



IP Sounds Good to Me.

The case of a small Spanish company that has revolutionised the classical music market through its own protected technology.

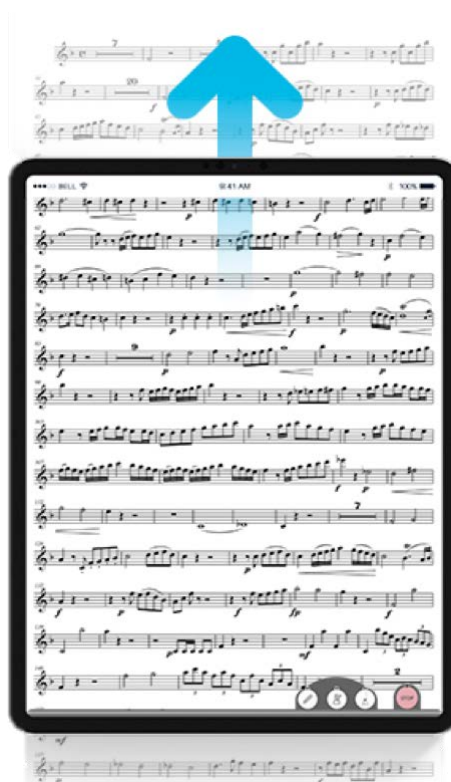
NewMusicNow was founded in 2013 with the aim of providing musicians with a tool that improves the efficiency of their work and the quality of their performances. Since then, the company has been working intensively on the development of a “page-less scrolling” technology, which is an App available at the Apple App Store.

The BlackBinder™

The BlackBinder™ proprietary solution has been designed as a digital tool to improve and help musicians in their rehearsals and performances, providing a natural way of working with digital interactive scores, a true revolution in the music sector.

BLACKBINDER

www.blackbinder.net





Background

The story of the company began in late 2011 when a professional musician, a computer engineer and an expert in business management detected a couple of problems and disadvantages musicians were facing when using “traditional” music sheets.

Basically, musicians and classical music orchestras have been using the same resources and tools (instruments and scores) since the 18th century, which is one of the major challenges in the field.

The **NewMusicNow** partners found that turning the pages while playing an instrument was a source of stress for musicians. It even required additional hours of rehearsal to incorporate and implement rather ineffective solutions to avoid turning pages during the concert, such as placing the scores on several lecterns, preparing a collage with slips to turn the pages, or having an additional person only for turning the pages while the musician continues to play.

The current digital scores solutions (mainly PDF-based) still have the same limitations as physical pages, such as turning pages with scanned scores and the lack of anti-piracy technology. In addition, the visualisation of the scores is difficult and can lead to confusion, which makes the user experience rather unsatisfactory.

In September 2012, the partners started a research and development activity in collaboration with other companies and organisations. One year later, **NewMusicNow** was founded with the aim of providing musicians who originally use sheet music with a tool that improves the efficiency of their work and the quality of their performances.

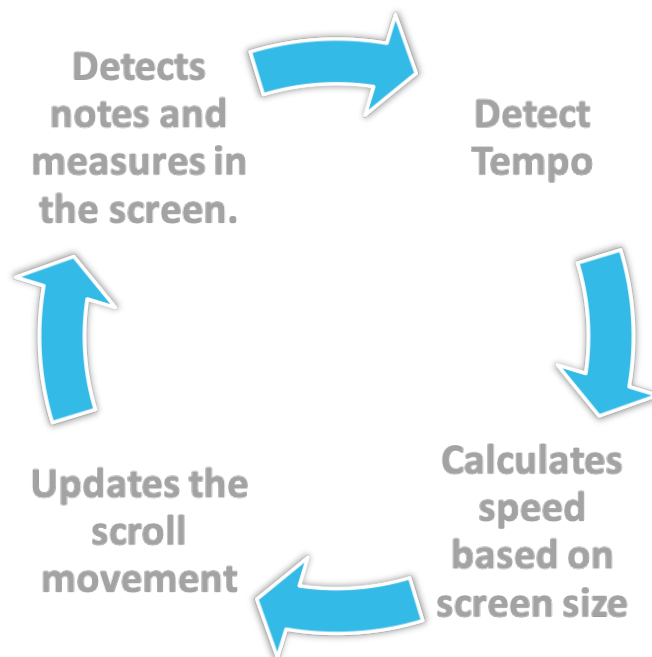


Challenge

In the course of six years **NewMusicNow** worked intensively on the development of a proprietary technology seeking to further position themselves in the field by participating in national and international R&D projects, and developing an international business and intellectual property (IP) strategy.

As the company wanted to go global with their product in the long run, the main challenges were to identify the different types of IP assets involved and to choose the most appropriate way of protecting these intangibles – assuring the right territorial coverage for instance – in order to exploit their full commercial potential.

The central idea was to develop an all-in-one system to facilitate working with scores in hands-free mode, including an App and a web service. The integral solution, named **BlackBinder™**, was designed to address the shortcomings of current solutions on the market. It makes use of Blockchain technology to ensure traceability of the copyrights attached to the scores and prevent piracy. It mainly consists of a score reader, which contains advanced algorithms, complex probabilistic models and processing techniques. Essentially, the **BlackBinder™** algorithm converts pages into a continuous flow that adapts to the music score, scrolling as the musician plays their instrument.



Given the variety of different features and corresponding IP assets incorporated in the product, **NewMusicNow** had to come up with a holistic strategy covering different types of IP: patents (technology), trademarks (name and logo), copyright (software) and trade secrets (know-how).

