



Rigorous empirical
research on
intellectual property

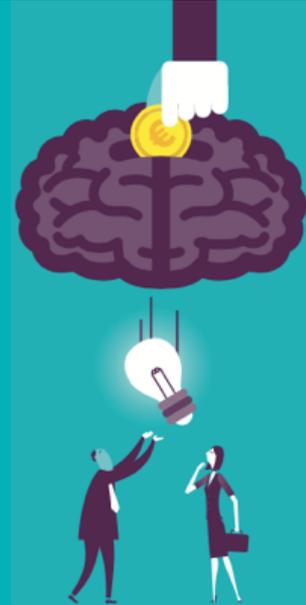


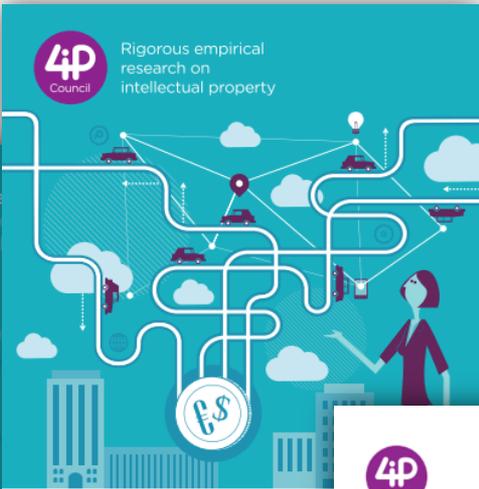
Managing your intellectual property

Hosts: Claudia Tapia, Chairperson, 4iP Council & Dana Colarulli, Executive Director

Presenters:

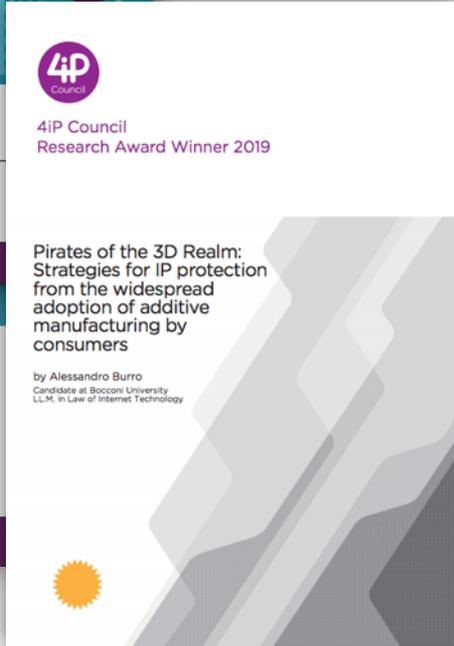
- Don Drinkwater, Director of Licensing, Bose Corporation, Boston
- Jim Malackowski, Chief Executive Officer, Ocean Tomo, LLC, Chicago
- Nikos Minas, European Patent Attorney, Hanna Moore + Curley, Dublin





The Value of Connectivity in the Automotive Sector

Prof. **Bowman Heiden**
 Center for Intellectual Property (CIP), Chalmers University of Technology
 The Hoover Institution, Stanford University



4IP Council
 Research Award Winner 2019

Pirates of the 3D Realm: Strategies for IP protection from the widespread adoption of additive manufacturing by consumers

by **Alessandro Burro**
 Candidate at Bocconi University
 LL.M. in Law of Internet Technology

FRAND licensing levels under EU law

Dr Jean-Sébastien Borghetti
 Professor of Private Law at University Paris II Panthéon-Assas

Dr Igor Nikolic
 Senior Fellow at University College London (UCL) Centre for Law, Economics & Society

Dr Nicolas Petit
 Professor of Law at the University of Liege and at the College of Europe

