



IP Portfolio Management: How to effectively make use of IP Rights

A Company inside view

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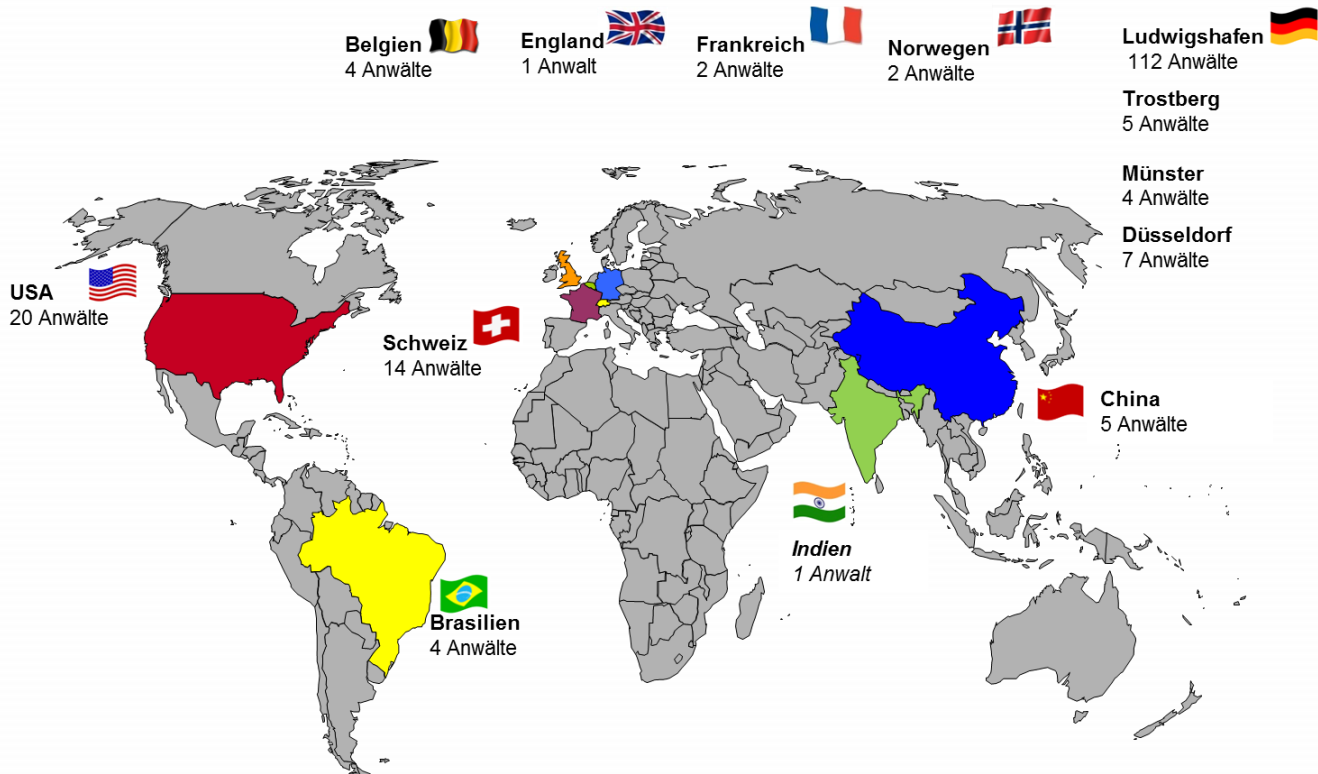
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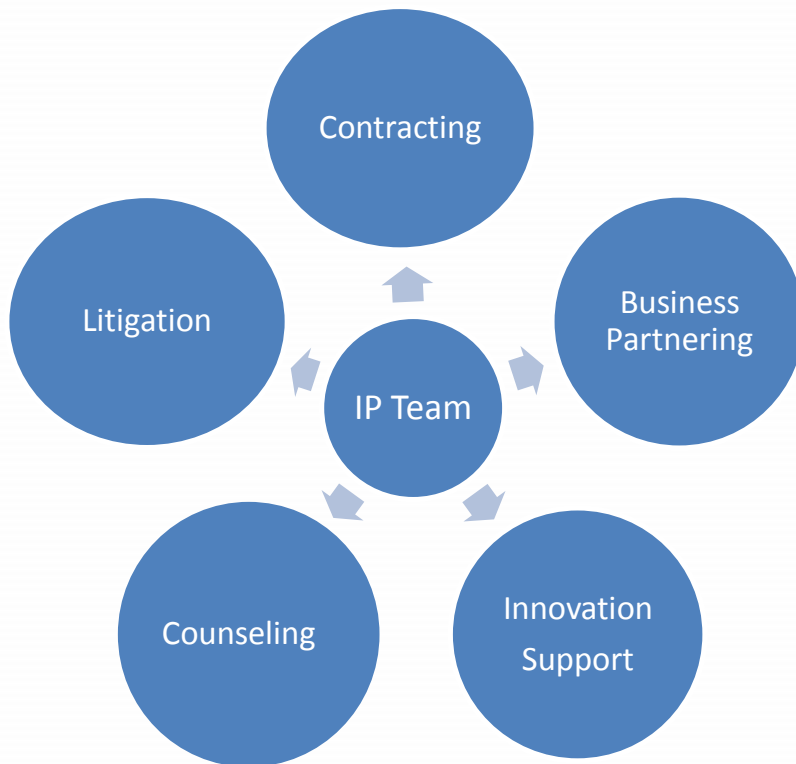
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How to manage?



