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IP Management - A Corporate Perspective

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The different IP regimes

- Patents (inventions)
- Copyright (literary or artistic work)
- Trademarks (distinctive signs, closely linked to brand)
- Design (form of appearance, style or design of an object)
- Utility model (like patents)
- Semi-conductor topography (2D or 3D layout of ICs)
- Database rights (somewhat like copyright)
- Trade secrets (formula, practice, process, design, instrument, pattern, compilation of information used by a business)
- Domain names (www.)

Note : IP rights may be obtained by application or by automatic derivation



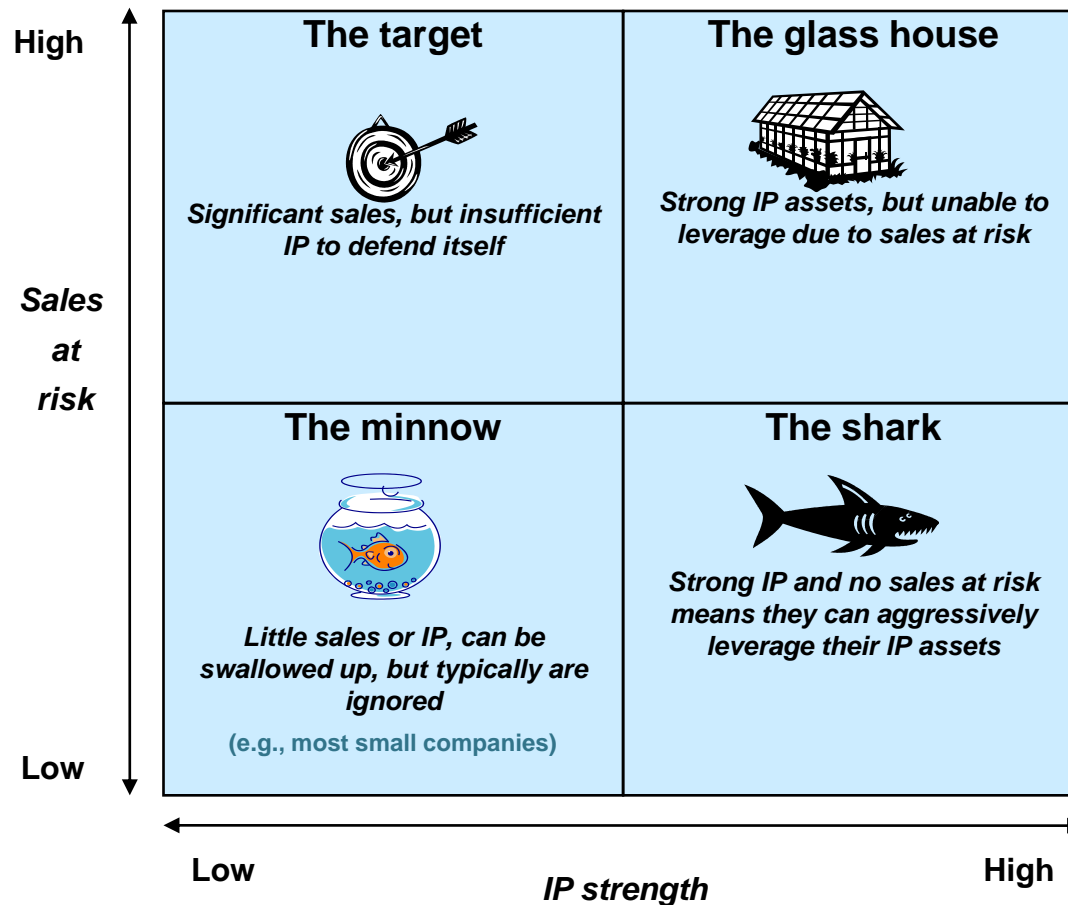
The main IP Players

The Corporate IP Department plus...

- The inventive & creative communities
- Senior Management in the Corporation
- Business & technology management within the Corporation
- IP Firms / Agencies (some within Law firms)
- IP / Patent & TM Offices (national, regional or global)
- IP Service Providers
- The competition
- Collaboration partners (universities, suppliers, customers, Joe Public, communities, etc.)



IP Portfolio v Sales Volume



IP Maturity ladder

IP literature talks about different levels of maturity or sophistication ...

- Visionary
- Integrated
- Profit centre
- Cost control
- Defensive



Organisational models

There is no 'one size fits all'
when it comes to the
organisational charts of
Corporate IP Departments.



Organisational models

Key questions to ask ...

- To whom does the head of IP report? (GC/CLO, CTO, CFO, CEO, someone else)
- Does the IP Dept. resemble a 'partnership' or a typical Corporate Function
- Is the IP Dept. responsible for all key processes (creation, utilisation, etc.)
- Does the one IP Dept. handle all IP regimes
- How is internal resource organised (by steps in the process, by technology, aligned with the business, etc.)
- What % of work is done in-house vs outsourced
- What are the skills and competencies of the people
- Does the one IP Dept support all business units



Key interfaces

Any IP Department will have a number of key interfaces to manage, and relationships to grow and develop....

- The inventor / creative community
- Senior management in the Corporation
- External IP Firms / IP Service Providers
- Business and Technology Managers in the Corporation



The top level IP processes / activities

Processes define what and how things are done and by whom to ensure repeatability. They are the memory of an IP Dept.

