

KASPER BIRKEHOLM MUNK – DTU PATENT COURSE 2011

# IPR IN A COMMERCIAL PERSPECTIVE

28-01-2011

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## AGENDA

28-01-2011

- About me
- Warm up – what is an innovation?

And then:

- IPR in a commercial / strategic perspective
- The consultancy services for inventors
  - What is it?
  - What do we do?
  - What is our gospel?

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## PERSONAL STUFF



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- Kasper Birkeholm Munk
- Team leader for the consultancy services for inventors

### Professional background:

- Cand. IT
- Research assistant og PhD-fellow at Copenhagen Business School
- Research: university-industry relations, technology transfer, innovation management, commercialization of IPR, licensing

### Accupational background:

- Technology Transfer Officer (healthcare)
- Intellectual Asset Management (external consultant)
- Entreprenuer (IPR-based, venture-backed technology startup)



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## THE PAST WEEK'S LEARNING....



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### This past week you've have learned about:

- What IPR is – different forms of protection...
- How to exploit IPR...
- Secrecy and non-disclosure...
- Raising capital...
- Creating start ups...
- How to seek out partners...

### What you haven't learned? (at least thats my claim)

- To spot good ideas
- To qualify your ideas and to select the most promising idea
- To be able to work with, outside and around your idea while developing it



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## EXCERSISE: WHICH SOLUTION IS THE MOST INNOVATIVE?

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- SEGWAY
- Max speed: 20 km/t
- Range: 20-30 km
- Weight: 47,7 kg



- TMS EL-CYKEL
- Max speed: 30 km/t
- Range: 25-35 km
- Weight: 25 kg



- TATA NANO
- Max speed: 105 km/t
- Range: 300 km
- Weight: 623 kg

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## EXCERSISE: WHICH SOLUTION IS THE MOST INNOVATIVE?



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15 x better



- SEGWAY
- Max speed: 20 km/t
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- Max speed: 30 km/t (1,5\*)
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## EXCERSISE: WHICH SOLUTION IS THE MOST INNOVATIVE?



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15 x better



1000 x better



...and carries 4 persons

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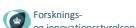
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Segway is a solution, still looking for a problem

# The Telegraph

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## Segway company owner dies riding two-wheeled machine off cliff

Jimi Heselden, the owner of the Segway company, has died after riding one of the two-wheeled machines off a cliff and into a river.



Image 1 of 3

The former miner Jimi Heselden made his millions from defence contracts. Photo by Ross Parry for the Telegraph.

10:37AM BST 27 Sep 2010

The multi-millionaire businessman, 62, fell into the River Wharfe while inspecting the grounds of his North Yorkshire estate on a Segway. A Segway is a self-balancing, two-wheeled personal transporter.

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THE TELEGRAPH C

The 1

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Segway is a company, looking for a new CEO 😊

## TO SUM UP: WHY WE FAIL WHILE INNOVATING

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- We always talk about **solutions**  
...we speak all at one  
...we fall in love with our own solutions
- We do not agree about **the problem/the need**
- We forget about the alternatives (competition)
- We forget about the relation between price and benefit
- **We forget that innovation is about creating value**



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## TENDENCIES IN THE FIELD OF IPR/INNOVATION

During the last 10 years there has been a growing assumption in innovation policy that:

- Patenting is a precondition for successful innovation and business creation
- Patenting is a golden standard for all types of companies in all types of markets
- Patenting is the only 'real' protection against competitors, fraudsters and everybody else trying to bite in on our business
- Patents are worth a fortune

The central thesis:

- Everything that can be protected must be protected
- Protection implies commercial value

Can this  
be true?



## THE CONSULTANCY SERVICES FOR INVENTORS



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### About:

- The Consultancy Services for Inventors is a public funded initiative. Funding comes from The Danish Agency for Science, Technology and Innovation.
- We provide advice for inventors in order to achieve successful commercialization of inventions, research and other commercially promising ideas to existing companies.
- Our users include researchers, students, craftsmen, specialists and others who have made an invention, who own the rights to the invention and who intend to commercialize their invention through a licensing agreement with an existing company.

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## THE CONSULTANCY SERVICES FOR INVENTORS



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### History

- Dates back to 1971/72

### Before:

- Consulting inventors
- 2 hours of counselling for everybody



### Now (from 2009-)

- Specialization of counseling (new tools)
- Focus on commercially interesting ideas/inventions
- We assess inventors and inventions suitability to go through our pipeline
- Basic counselling/advice for everybody
- We can devote up to 150 hours on specific inventions.

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## WHAT IS OUR UNIQUENESS?



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- Our services are **FREE**
- We focus solely on **licensing** of ideas
- Our approach is strictly **hands-on and practical**
  - We use tools whether that is the patent literature or a milling machine
  - We don't do business proposals and opportunities and we don't care about fancy business plans on glossy paper
  - We have a complete workshop with machines and material to help inventors in the prototype-phase
- We screen 1200 unique ideas each year
- A vast experience in licensing (200 deals during the last 15 years)
- We work with inventors **IN AND DURING** the early idea phase and all the way to the market!!