Summary **February 2020**

Case Law post CJEU ruling *Huawei v ZTE*

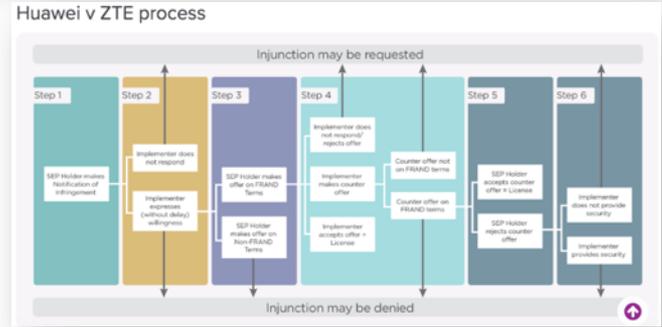
- 4IP Council
 - Case law theme
 - CJEU Huawei v ZTE
 - German court decisions
 - Italian court decisions
 - English court decisions
 - English/Irish court decisions
 - Romanian court decisions
 - French court decisions
 - Dutch court decisions
 - National Courts Guidance
- Authors & contributors

National Courts Guidance

Negotiating Licenses for Essential Patents in Europe

Increased clarity provided on the principles established by the Court of Justice of the European Union in *Huawei v ZTE*.

The Court of Justice of the European Union clarified, in *Huawei v ZTE* (Case No. C-170/13), European law relating to the availability of injunctive relief for infringements of FRAND-based standard essential patents. In doing so, the Court provided a legal framework focused on the good faith



4iP About The Issue Research Publications Webinars Case Law Search News Features 4SMEs Network

Rigorous empirical research on intellectual property

- Types of IP
- Benefits of IP
- IP for Business Growth
- 4 Reasons to Patent
- 4 Reasons 4 Copyright
- 4 Reasons 4 Trademarks
- SME Features
- Research

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4 REASONS TO PATENT

- 1 - MARKET ACCESS
- 2 - NEGOTIATING
- 3 - FUNDING
- 4 - STRATEGIC VALUE

Explore how patents add value with our [interactive guide](#).

4 REASONS 4 COPYRIGHT

- 1 - COMPETITIVE EDGE
- 2 - REPUTATION
- 3 - COLLABORATION
- 4 - FUNDING

Explore the benefits of copyright with our [interactive guide](#).

4 REASONS 4 TRADEMARKS

- 1 - DIFFERENTIATION
- 2 - PROTECTION
- 3 - REPUTATION
- 4 - REVENUE

Explore the benefits of trademarks with our [interactive guide](#).

4 REASONS 4 DESIGN RIGHTS

- 1 - EXCLUSIVITY
- 2 - COMMERCIALISATION
- 3 - REPUTATION
- 4 - VALUE

Explore the benefits of design rights with our [interactive guide](#).

Which types of intellectual property do you need?

Filter table columns

	P	C	D	R	TS
	PATENTS	COPYRIGHTS	DESIGN	TRADEMARKS	TRADE SECRETS
What do they protect?	An invention or a technical solution	An original intellectual creation in the literary, artistic, scientific or technical domain	An original industrial design	A sign which is capable of distinguishing goods or services from those of other undertakings	Information or know-how that is secret, has commercial value and is subject to reasonable steps to keep it secret
Examples of what is protected	Medicines, products and processes in all kind of countries, the majority of registered machinery, etc.	Books, music, films, software, databases, websites, articles, scientific papers, etc.	Multi-colour t-shirt, electronic calculator, mobile phone, etc.	Apple logo, Nike logo, etc.	Formulae, recipes, etc.
How are my rights protected?	Patents are automatically made public in the patent register	Copyright is automatically made public in the copyright register	Designs are automatically made public in the design register	Trade marks are automatically made public in the trademark register	Trade secrets are not automatically made public
How long is my intellectual protected?	Up to 20 years	Life of the author + 70 years after death	Up to 25 years	Up to 10 years	As long as the information remains secret
Do I have to register it?	Yes, filing an application for a patent which is registered	No, copyright protection arises automatically on the creation of a work	Yes, filing an application for a design which is registered	Yes, filing an application for a trademark which is registered	No, trade secret protection arises automatically on the creation of a secret

How do I use intellectual property to grow my business?

