Managing your intellectual property

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Presenters:
• Don Drinkwater, Director of Licensing, Bose Corporation, Boston
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• Nikos Minas, European Patent Attorney, Hanna Moore + Curley, Dublin
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Who is LESI?

The Licensing Executives Society International (LESI) is an umbrella association of 33 national and regional Member Societies in more than 90 countries serving more than 7000 individuals.

- Provides a global platform that enables businesses, professionals, and industry players to network, learn, encourage IP transactions and understand licensing, amongst licensing professionals around the world.
- Provides leadership on key issues important to licensing professionals in companies, firms and other organizations.
- Maintains an international and diverse board where women prominently serve in the leadership.
- Offers a variety of meetings, conferences, webinars and certifications to inform and educate professional – both in person and now virtually too!

LESI: Advancing the Business of Intellectual Property Globally
The first in a series of Business Briefings published by LESI in May 2020.

Written specifically for SMEs, useful for all.

For those involved in the business of IP for the first time, these briefings provide critical information that may help your enterprise to be successful.

The three briefings are written by LES members who are experts in their subject and active in licensing in various markets throughout the world.
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• Intellectual Property (IP) is core to the commercial success of any organization.

• Effective IP Management enables the conversion of innovative ideas, innovation results and other intangible assets into tangible business assets.

• Effective management of your valuable IP assets can determine the success or failure of your enterprise.
Businesses owning Intellectual Property Rights (IPRs) perform better in the long-term.
What we are going to discuss?

• Types of IP
• How to develop a business strategy for your IP
• Protecting IP
• Monitoring and Assessing Your IP activity effectively
• Establish IP process and policies (Guiding Principles)
Types of IP

- Patents
- Trademarks
- Industrial Design
- Copyright
- Trade secrets
- Data ownership/Privacy

An organization should use all available IP types to form a comprehensive strategy
Developing a business strategy for your IP

- **Defensive**
  - Hold IP to protect products from competition
  - Assert against infringing companies
  - Difficult in some industries due to dominate players and standards
  - Used frequently by Pharma

- **Offensive**
  - License to operating companies (Carrot)
  - License to infringers (Stick)

- **Hybrid**
  - Assert crown jewels
  - License ancillary technology
Protecting your IP

- File a Patent, Register a Trademark, etc.
- Non-Disclosure Agreements
- Business Partnership Agreements
- Who owns the IP
- Outsourcing agreements
- License agreements
- Employment Contracts
Monitor your IP

• Asset Register
• Landscape analysis
• Underweight portfolio
  o Purchase IP using brokers
  o Scan for new inventions and file IP more
• Overweight portfolio
  o Sell IP
  o Abandon IP as required
Example illustrative guiding principles include:

- Centralized IP management;
- Treat IP as a profit center;
- Assess IP portfolio on regular basis to evaluate its effectiveness on the basis of the organization business model and future product roadmap;
- Consider strategic IP partnerships e.g. joint developments, IP acquisition;
- Post and solicit technologies of interest (open innovation);
- Protect core innovations first with an eye on the protection of future developments;
- Publish non-core incremental innovation;
- Actively map IP to products and mark products with the IPRs that cover them.
Thank you

Q & A

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