

Recognizing the Commercial potential of research



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Questions



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- What is IP?
- How do you recognize IP ?
- How do you safe guard IP?
- Why Exploit IP ?
- How do you Exploit IP?

What is IP?



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Intellectual Property

- IP is “The product of Creative effort”
- “The product of the Mind or the intellect”

Examples of IP



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- Trade and service marks
- Inventions
- Writings
- Art works
- Musical compositions and performances
- Literary works
- Architecture

- *Trade secrets*
- *Discoveries*
- *Software*
- *Methods for performing mental acts*

Protection



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- Trade Marks (Distinguishing features)
- Design Rights (Shapes)
- Copyright (Graphics creative and artistic works)
- **Patents** (technical ideas relating to products, devices and services)
- **Secrecy** (Know How)

Recognizing IP



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- Recognizing IP early is very important!
- Is it novel? (no visible prior art- <http://gb.espacenet.com>)
- Is it inventive? (not obvious)
- Is there a commercial application? (marketability)
- Process or Platform

Documenting



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- Keep good records (Duplicate signed books)
- Control the data (Laptop pen drives etc).
- Conduct a regular audit.
- Disclosure of an idea makes it unpatenable.

Records Can Win or Lose Patents!



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- **R**ecord all laboratory information in a bound notebook.
- **E**ntry must be signed and dated by the person doing the work.
- **C**ounter sign work.
- **O**riginal work not altered.
- **R**etain all records (up to 30 years!).
- **D**ata generated must be treated the same way

What is a patent?



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- “A **patent** is a set of exclusive rights granted by a state to a patentee for a fixed time , normally twenty years, in exchange for a disclosure of an invention”
- “A **patent** is a legal title granting its holder the right to prevent third parties from commercially exploiting an invention without authorisation.”

Process or Platform

- Process: generally built on existing IP they add value to a process e.g. a new way of doing something.
- Platform: A new concept that is likely to be bases of future IP.

What can you patent?

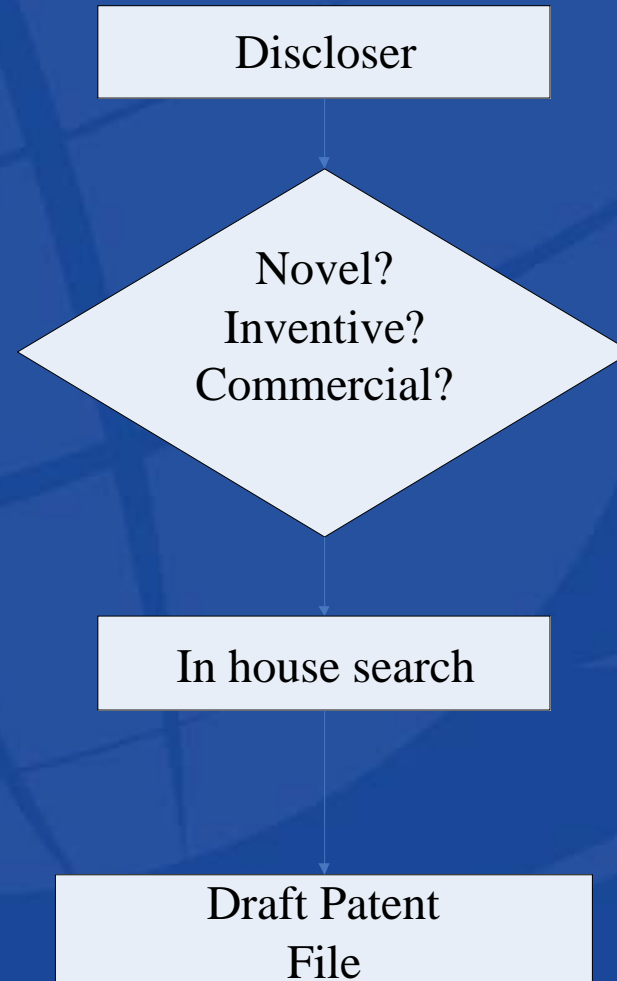


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Example for a new drug

- The compound
- The method to make it
- Formulation and delivery
- Medical use
- Assays based on the compound