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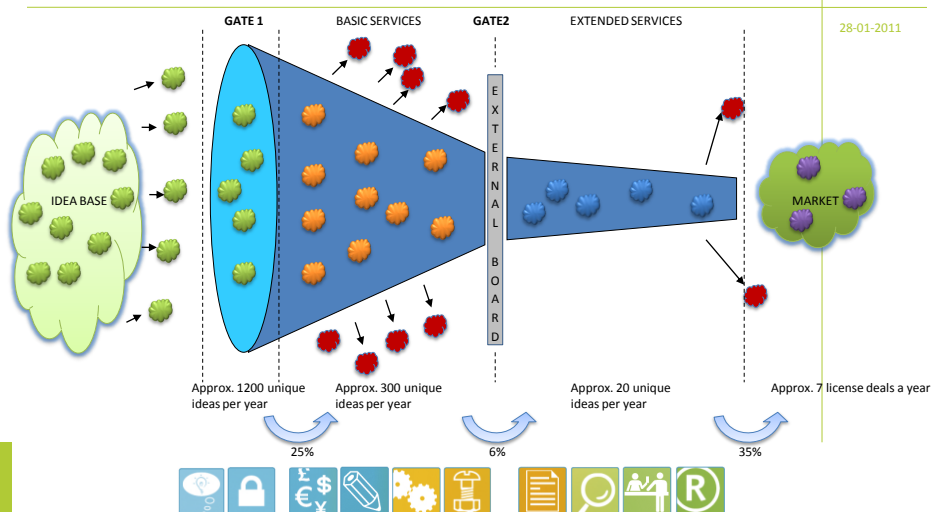


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## INTRODUCTION TO OUR SERVICES



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## WHAT IS OUR GOSPEL? (one of them@)



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- Think wisely – IPR is as much a liability as it is an opportunity!
- All considerations about IPR-protection should take its point of departure on serious business and strategic considerations

### In other words – you must be able to say yes to the following bullets:

- You can obtain positive economic revenue from the protection
- You can obtain positive competitive advantages from the protection
- Revenue from patenting must exceed cost

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## WHY EVEN STATE SOMETHING THAT SIMPLE?



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### Experience unfortunately shows a distortion between ex ante and ex post tools

- Too many patents are written on too early in the development proces – not offering complete protection of the final invention
- Too many patents are handed in before reasonable market analysis and planning has been carried out. The inventor has gone bankrupt before he can close a license deal.
- A patent is trivial against competitors if you haven't got the muscles to persecute companies that infringe your rights. (if you know who the infringer is)
- Some patents end up providing way to narrow protection of a bigger innovation and can easily be to circumvent
- Some patents are issued on inventions with a very short lifecycle.

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## AM I AGAINST PATENTING?



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### By all means **NO** – but I have learned that:

- Whether your idea is fit for IPR protection or just needs to be brought to the market as quickly as possible you will always face an unprotected period
- Rarely ideas become commercial successes without influence from others (network)
- Exposing your idea to a broader field of competences is a necessary part of a development process.
- Focus on the huge benefits that can come out of involving others in your work instead of focusing on the fact that they might steal your idea as soon as possible.
- Show trust in those you involve – and get the same back

...and this involvement in many cases needs to take place before a patent is filed.

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## AM I AGAINST PATENTING?



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An idea is not entirely your own because you conceived it – but each time you work with the idea, build knowledge and develop the idea – each time the idea becomes increasingly **your** idea.

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## IN THE UNPROTECTED PERIOD



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- Use your plain common sense
- An NDA becomes your weapon to fight your own mistrust

### What I always do:

- Create contact to whatever ressource person you are looking for. Tell the person about your invention – tell what your invention does, nothow it does it! Avoid exposing sensible technical details. Stick to the overall details and be innovative in your description!
- If your contact is interested in further info and you trust the person get the contact to file a NDA.

### Why won't companies sign NDA's on beforehand?

- Because nobody involved in innovation, product development etc. will sign a NDA before having clarified whether the non-disclosed knowledge already is known by the company.

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## HOW TO USE AND ABUSE US – [WWW.OPFIND.NU](http://WWW.OPFIND.NU)



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Log ind English

Blogs Skal man gøre sig fortjen...  
Forum Jeg ønsker smagen af flugt...

Om opfind.nu Kontakt Videns om Nyheder

Inventors 10 steps →

1	2	3	4	5	6	7	8	9	10
DIN IDE	IDÉ- BESKRIV- TELSE	MARKEDS- VUR- DERING	IDÉ- ILLUSTRATION	KONCEPT OG TEKNOLOGI	PROTOTYPER	AF- TALER	VERKSOM- HEDS- SØGNING	VERKSOM- HEDS- KONTAKT	LÆKENS- FORHÅND- LING

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Blogs →

<b>BLOGS</b> 15.06.10 Skal man gøre sig fortjent til at beholde sit patent?? 09.06.10. Here end "bare" Opfind.nu	<b>NYHEDER</b> 16.06.10 Styr computeren med øjnene 14.06.10 Fra irritation over BfTen til iværksættereventyr 14.06.10 Bilen som miljørigtigt alternativ	<b>NYT FORUM PÅ OPFIND.NU</b> Del, diskutér og analyser alt om opfindelser og idéer i forummet. <b>Forum</b>	<b>QUICKPOLL</b> Synes du også at manglen på netværk kan gøre det svært at få dine idéer ud i livet? Ja (151) Nej (14) Måske (14)
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News Community

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***For further info, questions etc. contact The consultancy Services for Inventors at Teknologisk Institut:***

Team leder  
Kasper Birkeholm Munk  
[kbm@teknologisk.dk](mailto:kbm@teknologisk.dk)  
+457220 2805



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