

FOSTERING INTANGIBLE DESIGN AND IP RIGHTS

BEDA & EUIPO
JOINT WORKSHOP
RESULTS









WORKSHOP TOPIC

In an era where innovation and creativity are pivotal to economic growth, the protection of intangible design and intellectual property (IP) has never been more crucial. As design increasingly transcends physical products to include digital, experiential, and service-based innovations, safeguarding these intangible assets is vital for fostering creativity, economic growth, and competitive advantage.

BEDA, recognizing design as a catalyst for sustainable growth, prosperity, and social resilience across Europe, acknowledges the urgent need to address the complexities of intangible design IP protection.

This workshop, in collaboration with EUIPO, aimed to address the pressing need for effective design IP protection, ensuring that designers and creators can thrive in a rapidly evolving digital landscape while contributing to Europe's cultural and economic vitality.



Christina Melander

BEDA President | Program Director at

Danish Design Centre











AGENDA

15.00 – 15.10 Opening statements Christina Melander, President, BEDA Miguel Gusmão, Director of the Business Operations Department, EUIPO

15.10 – 16.45 Expert presentations:

Gundega Skudriņa (Skudras Metropole) and Mārcis Ziemiņš (Don't Panic Design): Experience design services in nature and limitations on intellectual property rights.

Līga Fjodorova (Cobalt): Do all designs deserve intellectual property protection.

Mārcis Miķelsons (Cube): The specificities of digital solutions and service design projects and the challenges of intellectual property rights.

Alfonso Cid González (EUIPO): The upcoming legal reform and its approach to protecting non-tangible (virtual) designs

Panel discussion with speakers: moderator Dita Danosa (BEDA / Latvian Design Centre)

16.45 – 17.00 Coffee Break

17.00 – 17.45 Roundtable Discussions

moderators – Christina Melander Päivi Tahkokallio Isabe

moderators - Christina Melander, Päivi Tahkokallio, Isabelle Vérilhac, Iiris Adenius, Anna Beáta Kohut-Jankó.

17.45 – 18.00 Conclusions and takeaways.











OPENING STATEMENTS:



Christina Melander
BEDA President | Program
Director at Danish Design
Centre



Miguel Gusmão

Director of the Business
Operations Department,
EUIPO

SPEAKERS:



Gundega Skudriņa Founder of Skudras metropole



Mārcis Ziemiņš Founder of Don't Panic



Līga Fjodorova Trade Mark Attorney at Cobalt



Mārcis Miķelsons - Germs Head of Design Department at CUBE



Alfonso Cid González IP Lawyer at EUIPO











IMPRESSION





















GUNDEGA SKUDRINA & MĀRCIS ZIEMINŠ





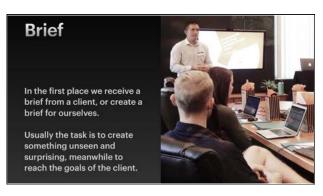
Gundega Skudrina is event producer, founder, and creative director of the creative association "Skudras Metropole".

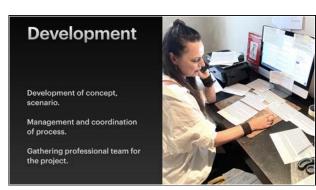
Mārcis Ziemiņš is designer and founder of the design solutions company "Don't Panic".

The creative duo of Gundega and Mārcis aims to take the event experience to another level. Their projects are known as icebreakers in the events industry, introducing innovative approaches to various types of live communication events. Through continuous experimentation, crazy creative ideas find their solution in complex experience design projects, where new forms and ways of expression, interaction and the element of surprise are present.

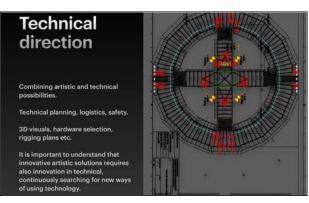
They are the most awarded event agency in Latvia and continue to win prestigious international awards.

