ROADMAP FOR PATENT CREATION

IP AUDIT FRAMEWORK

LECTURE 18

A very warm welcome in the third module of week 4 of the Course, roadmap for patent creation, titled "IP audit framework"We have gone through the IP identification tool and patentability tool in the earlier modules now in this module we will learn about the IP audit framework

In week 1 module 4 we have received a primitive idea about IP Audit and we have learned that IP audit is a systematic review of all Intellectual Properties and IP related agreements which are owned or acquired by the corporation or individual or anyone.We have also understood that IP audit helps in accessing and managing risks and helps in implementing best practices for all the processes which are involved in IP management .Now in this module we will try to map the IP owned by an organization...or may be individual.So you can apply this to yourself also

So let us start Suppose you wish to do the IP audit of your research project So consider the project you are working or Consider the research problem you are solving now Or consider the any past project or research work you have completed or you take yourself as an entity of whom you want to do IP audit or you are IP head and want to do the IP audit of your organization Or you are head of department in academic institute and wish to do IP audit Or you are MSME and want to do IP audit Consider any of the example You can do IP audit.....using this framework... This is very primitive framework However, it will give you overall idea about IP audit he report coming after the Ip audit may give a few insights

You may compare the results of application of this framework….this comparison may give idea about improvements if any is possible or it may give idea about exploration od something new which already you are owning however not developed to create IP….The other way to use this is in self-appraisal you can use this…. On the basis of the IP audit report you can plan your next activities Or you can use it and modify to create matrices for quality improvements…You can add or delete the parts in this framework and customize it as per your need….So let us start with copyright , everyone creates copyright…you will how? Anything you write or draw …so in short any creative expression you exhibit it is automatically your copyright For copyright you need not to register it As soon as you create it is your copyright provided certain conditions stipulated by law are followed So now we will check what possible things you can add in this ….Out of various examples we discussed above we will apply it to academic institute….

so now as this framework is designed keeping in mind academic institute copyright of academic institute can be -Conference papers which may be national or international Research paper publications again national or international Then book or book chapter Then graphic designs if any Any poster or charts presented in the conference Monograms published Then any technical bulletin published f any educational related videos created then you add that number Then any kinds of manuals and field guides created Any database if you have created…may be student database, college database, industry database, product database..

anything Then photographs -of any technical output in laboratory or any nature photography or any zoology or botany specific photography etc Then musical work may be created for any event in the college or as part of learning course or any music related to educational videos etc Any films developed either drama or technical process capturing in the camera or any event related films….. anything then sound recording like music if any then any sound composition if it is created and recorded …any technical processes related sound recording …

Then anything other than mentioned here and which falls in the category of copyright that is sculptures, adapted work, any performances, any architectural design so anything subject matter of copyright you can add up here The list is not exhaustive so you can add or delete as required So as a individual also you can apply this to yourself to check what different copyright you own…as mentioned earlier you may not have registered but you know that as soon as you create any subject matter of copyright without registration you get the right over that…so this is all about the copyright Now the next is patent So you can list down the patents you own So the various categories can be as follows How many patents that is total number of patents Then categories further as How many PCT applications

How many USA application How many EPO applications How many Indian patent applications? Then any other countries in which you have filed patent …list all Then the next is How many product patents How many process patents How many patents are expired How many patents are invalidated ..if any How many are active patents How many patents are licensed out How many patents are inhouse commercialized How many patents are sold How many patents are still not commercialized How many are potential patents which can be commercialized No. of patents hold in collaboration..This list is also not exhaustive but indicative and you can add further As product specific patents Inventor specific patents How many granted patents While keeping all the data related to patent or copyright you can record the time of filing…. If possible you could find out technology market size related to patent then it may help you in commercialization activity Now a few queries might be raised in your mind….What is patent expiry…………A What is invalidation of patent ……….A Process product patent you know as we have discussed this…in earlier module Then what is epo …………..A What is active patent………..A Thus you can put the data related to patent

Then the next is IPR as trademark GI and industrial design There is possibility that in academic institute you may create industrial designs …in brief industrial design is design having industrial application It may any novel game related design, any product designed by mechanical engineer etc.Possibility of GI and trademark is little less in academic institute but there is definite possibility….so it there are certain separate entities within institute and such entities are working independently or any product is produced by academic institute and marketed through some dedicated entity..then there is definite possibility of having number of trademarks …..we will not go in details of TM here ….but there is possibility Then GI ….again there is possibility of academic institute in GI registration may be dependent on its geographical location…but definitely there is possibility

So if such GI or industrial designs are registered then you can mention it here…we will not go further categorization here but it is possible for you to put various other headings related to Trademark and GI Then the next is agreements and trade secrets So there are various agreements which are executed related to IPR such as MTA …material transfer

agreement, licensing contracts, trade secret related contracts, franchise related contracts, any Non

Disclosure agreements, work for hitre related contracts, technology transfer related arrangements made through contracts and so many…..You can have categorization of that This is necessary as periodic visits to such contracts helps you to revise it as and when required…this is like huge subject of study ..just remember here that there will be many contracts and agreements which list if available with you, you can organize he related activities effectively

Trade secret and knowhow …this data will be confidential data with restricted access to this information ..however this data record is necessary Next is human capital involved You can keep data related human capital as activity and against that activity who are involved ….then you can categorise it as per your need….Such data always helps you in effective human resource management …Then next is relational capital This data is very useful in collaborations….it may include vendor details, funding resources related data, already existing collaborations, alumni data and so on All these that is agreements, tradesecret and know how, relational capital human capital, IPo other than copyright and patent …these are in itself vast subjects of studyHere we are just listing the information related to it

Again as mentioned earlier I reiterate you can customize this list as per applicability to you set up Then the next one is IP valuation You may not able to do this However, tentatively you can think over this considering the titles mentioned under this category as Average expected revenue /year Actual revenue generated/year Amount of revenue generated through licensing /year Amount of revenue generated through selling of patent or any ip Amount of revenue generated through inhouse application or Amount saved through inhouse application of any process or product you invented Then in last I have put two points under IP valuation however you can put it in different heading these points are As maintenance cost of patent paid every year And initial cost of patent filing…So this is the very primitive framework you can follow to know the status of IP in your organization we will just start with ourselves…take a few minutes take a pen and paper Keep this framework on the screen And jot down against each category what you own Then jot down what is the possibility of generating any of the things mentioned Then write down what other things you can add up in this list

This will give you pretty well idea about the IP you yourself own…and also it will give you idea to plan your activities for next 6 months or year…Then again you can apply this framework …Thus periodic application will help you to improve your IP portfolio Which you can leverage for gain which may be monitory or may be in the form of recoginition or any other form….Kindly check this video…I hope this framework and the earlier two tools that is patentability tool and IP identification tool will be useful to you With this we come to end of this session on IP audit framework see you in the next very interesting and important module on"Public patent databases" where we will understand information about free patent databases See you in next session

Thank you