

Construire la relation entre inputs de R&D et innovations et la valoriser ensemble

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This document only represent the personal views of his author and does not represent any official position of his past and present employers

IP in collaboration is not limited to a discussion about who owns?

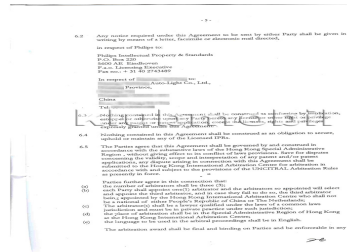


PUBLICATION

Can be an efficient form of protection especially when your interest is to promote diffusion and access to technologies

LOCKING DOWN TOO EARLY

Are you sure that locking down very early a technology (10Y) with a patent will promote more research?



A LICENSE SUFFICIENT ?

With products embedding more and more technologies, do you or can you own all the technologies?

Understand how the technology maps with the strategy of your partner?

Frontier



Tradeoff between ownership and diffusion of the technology to promote more R&D on the technology

Does publication will not be sufficient to ensure a peaceful access to your ecosystem?

Industrial



Critical IP for the company to protect its products
Ownership will be critical

Important IP for the ecosystem of the company
Accessibility and diffusion to the ecosystem are likely to be more important

Core



Enabling

The concept of pre-payment vs. Reasonable compensation

Pre-payment of IP

Reasonable compensation in the case of exploitation

Net present value

Predictability of costs

Motivation of all and now

Uncertainty

Winner takes all

IP is a business matter but a key negotiation point

R&D costs



OPTION 1

Pre paid license

R&D Costs

OPTION 2

IP compensation

R&D costs

Organizing the relationship

Create different classes of relationships

Part A owns and license non excl to B, B pays X% of costs and Y as royalties

Part A and Part B jointly owned and support their costs

Part B owns and pays X% of the costs of A

Part publishes all results and B pays X% of the costs

Create a methodology of negotiation and standard agreements

Explain negotiation keys such as money, strategic nature of the technologies for each partner and how to consider them

No special negotiation ... only standard agreement to reduce transaction costs

Create a high level Board to manage the balance of the relationships

Annual review of the balance of the relationships

Escalation path

Thanks !!!!