PRESENTATION INSIGHT























LĪGA FJODOROVA

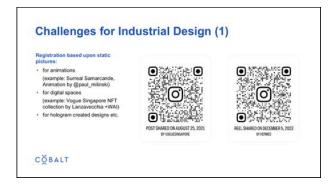


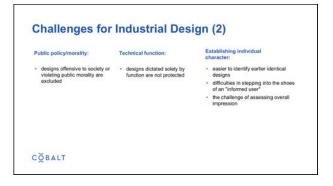
Līga Fjodorova, an attorney-at-law at COBALT, is recognized as one of Latvia's leading intellectual property experts, frequently representing clients in complex patent, copyright and trademark disputes. Līga's expertise has earned her international recognition. Chambers and Partners, a prestigious legal directory, has named her as one of the top IP professionals in Latvia, while the World Trademark Review has also recognized her as a leading lawyer in the field.

PRESENTATION EXTRACTS





















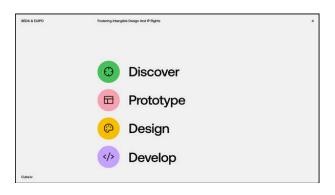


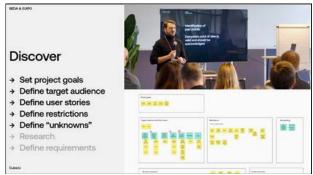
MĀRCIS MIĶELSONS-GERMS

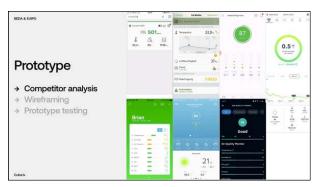


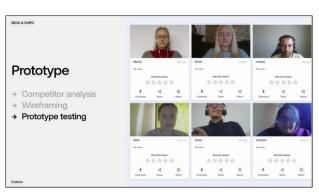
UX and Service Designer, Head of UX Design and Partner at Cube, a digital design, consultancy and development company. Mārcis plans and manages digital product and experience development for large and small companies on a daily basis. Cube's clients include such Baltic brands as Rimi, SEB, Elektrum, Virši, LMT, Ergo and CircleK.

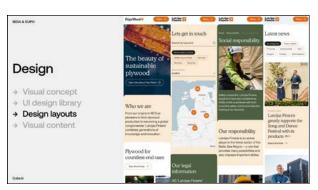
PRESENTATION EXTRACTS

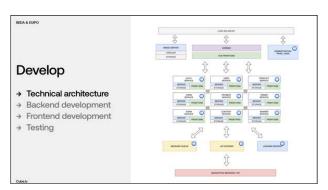






















ALFONSO CID GONZÁLEZ



Alfonso holds a master's degree in Intellectual Property Rights. He brings experience from both the private and public sectors, with almost 10 years of experience working at the EUIPO, where he works as team leader of a group of design and trademark examiners. He also coordinates the Designs Collective Examination (D.ICE) initiative and the group of reference persons in the field of Designs. Finally, he is actively engage in promoting the IP protection system at the EU level – and supporting individuals and companies of all sizes in safeguarding their intellectual property assets.

PRESENTATION EXTRACTS



WHAT HOW WHY





















PANEL DISCUSSION



Dita DanosaChair of the Board at Latvian Design Centre

What help do designers need to increase the use of design protection to secure their work and benefit from it commercially?

IMPRESSION





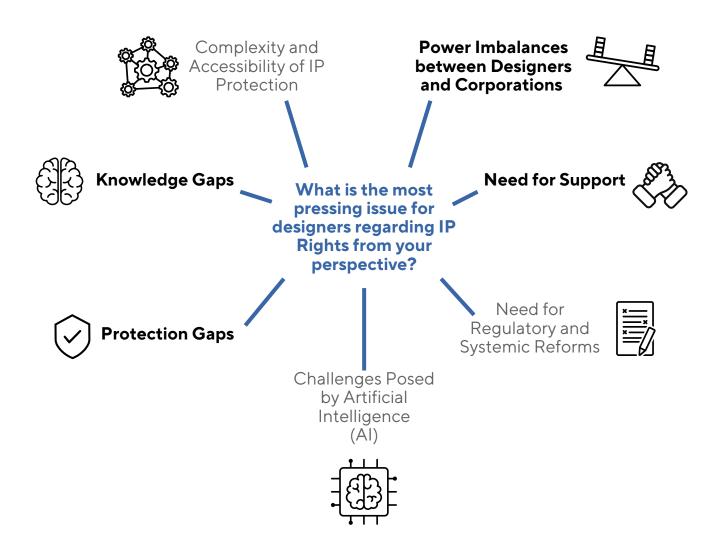








ROUNDTABLE DISCUSSION



MODERATORS:



Christina Melander BEDA President Director of | Program Director at Danish Design Centre



Vérilhac Development at APCI - Design Promotion

Isabelle



Päivi **Tahkokallio** Founder and CEO of Tahkokallio Design+



Anna Beáta Kohut-Jankó Project manager of the Hungarian Design Council



liris Adenius Legal Advisor at Ornamo Art and Design Finland







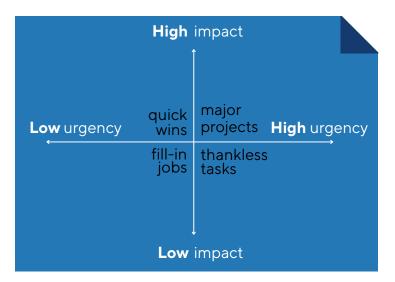




GROUP TASK

What is the most pressing issue for designers regarding IP-Rights from your perspective?

- Discuss and identify all possible issues
- 2 Using urgency & impact issues matrix group / prioritize issues
- 3 Use the 3 most important issues and answer the following questions: WHO? WHAT? WHY?



Findings from the BEDA members' survey on The Role of Intellectual Property (IP) Rights in the Design Industry (carried out in the BEDA Forum in Brussels, 29.05.2024)

Knowledge Gaps

Education and awareness-raising are critical to ensuring that designers understand IP protection impact on their careers, both the benefits offered by IP rights and the constraints caused by non-protection.

Complexity and Accessibility of IP Protection

The complexity of IP application processes remains a barrier for many designers, particularly small and independent creators who lack specialised knowledge.

Need for Support

The practical guidance and consultancy services needed to help designers protect their work effectively easing the financial burden that many designers cannot afford.

Protection Gaps

The remaining limitations in protecting non-designs need to be addressed, with a focus on expanding coverage beyond traditional product design.

Power Imbalances between Designers and Corporations

Designers often lose control over their intellectual property when companies exploit their lack of legal power. Respondents advocate for stronger protection for designers against corporate exploitation.

Challenges Posed by Artificial Intelligence (AI)

There are growing concerns about AI-generated content and how designers can protect their work from being copied by AI systems. There is a call for regulatory bodies to address these challenges.

Need for Regulatory and Systemic Reforms

Respondents argue for reforms that would shift the burden of proof and financial responsibility from designers to those who infringe on their rights.











IMPRESSION

















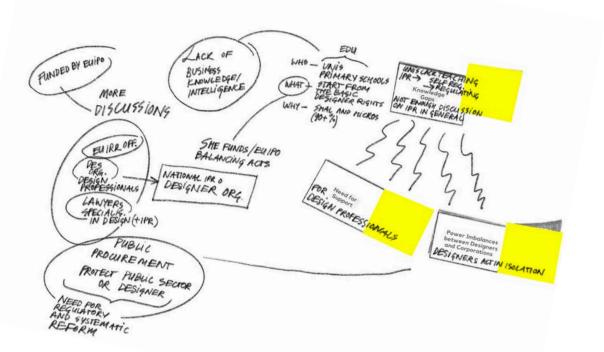






GROUP 1 Group moderator: Päivi Tahkokallio

MOST PRESSING ISSUES FOR DESIGNERS RELATED TO INTELLECTUAL PROPERTY RIGHTS



Knowledge Gap

The most critical issue identified was the significant knowledge gap around intellectual property rights:

- Lack of knowledge about intellectual property rights

This gap affects designers at all levels and highlights the urgent need for basic IPR education, starting in primary school and continuing through all levels of education.

- Lack of business knowledge

Designers often lack essential business acumen, which is indirectly related to intellectual property. Without a strong understanding of business concepts, designers may not fully appreciate the strategic importance of IP in protecting and promoting their work.