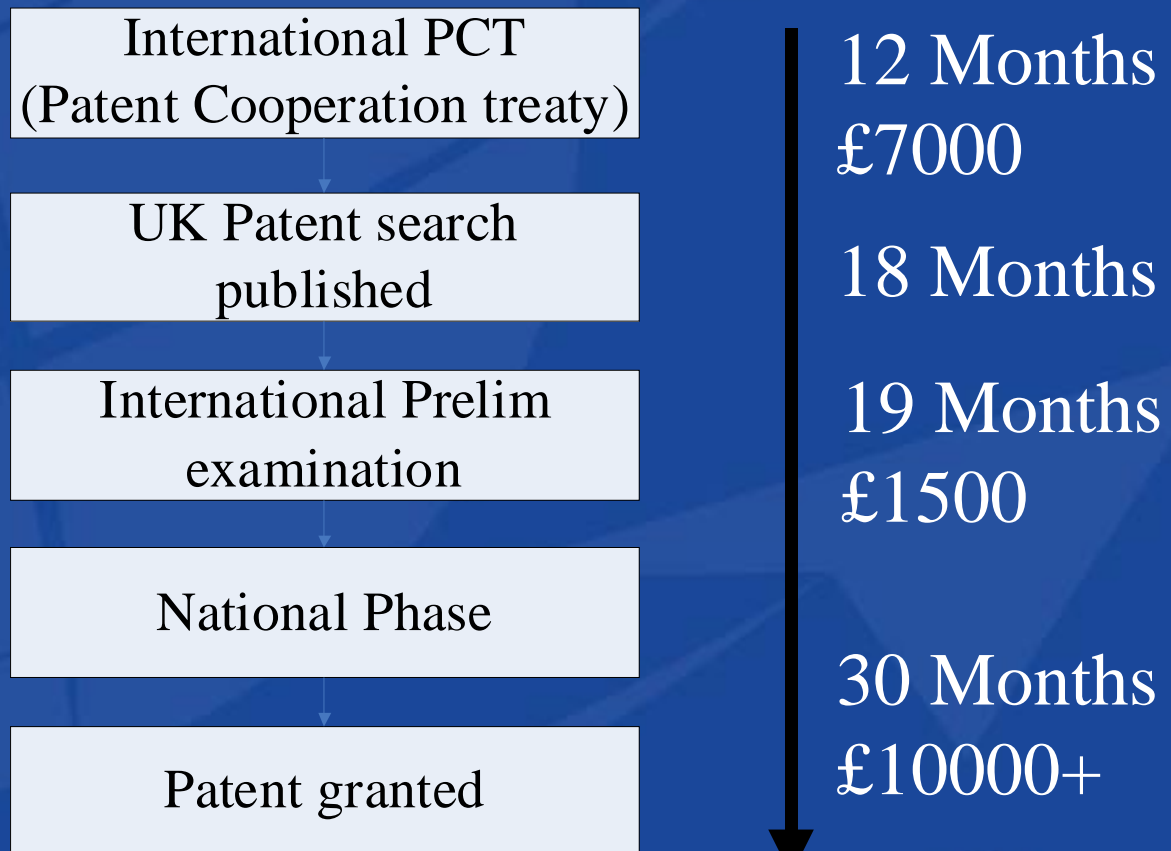
Patent process



1-3 Months

£3000

Patent process 2



Know How



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- Trade Secrets
- Knowledge base.
- Methods and Processes.
- Talents (Assets).
- Experience (Assets).
- Relies on Secrecy.

Exploitation options



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- In House
- Joint Venture
- License
- Spinout

Exploitation



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- **In House**
- IP type Know how
- Commercial services
- Consultancy

- **Joint Venture**
- IP type Platform or Process.
- Funded by Commercial Backer and University.
- Proof of Principle/development phase.
- End point a Licence agreement and buy out

Exploitation



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- **License**
- IP type Process.
- Commercial backer buys out and exploits the IP.
- May have Joint venture first.
- Commercial backer takes on the patent fees.
- Get paid royalties.

- **Spinout**
- IP type Platform
- University Support initially
- Banks/Venture capital
- High risk/High returns

Conclusions



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- Your IP in all its forms can be valuable be aware of it.
- Review your IP regularly.
- Be aware of it commercial potential.



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