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

You understand and appreciate the value of your intellectual property and intangible assets. But what is the optimal way of making these prime assets work in your business setting?
Our first LESI Business Briefing explores...

MANAGING YOUR INTELLECTUAL PROPERTY (IP)

- 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.

Our Authors:



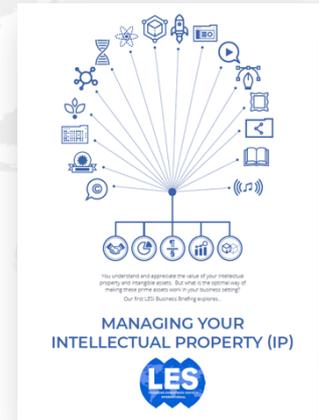
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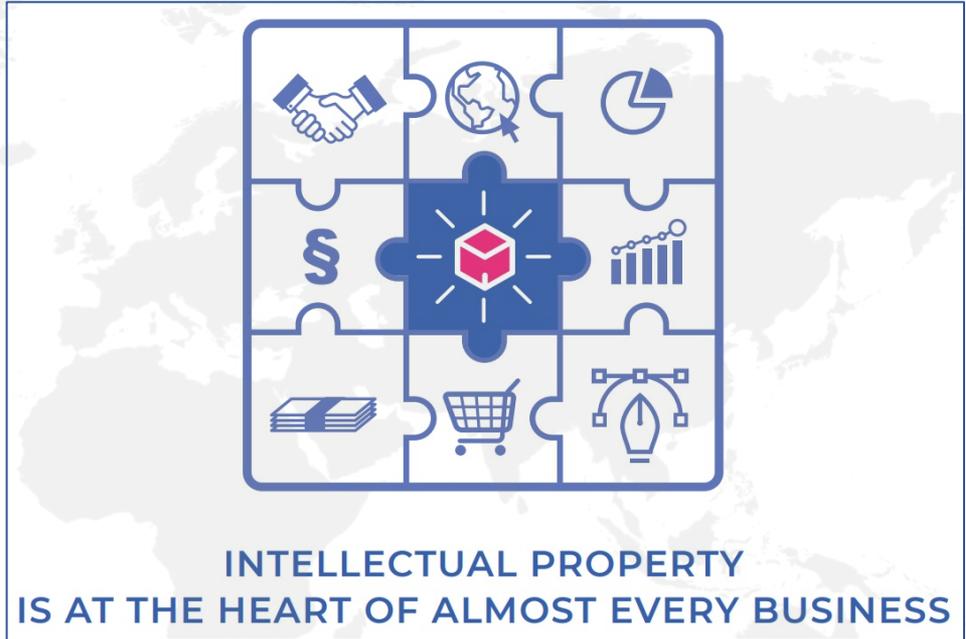


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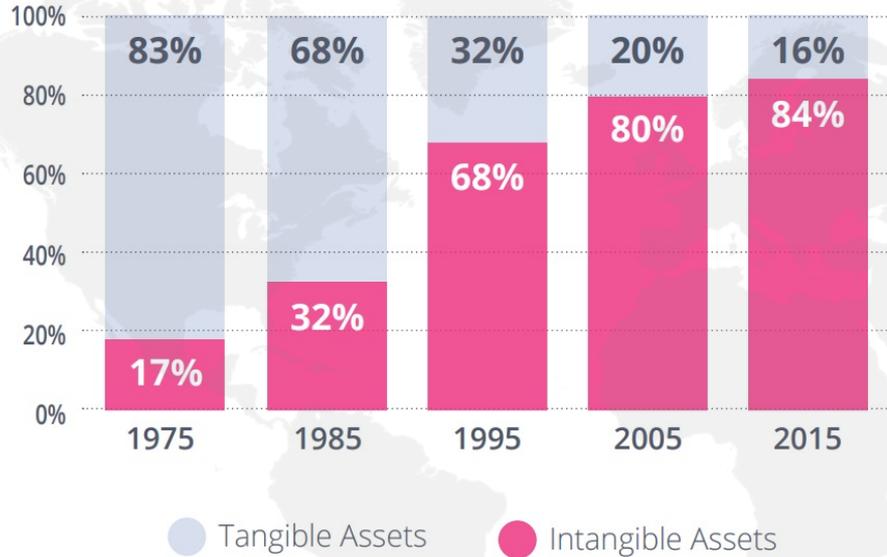


LES Business Briefing: Managing Your Intellectual Property

- 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.