Power imbalance between designers and businesses

Power imbalances between designers and businesses arise both from:

- designers' lack of knowledge of their rights, which leads to unfavourable contracts;
- <u>public procurement processes</u>, which often favour public sector bodies or large corporations over design professionals, exacerbating these imbalances. Legal reforms are needed, but the problem is deeply rooted in unequal power dynamics.

The need for support

The practical guidance and advice needed to help designers protect their work effectively will ease the financial burden that many designers cannot afford.













TACKLING THE MOST PRESSING ISSUES

Education Reform

Introduce IP education as part of the curriculum starting in primary school and continuing through higher education, focusing on the importance of IP in creative work and business.

Training

Equipping design professionals with essential business knowledge to fully appreciate the strategic importance of IP in protecting their work and driving business growth.

Need for Regulatory Reforms

The power imbalances call for regulatory changes and legal reforms, targeting issues within public procurement and contract negotiations, rooted in unequal dynamics between designers and companies.

Increased Support and Funding

Expand support for designers through more funding programs like the EUIPO's SME funds, which help small businesses protect their IP assets. This support is essential to address economic imbalances, given that SMEs comprise a significant portion of the economy.

Enhanced Discussions and Stakeholder Engagement

Foster ongoing and inclusive dialogue between designers, design organizations, legal experts, judges, EUIPO, and legislators. These discussions aim to create a balanced system where IP protection is more accessible and beneficial to design professionals.





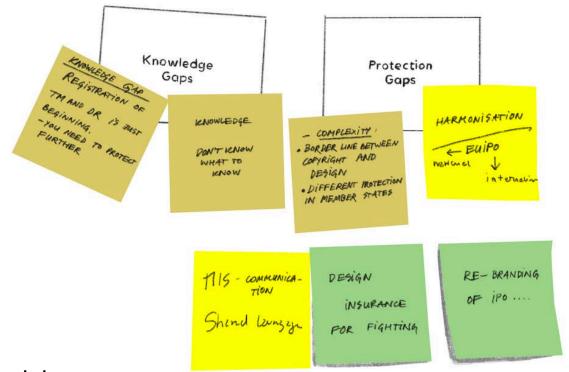






GROUP 2 Group moderator: Christina Melander

MOST PRESSING ISSUES FOR DESIGNERS RELATED TO INTELLECTUAL PROPERTY RIGHTS



Knowledge gaps

- Lack of understanding

Designers lack a general understanding of intellectual property as a process, what it entails, how it can be protected and, of course, what protection of works gives designers and what the risks are if the works are not protected.

- Fear of legal help

Because designers have a vague understanding of IP protection, they "don't know what they need to know", so to speak, they are also reluctant to seek advice from patent office specialists, EUIPO, lawyers, because they don't know what to ask.

Protection Gaps

- Harmonisation challenges

There is a lack of harmonisation at national, EU and international level, and different protection in different countries creates significant challenges, especially with the complex overlap between copyright and design law.

- Extension of protection

The need to extend protection to a non-physical product and to a complex product with different elementsThe need to extend protection to a non-physical product and to a complex product with different elements

Complexity and accessibility of IP protection

The complexity of IP application procedures remains a barrier for many designers, especially small and independent creators who lack specialised knowledge.













TACKLING THE MOST PRESSING ISSUES

Design insurance solution

One proposed solution is design insurance, which would provide legal support to designers when they apply for IPR protection. One proposed solution is for designers to take out design insurance, which would provide legal support in cases where large companies such as Temu or Amazon copy their designs, allowing a legal body to fight on their behalf.

Rebranding IP rights

The IP protection system with the EUIPO and national offices needs to be 'rebranded' to reduce fear and perceptions of complexity, emphasising that IP protection is a valuable, easy to navigate process with friendly and helpful legal departments.

Stakeholder Engagement

Promoting a continuous and inclusive dialogue between EUIPO, design organisations, designers, legal experts, judges and others to create a balanced system in which intellectual property protection is more accessible and beneficial to design professionals.





