

Ideas are fruits of human endeavor that are cultivated through an innately human process called innovation. Granting legal protection to these fruits of innovation is jurisprudence of Intellectual Property System. While, we have systems in place for providing these protections, we have constant need of robust systems that can effectively and efficiently sieve through an infinite innovation forest and pick best ideas for providing protection. Novocus Legal presents a well-researched method for innovation inspection and screening.

Licensing Prospect Study - India

Novocus Legal LLP

RKumar

Licensing Prospect study: Innovation Screening and Mapping with respect to Indian Market

Project Description

Input

The Client is interested in selling or licensing patent-protected technologies and need a high-level assessment of where they fit into the landscape of similar patents. The Client has requested Novocus to prepare an operating procedure and sample for this task.

This document would describe in detail procedure followed by Novocus for a higher level assessment synchronized with innovation potential of a technology across various sectors and within same technical sector.

Significance of Innovation Screening

In the highly competitive world of knowledge driven economization, innovation is the key to success. In order to supply state of the art solutions on a systems level, new technologies must be continually mastered, even before they are required in final products. The components that result from this drive are also products in their own right and can be used as building blocks by other system suppliers. This concept of technology stacking often disturbs the precarious balance between innovation, development, and commercial advantages. Often, building blocks required for product development may not be end products for any industry but nevertheless important for overall development and success of certain products. Often, a technology can involve more than a few of such building blocks thereby leading to questions like commercial viability and cost benefit ratios. Often, a technology can have cross industry applications and developers might be so focused on current need of the invention, that rest of the potential can go largely ignored. All these scenarios lead to less than optimal commercialization.

Hence, there is a need for a holistic licensing study for any technology or product/process idea. This concept would also be equally applicable for early stage technologies and cases where commercialization needs to be done based on prototypes.

The innovation index is designed to provide up-to-date information about progress in a specific technical field.

For a client who is contemplating entry into a particular field, the results of an innovation map and spill-over analysis results may approve or disapprove the advisability of such a decision. For a client currently active in a particular field, the innovation map and spill-over analysis results can lay out the path that must be followed for optimal commercialization.

When faced with a technical problem, there is no better way of determining what solutions already exist than by looking at patents. A State of the Art Search allows a client to learn what technology already exists, how such a technology came about and then to build on it. **An innovation map and spill-over analysis will also allow a company to spot new competitors and to identify new technological trends.**

In most cases, the innovation map and spill-over can prevent a client from technical black holes that look like technical white spaces on a landscape map.

Also, the innovation map and spill-over analysis can go a long way in identifying potential out-licensing opportunities for a given patent portfolio.

Methodology

The project will be completed in four stages classified into 2 phases involving the following methodology:

- Phase 1
 - Asset Assessment
 - Secondary Research
- Phase II
 - Potential Licensee mapping
 - Package Table

They are explained below.

Phase I: Asset Assessment and Secondary Research

1. An understanding of technology will be developed based on the input provided by the Client.
2. Brainstorming to identify the key attributes of the technology described in the input.
3. The key terms will be used to determine the search strategy and formulate initial search strings in order to search similar patents. The search string that will be used to conduct search for patents and published applications (patent publications) and non -patent literature relevant to the scope of the project.
4. Secondary research on publicly available information (including patent databases), where one or more portfolio's attributes were identified and a patent landscape accompanied by graphs would be generated for same technical domain.
5. Identifying a preliminary set of market applications relevant to the patent portfolio.

6. Above exercise would serve a dual purpose of providing analytical credence to technology in question when it is presented to potential licensees and also it would help client decide upon potential licensees objectively as well subjectively.
7. After this, starts phase II of the project where a licensing map would be charted for patent or portfolio of interest. The process for the same is explained below.

Phase II: Potential Licensee Mapping

1. Based on patents retrieved and market applications searched, a rough table of potential licensees would be generated
2. A study would be undertaken to study cross -industry aspects of the technology (Novocus Legal Would need prior client approval for the same.)
3. Current technologies of interest from all potential licensees identified would be mapped into a table with client's technology and a value table will be drawn so as to map technology value addition with respect to every potential licensee so as to identify carrot licensing candidates.
4. A top level competitor profiling would be done so as to identify stick licensing candidates.

