

A hand in a grey pinstriped suit sleeve holds a white rectangular sign with rounded corners. The sign features the text 'Commercialisation of IP' in a bold, orange, sans-serif font. The background is a blurred office interior with modern lighting fixtures and dark panels.

# Commercialisation of IP

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Commercialisation of IP addresses the commercial application of your IP and related technology by another party(s), whereas Utilisation is intended to apply to in-house use of the IP by the owner.



# Commercialisation of IP – using another party

## Mechanisms to consider:

- Licence to manufacture, use and/or sell
- Form a “Start –Up”
- Assignment – outright sale of IP
- Technology Joint Venture
- Franchise
- Contract
  - Distribution
  - Manufacture
  - Export
- Combination of above



# Licensing of IP – a definition

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Technology Licensing is a commercial arrangement where one party, the 'licensor', grants intellectual property rights to another party, the 'licensee' under certain terms and conditions. A licence is not an assignment of IP rights as there is no transfer of ownership to the IP rights

Licensing is like a lease - typical licence conditions might include purpose (make, use, sell), exclusivity, territory, scope etc.



# Licensing – involves 2 parties

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- 2 parties for a licence
  - Licensor – owner of the IP/technology
  - Licensee – user of the IP/technology
- Important to understand the needs of both parties
  - Financial modeling a key part
  - Why License?
- Need a negotiation strategy
  - What are key points for each party?
  - - exclusivity, territory, purpose, field of use, payments (eg royalties), parties responsibilities
  - (eg: technical assistance), IP rights and obligations, confidentiality
  - Key Points can assist in determining “trade offs”



# List of IP Basics Reference Materials

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The following materials are supplied as IP Basics Reference Materials and is a subset of the IP Masterclass Materials:

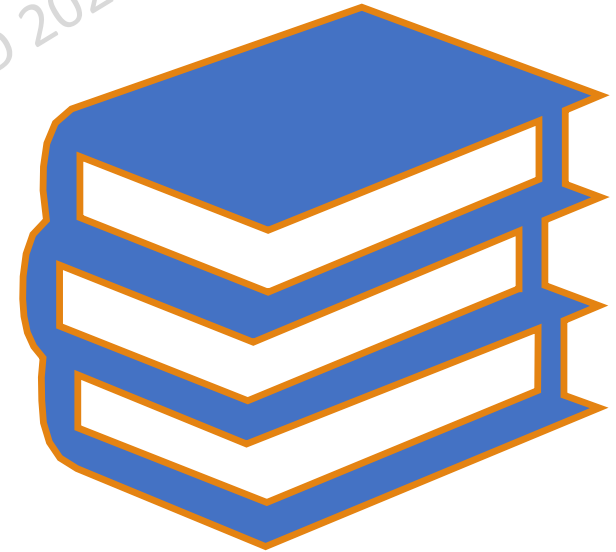
- IP Australia IP Glossary
- Aust Patent No 2015278274
- US Patent No 10643159
- Aust Trade Mark No 1741996
- Aust Design No 201815219

# IP Basics RECAP:

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In this IP Basics introductory course, we have identified:

- The concepts of Intellectual Capital, Intellectual Assets and Intellectual Property in a Company
- The main types of Intellectual Property and principal characteristics of each
- Possible mechanisms to commercialize IP/technology, and in particular the concept of technology licensing



# Next Steps

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- Finalize your answers to the Quiz questions (Q1 and Q2) and submit with IP Basics Test
- Complete the IP Basics Test (next slide) within 2 weeks.
- Feedback to Test will be provided prior to commencing the IP Masterclass
- Register for the IP Masterclass





# IP Basics Test:

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Complete the following questions/tasks:

1. Consider having a simple cup of coffee. List possible types of IP that might have gone into you enjoying that drink. This can include technology relating to the cup, the coffee making equipment, and even the coffee itself.
2. Your company has developed a novel process for treating wastes at mine sites. Try and make a “comparative list” of the advantages and disadvantages of patenting this process or keeping it as a trade secret.
3. Your company has decided to license the technology in Q2 above (patents and trade secrets) Drawing on your own experience what factors (business, technical or otherwise) do you think you will need to consider before embarking on this strategy?

Answers/responses should be emailed to: [jwalker@dennemeyer.com](mailto:jwalker@dennemeyer.com) within 2 weeks of completing the IP Basics Program. A suggested answer will be returned once your responses are evaluated

# Extension questions: What is Intellectual Property?

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## Participant Quiz

- Identify in your Company examples of Intellectual Property (using the slide “Intellectual Property (IP) includes:”) as a guide
- Identify different elements of IP in a Large Mining Truck
- What do you see as the advantages and disadvantages of registrable IP vs non-registrable IP?
- In your Company how do you think the value of intangible assets (Intellectual Capital) compares that of with the tangible assets (traditional plant, equipment, buildings etc.)



# See you soon:

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Once you have submitted your responses to our Quizzes and IP Basics Test, we will be in contact with you to discuss the Masterclass and your general IP circumstances.

METS Ignited will be in contact shortly to confirm times

We look forward to welcoming you to our IP Masterclass

Happy learning!