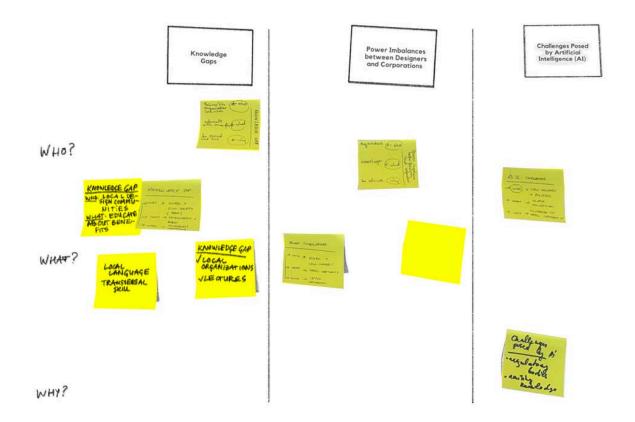






GROUP 3 Group moderator: Isabelle Vérilhac

MOST PRESSING ISSUES FOR DESIGNERS RELATED TO INTELLECTUAL PROPERTY RIGHTS



Knowledge gaps

- Lack of knowledge of intellectual property rights: this gap affects designers at all levels and highlights the urgent need for awareness-raising activities.
- Lack of knowledge about where to get knowledge and help: To raise designers' awareness of where and what help they can get in terms of knowledge and advice on IP protection.

Power imbalances between designers and corporations

These imbalances are linked to knowledge gaps, as many designers are unaware of how power dynamics affect their ability to protect their work. Awareness-raising is therefore essential, to be carried out primarily by national patent offices &EUIPO in close cooperation with designer organisations to reach out to designers.

Challenges posed by artificial intelligence (AI)

Al poses new challenges for intellectual property, making it even more important to improve knowledge and legal clarity for designers.













TACKLING THE MOST PRESSING ISSUES

Awareness raising

Organisations such as EUIPO and BEDA can help to bridge this gap by organising campaigns in local languages and targeting different levels, including universities, to ensure legal certainty.

Training activities

Training to be carried out primarily by national patent offices &EUIPO in close cooperation with designer organisations to reach designers.

Practical workshops

Workshops where designers receive situation-based training where they learn step by step the process they should follow in their design work.









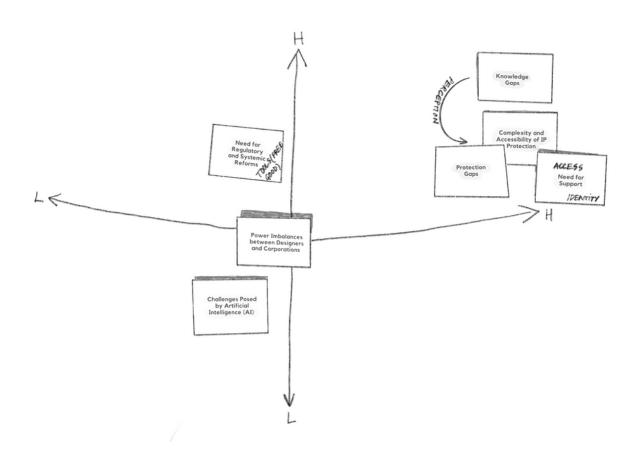


GROUP 4 Group moderators: liris Adenius, Anna Beáta

Group moderators:

Kohut-Jankó

MOST PRESSING ISSUES FOR DESIGNERS RELATED TO INTELLECTUAL PROPERTY RIGHTS



Knowledge gap

Echoing other groups, there is a critical lack of general knowledge and specific knowledge, i.e. "knowing what to know at each stage". In order to overcome knowledge gaps, the legal massages of IP protection should be translated into the language of the users, using as little legal terminology as possible to make them easily understandable to designers and other users.

Need for support

There is a lot of support available, but the challenge is to access it and identify specific needs at the right time.

Complexity and accessibility of IP protection

The IP protection process is complex and difficult to navigate. There is a need for practical guidance, financial support and consultancy services to help designers protect their work effectively.

