

IMO reaches a milestone in the Protection of Intellectual Property Rights

Ship Construction File Industry Standard: balancing design transparency and IP protection

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The International Maritime Organization (IMO) noted at the 96th session of the Maritime Safety Committee (MSC) the “Ship Construction File Industry Standard (SCF IS)” that has been developed under CESA co-ordination in a cross industry approach involving all maritime stakeholders, namely international shipbuilder organisations, shipowner organisations and classification societies. The new standard guides the implementation of the mandatory IMO requirement of design transparency that new bulk carriers and oil tankers are provided with detailed information on structural design and construction considered necessary to ensure the safety of the ship throughout its operational life. It arrives in time to ensure homogeneous implementation of Goal-based Standards (GBS), which will enter into force as from 1 July 2016.

The SCF contains sensitive design documents, know-how on and results of structural strength calculations and ship production. The SCF IS provides practical solutions in order to better balance the need for design transparency with intellectual property protection.

“IPR protection is an underlying environment for ship safety and environmental protection; because modern ships with increasing complexity cannot dispense with advanced technology. *“The significant industry investments have to be well protected against product piracy in order to maintain the competitive edge of innovative European manufacturers”* explains DR. RALF SÖREN MARQUARDT, CESA’s Accredited Representative to IMO, the motivation of shipbuilders to intensely support this initiative.

The SCF IS provides guidance on the scope of the SCF information and ensures secure, yet user-friendly access to the information provided to the ship and ship owner (“SCF Onboard”) with due consideration on the operational requirements. In addition, principles and model procedures are provided for secure storage of highly sensitive design and verification documents (“SCF Supplement Ashore”) in a protected onshore SCF Archive Centre. The Archives Centre functions not only as the keeper of the “SCF Supplement Ashore”, but will also provide a backup service for “SCF Onboard” in a digital format.

Although the current SCF IS has been specifically developed for hull structure of bulk carriers and oil tankers, its principles and models can be applied to other ship types and other mandatory requirements that potentially challenge intellectual property rights by facilitating unintended know-how transfer. Some complementary fields of application have already been identified: e.g. related to MSC/Circ.1455 – “Guidelines for the approval of alternatives and equivalents” and in MEPC.254(67) specifically requesting IPR protection for sensitive EEDI verification documents.

Alternative design of complex ship types and energy efficiency optimised vessels form the economic and technological backbone of the European shipbuilding and marine equipment industry. Therefore, innovative shipyards and equipment manufactures rely on the support of European institutions with regard to the implementation of a European Archive Centre safeguarding the valuable know-how and fostering the technological leadership of our industry.

“IMO’s recognition of the SCF IS and the potential expansion of the scope to alternative design and EEDI verification will pave the way for improved IPR protection in shipbuilding. An Archive Centre operated by a competent and reliable institution in Europe, would significantly raise the protection level” Christophe Tytgat, Secretary General of CESA, summarises the optimistic IPR perspective of his association.



Background Note

SEA Europe is the European Association for Ships and Maritime Equipment and is the voice of the European maritime technology industry in the European Union. The association represents close to 100% of the European shipbuilding industry in 18 nations, an industry which generates more than €91 billion turnover annually and offers employment in high profile jobs for more than 500 000 Europeans.

For further information please visit: www.seaeurope.eu or contact:

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