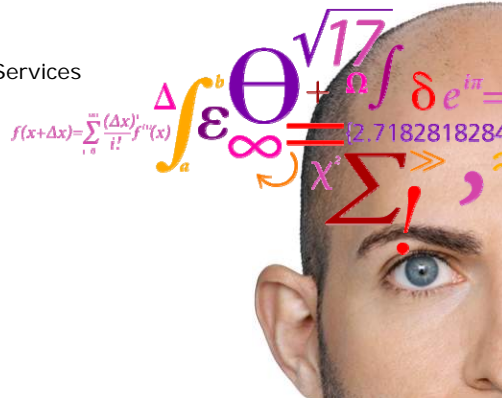


Patenting at DTU

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- IP management at DTU
- Commercialisation
- IP pitfalls
- IPR and technology



IP Management at DTU: idea submission

Submit Invention Disclosure Form to patentadm@dtu.dk describing, e.g:

- What is the invention?
- Technology context – also with regards to position relative to insitute/DTU core research
- Novelty (you conduct a search and submit search the algorithm and results)
- Preliminary market indications, e.g., by looking at market reports, interviews with companies
- Inventor(s) ID - ownership
- Permits and regulatory regimes (for example, FDA approval)

IP Management: idea screening & protection

1. Meeting – idea presentation (.ppt)
2. Minutes written (technology, IP situation, commercial potential – checked by inventor(s))
3. Patentability report requested from patent bureau
4. Green/red light by business developer
5. Green light: DTU takes over the invention – with responsibility to commercialise – *with* inventor. Ownership 1/3 x 3
6. Red light = Twist: 1/3 of net income to DTU!
7. Patent writing – claims – patent quality!
8. R&D to make invention work (often filed early)

Commercialisation

1. 'In house' developments
2. Spin-out, licensing & selling IP



Commercialisation: In house development

Input from business developers:

- Help with the patenting process
 - Knowing what is needed when
 - Managing contact with agents
 - Contact to companies – interviews
 - Input to certain kinds of applications for funding;

Financial instruments for technology development

- GAP funding: normally up to 500KDKK (deadline every two months)
- PoC: twice a year (patent filed) up to 750KDKK
- Copehagen Spinout (life science) up to 250KDKK
- Some of my hours...

Commercialisation: Spinouts, licensing

Business developer work jointly with researcher:

- Working out the business model or licensing platform
- Business plan elaboration
- Managing contacts with investors and companies
- Qualifying presentations
- Negotiations
- Term sheets

Business developer in conjunction with legal officers:

- Agreements for
 - Collaboration
 - IP co-ownership
 - Licencing
 - IP assignments

Commercialisation strategy

1. DTU will aim not to **sell** or **to base a spin-out on** a generic patent, i.e., a technology platform
 - Or else, DTU will be locked out the research area for 20Y
 - We will be tied to one company or a spin-out on any further ideas even in research projects
 - It will be hard to convince a big company (Topsøe, Novozymes etc.) to get a license from a small DTU spin-out
2. DTU will instead **sell** or **base a spin-out on** specific application patents

Some IP pitfalls

- Submitting **publication** before filing patent
- No regulation of ownership of inventions (potential patents) in research and collaboration agreements
- Giving the right or access to IPR for free
- If company files the patent: not looking through drafts for patent applications in due time (a month to 14 days before filing)
- Not being on top of the patenting process: not instructing the patent agent properly could mean a useless but still expensive patent



IPR and technology – means of protection

- Under **intellectual property law** owners are granted certain exclusive rights to technology.
- Not only patents, different rights often **in parallel**
- **Patents**: protect ideas – gives 20Y monopoly to prevent others from producing or using an invention (products, process)
- **Copyright**: protects the expression of an idea – lasts life time + 70Y (software, data libraries)
- **Industrial design rights**: protects the visual design of objects that are not solely utilitarian – 25Y in the EU
- **Trademarks** – signs to distinguish products and their source in the market place. Eternal protection with due renewals

Thanks for listening!

Don't hesitate to contact me:
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