- IP Creation

(Idea → I/R → Assign → Analysis → Decision → Draft → File → Examination → Foreign File → Publication → Grant)

- IP Portfolio Management

(Scoping → Criteria selection → Weighting → Segmentation)

- IP Maintenance

(Annuity payments / Trimming decisions)

- IP Utilisation

(Preparation, risk assessment, negotiation, agreement)

- Risk Management

(Invalidation → Non Infringement → Design around)

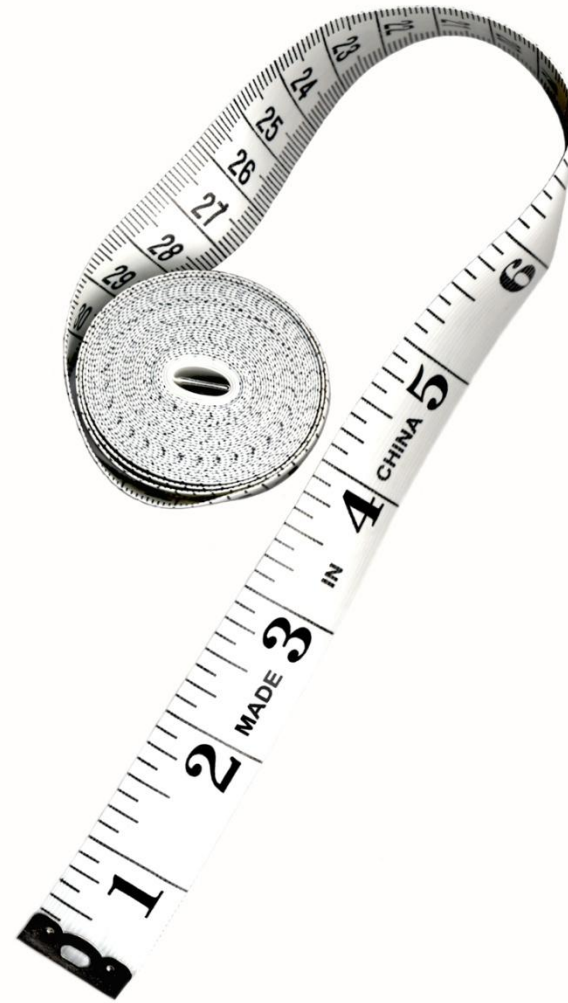
- Litigation



Key metrics

Most Corporate IP Departments will at least have the following – metrics / measures / key performance indicators in use ...

- Costs
- Quality
- Efficiency
- Added Value



Costs

IP cost management involves ...

- Understanding IP creation and maintenance costs
 - For patent creation (First Filing, Foreign Filing, Prosecution)
 - For maintaining patents (Annuity fees)
- Have a good budget process in place
 - Breakdown of costs (by IP regime, by phases in the process, by business unit, by technology)
 - Short term planning / long range forecasting
- Tracking costs
 - Actuals versus budget
- Making informed decisions in a timely manner
- Avoiding mistakes and not being late



Quality

- IP quality is a critical issue for Corporations
- The following all contribute towards good IP quality ...
 - People (skills, competencies, knowledge, experiences)
 - Processes
 - Metrics / performance indicators
 - Data
 - Inventive ideas / creative thoughts
 - Drafts
 - Granted / registered IP



Efficiency

This relates to the key IP processes in use

Each step in the process may be measured in terms of

- Volume of work
- Resources allocated
- Time taken
- Pass / fail rates
- Associated costs



IP adds value in different ways

- Freedom of action
- Product differentiation
- Revenue (Licensing, Selling)
- Business influence
- Enabling a technology
- Cost competitiveness
- Bundled with technology and know-how (TOL)
- PR / Image / Perception / Measure of innovation



IP Strategy

Vision:	Paints a clear picture of your environment at the end of your strategic time-frame.
Current state:	This defines your position in terms of strengths, weaknesses, opportunities and threats at the present time.
Strategy:	This is your long term plan of campaign to achieve a particular goal or objective.
Mission statement:	Defines how this will be achieved
Strategic intent:	This defines where you wish to be at the end of the strategic time-period
Strategic actions:	This defines the top level actions you plan to take, in order to move from where you are today to where you wish to be at the end of your strategic time-frame.
Strategic reviews:	This defines how you plan to review your progress as you move along.
Metrics:	This defines the measures you plan to put in place to monitor your progress.
Values:	Defines the culture and mode of behaviour.



The content of an IP Strategy

- Strategies for each of the key IP processes
 - IP creation (eg first filing targets)
 - IP portfolio management (understanding what you have)
 - IP renewals (eg paying annuities, trimming cases)
 - IP utilisation (eg licensing, selling)
 - IP risk management (avoiding 3rd party IP)
 - IP litigation (battles to be fought)
- IP & the Business (how IP adds value to the business)
- The IP environment (the rules of the game to be played)
- Internal IP Dept issues (Management, leadership, people, processes, systems, organisational models, metrics, etc.)
- The key interfaces



Daily life in a typical Corporate IP Dept.

From idea to Patent / TM / Design

From contact to license

From issue to resolution

From detection to enforcement

From technology to out-licensing

not forgetting ...

Management, Leadership & Planning



Thank you

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