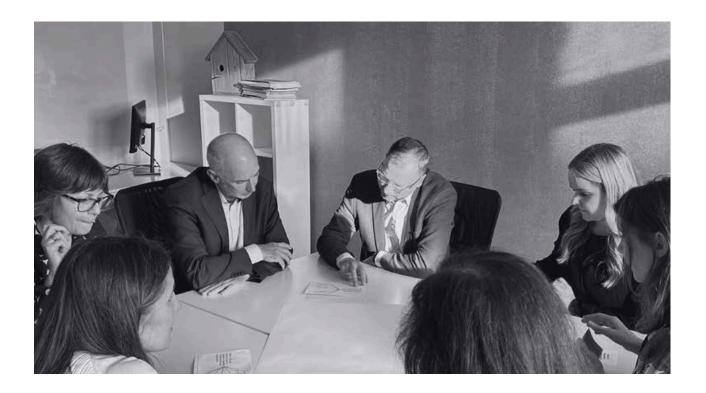












TACKLING THE MOST PRESSING ISSUES

Stakeholder involvement

All stakeholders - in particular EUIPO, national patent offices, user associations, chambers of commerce, universities and others - should help to fill these knowledge gaps.

Translation of legal concepts

Legal messages need to be translated into everyday language that designers can easily understand, minimising complex legal terminology. It is essential to involve design professionals to make this truly user-centred.

Awareness raising & training

Joint activities by EUIPO, national patent offices and user associations such as BEDA and others should take place at different levels to fill all the knowledge gaps and to raise awareness among designers that protection of their design work is an indispensable condition for their practice and can benefit them.

Business perspective

The focus should shift from seeing IP as a legal issue to seeing it as a business issue.

Ongoing engagement

Ongoing conversations, interactions, regular meetings, awareness-raising activities, design awards and increased collaboration between stakeholders are essential to address knowledge gaps.













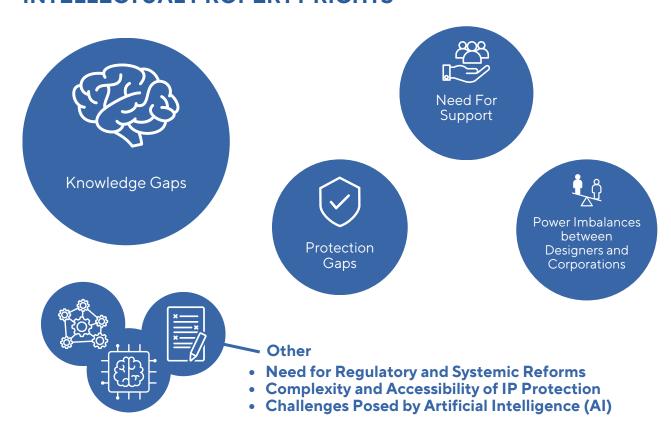






OVERALL CONCLUSIONS

MOST PRESSING ISSUES FOR DESIGNERS RELATED TO INTELLECTUAL PROPERTY RIGHTS



Significant knowledge gaps

Designers face a significant lack of understanding of intellectual property rights, including the processes, benefits and risks associated with unprotected work. This gap affects designers at all levels. What's more, designers often don't know where to turn for help and feel intimidated by approaching IP specialists, fearing they lack the knowledge to ask the right questions.

Protection gaps

Inconsistent protection at national, EU and international level is a major barrier for designers. The lack of harmonisation between copyright and design law creates confusion, especially when it comes to cross-border protection. In addition, current IP frameworks often overlook non-physical and complex products, leaving certain types of designs without adequate protection.

Power imbalance between designers and businesses

Due to limited knowledge of IP and business, designers often encounter unequal power dynamics in negotiations with larger companies, public procurement processes and contract discussions, which often put them at a disadvantage.

Need for Support

The practical guidance and advice needed to help designers protect their work effectively will alleviate a financial burden that many designers cannot afford.











RECOMMENDATIONS

1 — Early and continuous IP education

Introduce IP education from an early age, starting in primary school and continuing through higher education. Emphasise the importance of IP in protecting creative work and its role in business success.

2 — Localised awareness campaigns

Organisations such as EUIPO, national patent offices and BEDA should conduct awareness campaigns in local languages to ensure that designers at different career stages improve their IP literacy.

3 — Rebranding IP process as User-Friendly

The IP protection system with the EUIPO and national offices needs to be 'rebranded' to reduce fear and perceptions of complexity, emphasising that IP protection is a valuable, easy to navigate process with friendly and helpful legal departments.

4 — Promote a business-oriented view of IP

Shift the perspective of IP protection from a purely legal concern to a business imperative, helping designers to recognise its value as a strategic business tool that enhances their competitiveness and revenue potential.