What the company is devoted to?

Which are the fields and respective expertise?

Where is the market demand?

How the company is positioned face of its competitors?

Just then you CAN BE PART of the strategy!



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Where is IP valuable to reflect this?

Assessment

Understand
Current Position

Analyze Situation

Identify Achievable
Alternatives



Strategy

Protect Future
Desired Position

“Leverage IP”

License, Litigate
or Lose



Execution

Design Program &
Set Goals

Execute Program

Monitor & Control,
Fix and Follow-Up

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Why become part of the strategy?

- Strategy is less about a plan and more about adjusting to a shifting situation. For firms, changes in the behavior of competitors, customers, suppliers, regulators, and other external groups can all be sources of a metaphorical punch in the face. As events unfold around a firm, its strategic plan may reflect a competitive reality that no longer exists. Because the landscape of business changes rapidly, other ways of thinking about strategy are needed.

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Working on the IP Portfolio

- ***Provide a means to “manage the present from the future,” not from the past***
 - Snapshot of current expectations (Executive Vision)
 - Multiyear view (Platform and Core Product Family Product Technology Roadmaps)
 - Updated continuously via Product Technology Roadmaps, formalized at least annually
- ***Integrate intellectual capital strategies based on served market relationships and targeted rates of return***
 - Business Leadership Needs first (may require business case)
 - Targeted rates of return and appropriateness of revealing technology (interface with IP Law)

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Working on Asset Management/Licensing

- ***Technology is intellectual capital, it must be leveraged***
 - Limit access to and leverage “strategic” technologies
 - Enhance the served market relationships with strategic customers including accelerated access to new customer identified technologies and to new partners, markets and customers
 - It must generate cost-offsets through royalties and technology use fees
 - Increase strategic competitors costs to stay in the game (require comparable investment in R&D to keep pace with the market leader(s))
- ***Intellectual capital must generate returns comparable to those of other assets***
 - Minimum: Average weighted cost of capital
 - Target: Average weighted cost of capital + X%
 - Maximum: Whatever the market will support

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Working on Innovation Support

- ***Interpretation of a platform, product, platform life cycle plan***
 - Direct link to strategy and business objectives
 - Direct link to financial metrics
- ***Require virtual teaming to complete***
 - Multiyear planning horizons (continuously monitoring)
 - Market and cost projections
 - Strategy alternatives and metric sensitivity
 - Technology attack strategies
 - Technologies to protect (see Intellectual Capital Continuum)

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Working on Patent Enforcement

- ***Provide a means to “manage the present from the future,” not from the past***
 - Carefully craft their patent claims to avoid seeming broadly
 - Ensure that an issued patent will include claims that meet patent-eligible subject matter requirements
 - Bundle together both patents developed internally and patents obtained from outside, taking care to have patents in many jurisdictions
- ***Integrate intellectual capital strategies based on served market relationships and targeted rates of return***
 - Understand business needs
 - Work in accordance to the metrics established by the Business
 - Cost should be discussed from the beginning of the patent strategy

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Thank you!

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