Components of s&P 500 Market Value



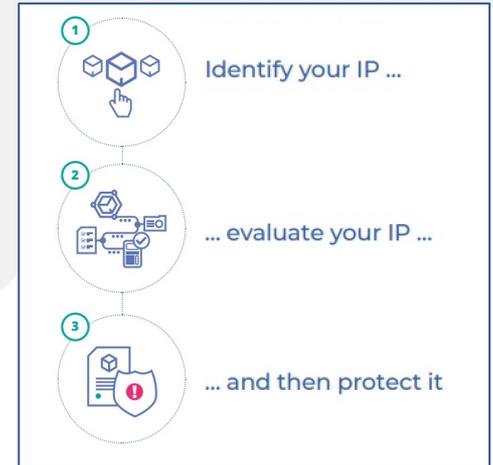
Source: OCEAN TOMO, LLC – January 1, 2015

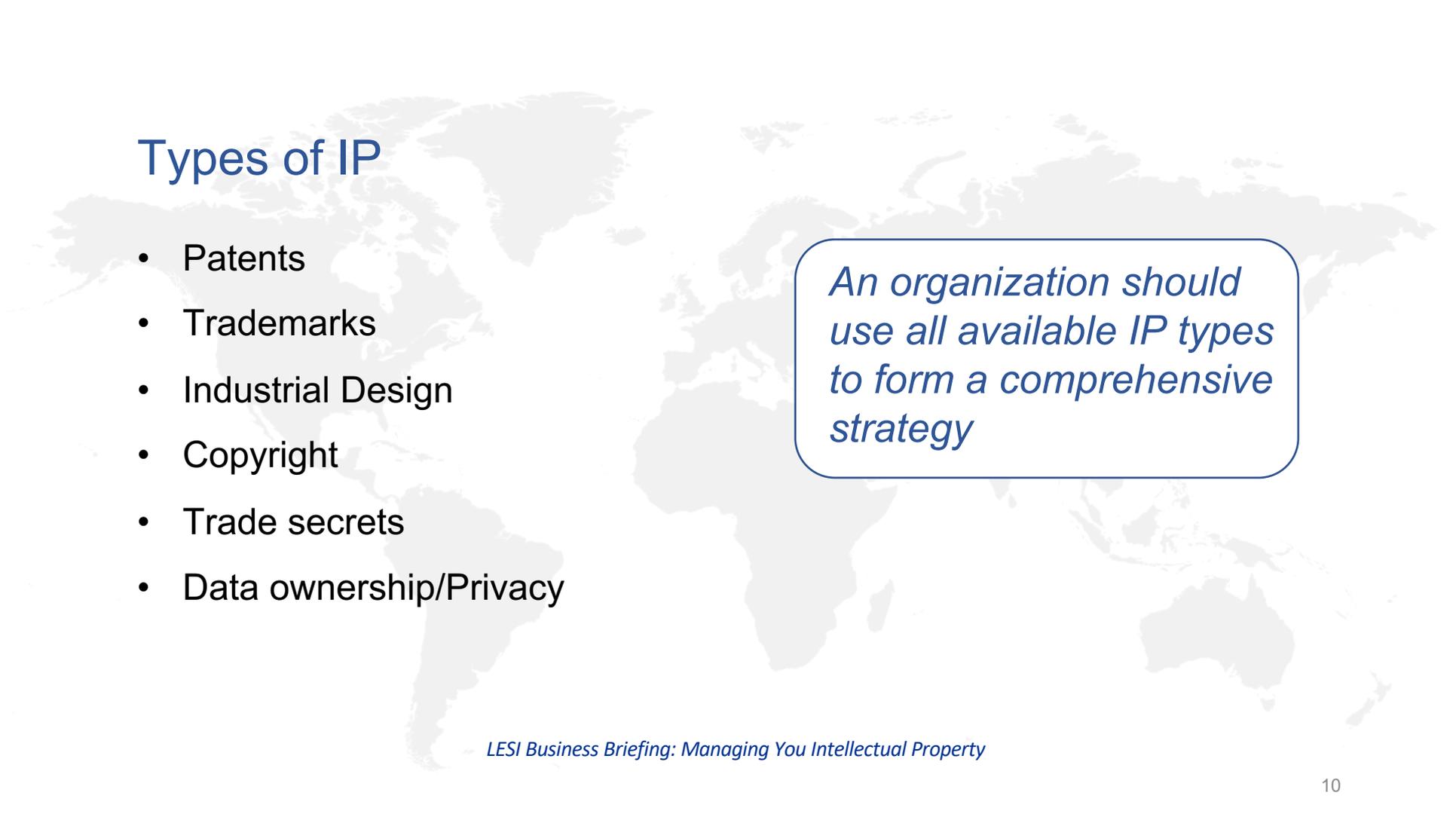
Businesses owning Intellectual Property Rights (IPRs) perform better in the long-term.