5 — Hands-on workshops and training

Provide hands-on workshops where designers can learn the IP protection process through real-life examples. These should be organised by national patent offices, the EUIPO and design organisations.

6 — Increase support and funding

Expand funding programmes such as the EUIPO SME Fund to help designers and small design businesses afford IP protection services.

7 — Advocate for regulatory reforms

Advocate for policy reforms to address power imbalances, especially in public procurement and contract negotiation processes, to favour fairer practices for individual designers and small businesses.

8 — Simplify legal language

Legal information and IP concepts should be presented in everyday language, minimising jargon to make IP protection more accessible and understandable to non-specialists.











9 — Design Insurance

Develop a design insurance model to cover legal support for designers whose work is protected, but has been copied, particularly by large corporations.

10 — Harmonization of IP Protections

Work towards harmonizing IP laws across national, EU, and international levels to reduce inconsistencies that designers currently face, particularly around copyright and design law.

11 — Extension of IP Coverage

Update IP laws to cover non-physical products and complex products that involve multiple components, adapting protections to modern design needs.

12 — Continuous Stakeholder Engagement and Inclusive Dialogue

Promote ongoing, inclusive dialogue between designers, design organizations, legal experts, EUIPO, and legislators to make IP protection more accessible to all.

13 — Design insurance

Develop a design insurance model to provide legal assistance to designers whose work is protected but has been copied, particularly by large companies.

14 — Harmonisation of IP protection

Work towards the harmonisation of IP laws at national, EU and international level to reduce the inconsistencies that designers currently face, particularly in relation to copyright and design law.

15 — Extend IP coverage

Update IP laws to cover non-physical products and complex products with multiple components, adapting protection to modern design needs.

16 — Ongoing stakeholder engagement and inclusive dialogue

Promote a continuous and inclusive dialogue between designers, design organisations, legal experts, EUIPO and legislators to make IP protection more accessible to all.









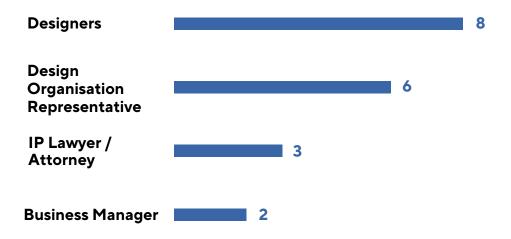


WORKSHOP FEEDBACK

At the end of the workshop, participants had the option to complete a feedback form consisting of six questions: three multiple-choice and three open-ended. Out of all attendees, 16 chose to participate in the survey.

1.WHAT FIELD / INSTITUTION ARE YOU REPRESENTING?

(16 people answered this multiple-option question)



2.WHAT NEW REVELATION DID YOU HAVE TODAY?

(15 people answered this open question)

- It is easy to claim IP rights.
- · Conversation is everything.
- There is a high importance of collaboration between design, business and legal professionals.
- There are new upcoming legislative changes regarding IP rights and design protection.
- A lot of solutions and possibilities are already available to us, there is just a lack of communication.
- Discussions across fields and disciplines are very needed.
- The topic of IP Rights in connection to Artificial Intelligence.
- The topic of EUIPO and IPR protection.
- Issues about design registration EUIPO told in their presentation is very topical.
- We all share the same goal.
- I gained knowledge and contacts.
- The topic of IP rights and new contacts.
- Ornamo's members are close to 10% of their countrie's population.
- Perception often shows a darker picture.











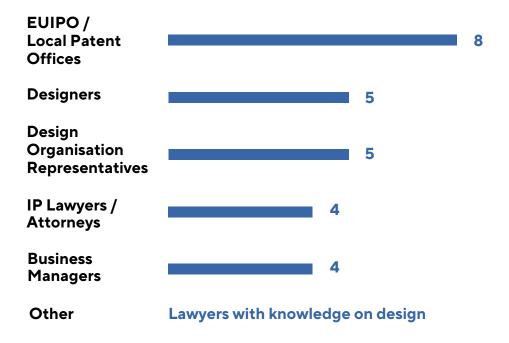
3.WHAT IS ONE THING FROM TODAY THAT YOU WILL IMPLEMENT IN YOUR PROFESSIONAL LIFE?