As most of these rights are territorial, the company needed to define a clear concept regarding the internationalisation of their IP in line with their overall business strategy. Target countries were the ones with relevant markets for music education and performance, i.e. mainly EU member states, USA, Russia and China.



Previous Actions

For years, the promoters met with publishers, musicians and staff in conservatories and musical groups to verify the existence and severity of the problem's faced by musicians. Eventually, they started to work on a novel solution that addressed these challenges and would significantly help musicians to study, rehearse and perform on a daily basis.

While already planning on potentially extending the patent and trademark protection through the Patent Cooperation Treaty (PCT) and Madrid System at a later stage, the company started to protect their IP by filing a European patent application at the European Patent Office (EPO), and registering a European Union trademark at the European Union Intellectual Property Office (EUIPO). The software was protected by copyright, as the company developed its own source code.

In order to raise funds for validating the **BlackBinder™** solution and to be able to develop a prototype, the company submitted a proposal for the SME Instrument Phase I of the European Commission. The patent and trademark applications that had been filed in advance helped the company to win the grant, as the protection already in place was positively assessed by the European Commission's evaluators.

Owning the IP rights also allowed the partners to participate and showcase the prototype in a secure way. They **BlackBinder™** solution was first presented at the Musikmesse Frankfurt, an international trade fair for the music industry, and later was introduced to some of the most prestigious conservatories in the USA, Canada and Europe.

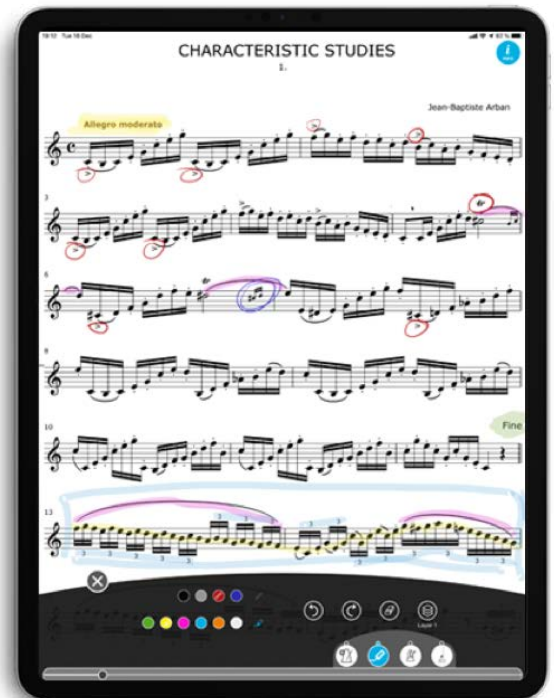


Outcome & Next Steps

The **BlackBinder™** App replaces the unnecessary and sometimes ineffective solutions used by musicians to turn the pages without interrupting the performance. Consequently, it improves the musical experience for both, artists and spectators.

The innovative technology applied by the **BlackBinder™** App provides musicians with an advanced capacity to track real-time musical performance offering the following features:

- scrolling through the screen at the precise tempo and automatically turning the music page
- adjusting the tempo by rhythmically tapping the desired pulse on the screen, even during the performance
- detecting the number of notes and bars displayed on the screen and adjusting the scrolling speed to the metronome marks, bar indications and tempos set in the piece
- providing the opportunity to modify, delete or add own metronome marks



NewMusicNow combines its patented technology with know-how to edit digital music notation from public MusicXML format to the proprietary **BlackBinder™** format scores.

As for IP protection, **NewMusicNow** currently has two patents granted by the European Patent Office (EP2919228B1 and EP3117427B1) validated in five countries with relevant markets for music education and performance (Germany, France, United Kingdom, Italy and Spain). Of the same family patents have also been granted in the USA, Russia and China. This territorial extension covers more than 90% of the 100 top music schools and 80% of the leading orchestras in the world.

Moreover, the solution is trademarked in the European Union countries as well as in Australia, Colombia, Mexico, the United States, Russia and China.

The **BlackBinder™** App is available for download in the Apple App Store and, since 2013, the private investment raised amounts to more than EUR 2 million with the post-money valuation of the company being EUR 4 million (2018).



Lessons Learned

✓ Develop a strong, holistic IP strategy in line with your overall business strategy

The **BlackBinder**[™] solution incorporates different IP assets. Thus, a holistic strategy taking this varied IP portfolio into account was needed. Such a strategy should be drafted right from the start and be aligned with the overall business strategy, for instance already considering the entering of international markets at a later stage.

✓ Ensure IP protection when participating in trade fairs

IP protection is key before exhibiting novel products or technologies. In the case of **BlackBinder**[™] patent and trademark protection was in place before the company started to present their invention to relevant stakeholders and potential business partners at international trade fairs.

✓ Use IP information for Monitoring Competitors

NewMusicNow uses patent information as a business intelligence resource. Through patent databases and other sources of information, **NewMusicNow** continuously monitors the technologies and competitors that operate in its markets of interest.

✓ A clear IP management and protection concept helps attract additional funding and investment

A sound IP management and protection strategy can significantly increase your chances to receive public funds (i.e. SME Instrument) or attract additional investment helping you to further develop your idea or bring your new solutions closer to the market.



Contact Details

BLACKBINDER

BLACKBINDER S.L.
Paseo de Mikeletegi 53, 2 Office 26
20009 SAN SEBASTIAN DONOSTIA (SPAIN)

www.blackbinder.net



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Get in touch with us.

European IP Helpdesk
c/o Eurice GmbH
Heinrich-Hertz-Allee 1
66368 St. Ingbert, Germany

Web www.iprhelpdesk.eu
Email service@iprhelpdesk.eu

Phone +34 965 90 9692 (Helpline)