

ROADMAP FOR PATENT CREATION

PATENT COMMERCIALIZATION

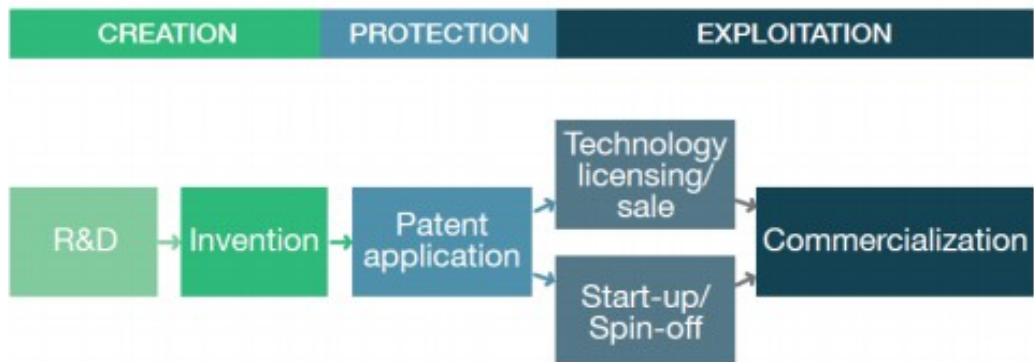
LECTURE 38

A very warm welcome in the third module of week 8 of the Course, roadmap for patent creation, titled “Patent commercialization”

Patent Commercialization :Need

- **Invention ≠ Product**
- **New idea does not mean useful invention**
- **Invention useful only if product is marketed well**

Patent Commercialization: Path



The technology transfer flowchart

Pathways

- **Internal Development**
- **Licensing**
- **Joint Ventures or Partnering**
- **Start ups and Spin offs**

Patent Commercialization: Due Diligence

- **Field of use or market area**
- **Freedom to operate**

- **Expertise in the field (partnership and collaboration)**
- **Organization Strategy**

Institute Strategy or University Strategy

Pathways we have seen various pathways .

- Internal development
- Licensing
- Joint Ventures or Partnering
- Start ups and Spin offs

Now let us concentrate on

- **Internal Development**

Licensing

Patent Licensing

Scope of License

- **Field of technology transfer and technology use**
- **Subject-matter of license**

Kind of license

- **Exclusive**
- **Non-exclusive**

Geographical extent

- **Worldwide license**
- **Country-specific license**

Rights licensed

- **Manufacture, sell and use**
- **Manufacture only**
- **Sale only**

- Use only
- Import

Key Considerations for Licensing

- Rights and obligations of the licensor and the licensee (whether sub-licensable etc)
- Payment of royalties
- IPR clause (right of first refusal; grant-back of further improvements)
- Confidentiality clause (related know-how, trade secrets etc.)
- Dispute settlement (Litigation, arbitration, applicable law, jurisdiction of courts)

Mode of Payment on Licensing

- Payment of Royalties
 - Lump-sum payment
 - Down payments
 - Milestone payments
 - Minimum royalty payments
- Share of profits

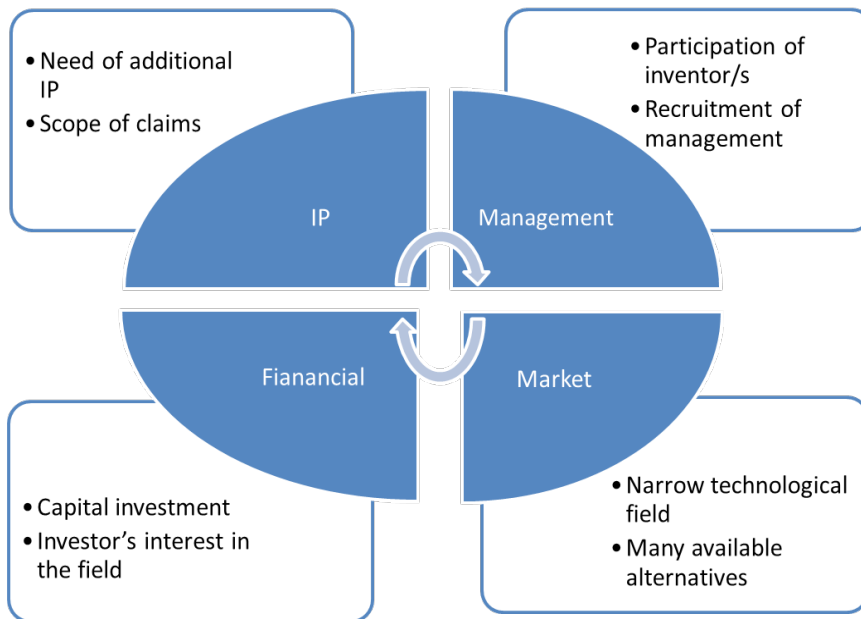
Pathways

Third

- Joint Ventures or Partnering

Pathways fourth Start ups and Spin offs

- Technology → Value creation
- Technology Development
- Manufacturing Process Development
- Company Set-up and Management
- Financing
- Risk assessment and risk aversion



- **Angel Investors**
- **Bank loan (Up to five crore rupees under Start-up India Initiative)**
- **Venture Capital/Strategic Alliances/Joint Ventures**
- **Initial Public Offer**

Insurance for Start-ups

- **High risk in business activity**
- **Covering regulatory obstacles and litigation costs**
- **Attract investors to inject capital into the company**
- **Securing the utilization of seed capital**

Patent Commercialization

- **Internal Development**
- **Licensing**
- **Joint Ventures or Partnering**
- **Start ups and Spin offs**

Video With this we come to the end of this session. See you in the next session

thank you!