

# IP strategy from a business perspective

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# IP is the currency of innovation

- The incentive to invest
- Creates choice:
  - Develop – make – sell
  - Develop – license
  - License
  - Choose route by sector
- NPEs are part of that process

# IP strategic issues

**IP creates complex issues, therefore integrate into company strategy. For example:**

- a. What do you file – how does this fit with, or affect, your corporate strategy?**
- b. Where do you file – same questions as above?**
- c. What are the strengths and weaknesses of your patent position – how does this influence your strategy?**
- d. What is the IP position of your competitors – can you invent or buy your way around any threats – or does their IP suggest new routes for your own research?**
- e. Could your IP position influence whether you develop, make and sell, or license, or both?**

# Corporate IP Strategic Questions

- *What are our business objectives?*
- *How does our IP strategy support our business strategy?*
- *Why do we have IP?*
  - Is it to block competitors, protect our products?
  - Do we have “freedom to operate”?
  - Do we collaborate in the marketplace?
- *Where will the new IP come from?*
  - In-house R&D, licensing in, acquiring patents or companies, collaboration, open innovation?

# Strategic components of Patent Information

- **Patent information and strategy**
- **Competitive intelligence**
- **Intellectual asset accounting**
- **Anti-trust management**
- **M&A input and due diligence**

# The role of the IP professional in corporate strategy

The role of IP professionals should include:

- **educating yourselves in the business issues and decisions which your IP work should be influencing**
- **educating your senior managers or clients to help them understand what you are doing for them and how their IP fits (or not) with their strategies**
- **encouraging/forcing managers or clients to confront decisions which you (should) know that they should be making**
- **find ways of communicating IP issues to lay managers and clients using plain language – *do not use or hide behind legal-speak and IP jargon.***



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