(12 people answered this open question)

- Change of narrative
- Rise the topic of IP rights among colleagues
- Communication of the topic of IP rights
- The continued exploration of IP issues
- Rise knowledge
- The understanding that we need to apply for IP rights
- Communication
- Exchange of nowledge
- Discussion of whether design needs protection
- I had a chance to reinforce accumulated knowledge on the topic.
- More seminars like this one
- Better communicate the importance of IP rights

4.WITH WHICH OF THE FOLLOWING FIELDS WOULD YOU LIKE TO BE BETTER CONNECTED?

(15 people answered this multiple-option question)







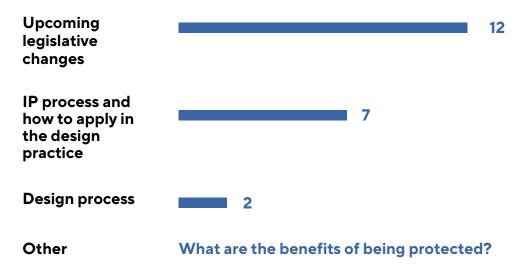






5.WHAT WOULD YOU LIKE TO LEARN MORE ABOUT?

(15 people answered this multiple-option question)



6. ANY OTHER COMMENTS?

Thank you for a great workshop!

Thanks for the event. Brown !

THANKS thenk you of

LEARNED A LOT OF NEW INFORMATION

Thank you for workshop.

Thank you for workshop.

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Board member, designer

DACE LIBERTE

Industrial Property Board of Appeal

Chairmen of the Board

ROSA JOENSUU

Ornamo Art and Design Finland

Lawyer

ZANE PĒTERSONE

Supreme Court of the Republic of Latvia

Judge

KATRĪNA SADOVŅIKOVA

Latvian Design Centre

Project coordinator, Ilustrator

ORGANISERS

BEDA



Founded in 1969 and based in Brussels, the Bureau of European Design Associations (BEDA) is a not-for-profit organization that unites over 50 design-focused members from 28 European countries, including public design organizations and professional associations. BEDA advocates for design as a driver of sustainable growth and societal well-being, working closely with the European Commission and fostering collaboration across its network. Focused on pressing themes like climate action, digital transformation, and design-driven prosperity, BEDA empowers its members to advance impactful policies, curates resources, and hosts events such as the BEDA Forum. Guided by a dedicated board, BEDA also engages with key EU initiatives—including the New European Bauhaus and the Industrial Strategy—to embed design in European policy and address global challenges through innovation, sustainability, and resilience.

www.beda.org office@beda.org

EUIPO



The European Union Intellectual Property Office (EUIPO), established in 1994 and based in Alicante, Spain, administers the EU Trade Mark and Design rights, which operate across the EU and complement national intellectual property systems. Led by Executive Director João Negrão, EUIPO processes over 150,000 trade mark and 90,000 design applications annually. Since 2012, it has also managed the EU Observatory on Infringements of Intellectual Property Rights and the Orphan Works Database, which provides digital access to public information on creative works with unidentified copyright holders. Through the European Union Intellectual Property Network, EUIPO fosters alignment among EU IP offices and offers accessible IP tools for streamlined user experience. Its initiatives benefit IP system users—particularly small and medium-sized enterprises—while building partnerships with EU and non-EU IP offices, user associations, and international IP organizations to drive economic growth and protect IP rights.

<u>www.euipo.europa.eu</u> information@euipo.europa.eu +34 96 513 91 00

LATVIAN DESIGN CENTRE



The Latvian Design Centre is a non-governmental organization dedicated to advancing design in Latvia by promoting it as a strategic tool for economic growth, innovation, environmental sustainability, societal well-being, and cultural identity. As a member of the Bureau of European Design Associations (BEDA) and an official partner of the European Commission's New European Bauhaus Initiative, the Centre plays a key role in shaping design policy, conducting research, and fostering education. Supported by the Ministry of Culture, it also manages FOLD, a communication platform for the creative industries, while initiating collaborations and strategic partnerships with design organizations, professionals, companies, and design users.

<u>www.latviandesigncentre.com</u> contact@latviandesigncentre.com