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)

THREE BASIC STEPS TO SETTING UP YOUR IP MANAGEMENT STRATEGY



A light gray world map is visible in the background of the slide, centered behind the text.

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

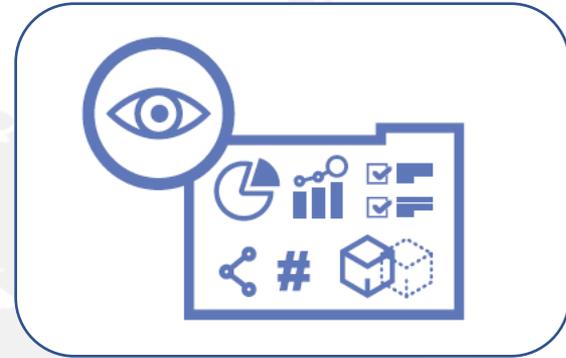
Protecting your IP

- 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
 - Purchase IP using brokers
 - Scan for new inventions and file IP more
- Overweight portfolio
 - Sell IP
 - Abandon IP as required



ESTABLISH YOUR OWN GUIDING PRINCIPLES



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



www.lesi.org

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Our forthcoming webinars

<p>8 Oct. 2020</p>	<p>Why researchers need an IP strategy 10am EST 4pm CEST</p>	<p>Prof. Koenraad Debackere</p> <ul style="list-style-type: none"> • Professor of Technology and Innovation at the Faculty of Economics and Business of KU Leuven • Managing Director of KU Leuven Research & Development <p>Dr. Peter Oksen Senior Program Officer at WIPO GREEN</p>
<p>15 Oct. 2020</p>	<p>License to All or Access to All? A Law and Economics Assessment of Standard Development Organizations' Licensing Rules 11am EST 5pm CEST</p>	<p>Anne Layne-Farrar</p> <ul style="list-style-type: none"> • Vice President in Competition Economics at Charles Rivers Associates • Adjunct Professor at the Northwestern University Pritzker School of Law <p>Richard J. Stark Partner in the Litigation Department of Cravath, Swaine & Moore LLP</p>
<p>27 Oct. 2020</p>	<p>The value of intangible assets 4pm CET</p>	<p>Dr. André Gorus (LESI) Independent Consultant, former IP Valuation Director, Solvay</p>
<p>17 Nov. 2020</p>	<p>License your valuable assets 10am ET 4pm CET</p>	<p>Details coming soon</p>