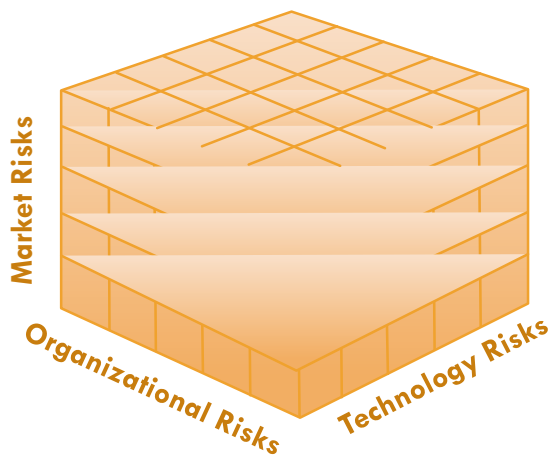
Novocus Legal LLP provides 3 working models for licensing studies. Each model comprises a package of interrelated services, pertaining to technology licensee mapping. These packages are presented in following table.

Service	Top view Assessment	Detailed Licensing Study	Technology Opportunity Mapping
Search for similar patents	✓	✓	✓
Market research for applications	✓	✓	✓
Identifying potential Licensees within Indian Market	✓	✓	✓
Identifying Key Contact Personnel for Licensing Negotiations	✓	✓	✓
Technology Brief for Marketing	✓	✓	✓
Technology Chart depicting value to potential licensees (Carrot Licensing Opportunities)		✓	✓
Infringement studies (Stick Licensing Opportunities)			✓
Cross-Industry Innovation Analysis			✓

Mapping technology with respect to competitor technologies			✓
Developing an optimal Royalty Model for the technology			✓
COSTS	700 USD	2500 USD	3500 USD
Project Duration	25-30 Hours	70-80 Hours	100-120 Hours

Licensing Support and Commercialization Services (Provided as a standalone service and is exclusive from licensing study mentioned above)

Novocus Legal LLP have executed multiple deals based on our research methodology. Target identification and strategic options are recommended based on our data-driven research and impact analysis of our client’s risk profile.



Novocus Legal LLP would propose licensing models based on above observations. Some of the models proposed by includes:

1. IP SALE
2. IP LICENSING
3. INCUBATION
4. POOLING

These amongst others are some other models that would be worked upon and recommended to our client.

Commercialization Services:

1. *Technology Marketing Presentation*
2. *Active Support with Potential licensee meetings*
3. *Technology Negotiation support*
4. *Royalty Structuring*
5. *Contract Drafting and Legal Compliance support*
6. *Ongoing Legal Support and License maintenance.*

Project Organization

Novocus proposes the following protocol to facilitate smooth and timely completion of the project:

- A single person contact, appointed on behalf of Novocus, will communicate with the Client and will be responsible for the deliverables.
- A Client-appointed nominee will interact with Novocus for all project-specific discussions.
- The project will be considered complete when it is concluded and delivered by Novocus to the Client's satisfaction, along with all supporting documentation.

We request you to please contact the undersigned in case of any queries related to innovation maps and spillovers or Intellectual Property in general.

Contact Details of Novocus Legal LLP

- **Contact Person:** Ruchica Kumar
- **Contact Phone:** +91-9711546163
- **Contact Email:** rkumar@novocuslegal.com
- **Contact Skype:** novocus.legal

Disclaimer: Entire contents ©2014 Novocus Legal LLP. All rights reserved. Reproduction of this publication in any form without prior written permission is forbidden. The information contained herein has been obtained from data sources believed to be reliable. Novocus Legal LLP disclaims all warranties as to the accuracy, completeness or adequacy of such information. The search results identified are only up to the date of this document. No opinion, unless clearly stated otherwise, is expressed or implied other than the comments stated herein. Novocus Legal is not a law firm and does not provide any legal advice or legal opinion.