creation from the author reflecting their personality and expressing their free and creative choices in the production of [their work].

Protection:

- Without formalities.
- 70 years after the author's death.
- Contracts in writing, with remuneration:
 - For each method of exploitation.
 - On a particular territory (BE, EU, World)
 - For a particular term.

Notice: food product is not a "work of authorship". Therefore there is no protection of taste.

ECONOMIC AND MORAL RIGHTS

Economic rights: no reproduction nor public communication without permission. (But free circulation in EU after first sale.)

Moral rights: divulgation, attribution, integrity

EXCEPTIONS FOR COPYRIGHTS

- quotations for criticism/review or short fragments for news reports.
- reproduction for private use or private performance in the family circle.
- illustrations for education or scientific research (without aim for profit).
- caricature or parody.

WHAT IS A TRADEMARK?

Definition: signs used to distinguish goods or services of an undertaking, they designate the origin of a product/service.

Protection: trademarks are filed and registered (paying the fees), it is for 10 years but extendible without limits. You need to decide for which area you want protection (Benelux, EU, International,...).

WHAT IS A PATENT?

Definition: a patent means an exclusive and temporary right to exploit any invention which is new, involves an inventive step and is susceptible of industrial application. No patent protection for discoveries/theories, mathematic formulae, designs, business methods, animals/plants.

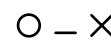
Protection:

- File a patent with Belgian Service for IP (no examination) or with the EPO (through examination)
- With high fees for European patents.
- Protection for max 20 years (+5 for drugs/SPC).
- An exclusive right for the inventor or their employer to produce/sell/use the patented invention and to use or offer the patented method to others.

TIPS ANS TRICKS

- Always ensure written contracts on transfers or licenses.
- Better to have one registration too many than one too little.
- Monitor the market for infringements.
- Contact infringer for solution.
- Court is the last resort.

FURTHER INFO



Useful links:

- Benelux office for intellectual property.
<https://www.boip.int/en>
- European Patent Office:
www.epo.org
- EU Intellectual Property Office
<https://euipo.europa.eu/ohimportal/fr/web/guest/home>
- World Intellectual Property Organization
<https://www.wipo.int/portal/en/>
- SABAM: Belgian society for authors, composers... who want to protect their work.
<https://www.sabam.be/en>
- ReproBEL: a collective management organization that manages copyright and legal remuneration rights for rightholders.
<https://www.reprobel.be/en>
- AGICOA: a non-profit organization that monitors the use of audiovisual works on cable or any other similar distribution.
<https://www.agicoa.org/>

Contact person:

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#27 Packaging and labelling certification for food for exportation

#27

GUIDELINE

#packaging
#labelling
#food
#exportation

OBJECTIVES

Prepare your food exportation step by step

DESCRIPTION

- Assets of Belgian companies
- Major steps of the export process
 - Are you ready to export
 - Trends
 - Production and quality control
 - Packaging and logistics
 - The contract
 - Import license
 - Export documents
 - Customs clearance

CONTENT

ASSETS OF BELGIAN COMPANIES

Authentic and quality products, originated from the heart of Europe, with a positive image.

- Euro as currency.
- Multilingual, educated and flexible people.
- Performing transport network.
- Quality certified factories.
- hub.brussels and its Trade Advisors.

MAJOR STEPS OF THE EXPORT PROCESS

Are you ready to export:

analyse your business, the country, the market, allow time, rely on a strong team, plan investment, contact hub.brussels.

Trends:

the trend now is "back to nature". Sustainability is the final goal: use recycled or recyclable packaging, avoid plastic,... Be aware, some countries have taxes on non recyclable packaging...

Production and quality control

HACCP-AFSCA, BRC -IFS, Sedex, FDA's audit... These are the certifications you can use to prove the quality of your product (they may be mandatory for exportation). You may combine them.

Packaging and logistics

- Typical Belgian products or customized to the country's standards?
- Check the shelf life of the products and adapt to the country's climate.
- Adapt the printing: nutritional panel, production date...

The contract:

important elements to be integrated to the contracts: financial and legal aspects, customs code, incoterms...

Import license:

in some countries outside the EU, your importer might need an import license.

Export documents:

invoice, VAT documents, packing list, CMR (certifies that the good have been loaded and are on their way.), bill of lading, insurance certificate...

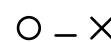
Customs clearance:

prepare invoice, packing list and loading note and present the truck at the customs office.

TIPS AND TRICKS

- The UK is leading the food business.
- New food trends: local food, "free from...", vegetarian, vegan...
- Protect your trademark or patent by registering it.
- Unless you sell to a well-known retail chain, work with the support of an importer because they know the market and the country's rules and regulations, they buy EXW in euro, store the goods and are responsible for the after-sale process.
- In some countries, the local health administration may ask you to send 2kg of each product as well as the ingredients list to analyse it and see if the product fits to the local regulations.
- Analyze the potential of your business and establish a reasonable export plan.
- Don't hesitate to look for information on the Internet and ask hub.brussels for help.

FURTHER INFO



Useful links: /
Contact person: /



#28 Engagement and secondment of staff when selling abroad

#28

GUIDELINE

#staff
#posting
#abroad
#formalities

OBJECTIVES

Important rules, conditions and formalities to take into account when posting employees abroad.

DESCRIPTION

- General rules of posting
 - Conditions
 - Formalities
 - Risks, if formalities are not respected

CONTENT

GENERAL RULES OF POSTING

Conditions

- for less than 24 months.
- the core activity should be in the home country.
- replacing a worker is not possible.
- the worker needs to already be covered by the home country social security system.
- have subordination link: the posted employee works under the authority of the office in the home country.

Formalities

- declaration to the social security system of your home country.
- fulfill A1 document from the day the worker starts working.
- special cases: extension +24 months (time limit 60 months) with motivation needed.

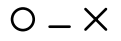
Risks if formalities are not respected

- fines in Belgium.
- requalification: considered as a foreigner worker and can be subject to social security contribution in the host country.
- Tax/ social security contribution to be paid abroad.

TIPS AND TRICKS

- Collect up-to-date information.
- Documents to be filled before any start of secondment.
- In case of problem, contact ONSS/RSZ in Belgium or the local authorities in the foreign country.

FURTHER INFO



Useful links:

• ONSS:

contactonssmigr@onss.fgov.be (French)

contactrszmigr@rsz.fgov.be (Dutch)

Contact person: /



CONTACT

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