

# Left Turns Only

## *Making Sense of Nanotech IP Strategy*

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# An Arms Race?

“Innovative companies have been thrust into an intellectual property arms race.”

*- from Ideas to Assets*

# An Arms Race?

*No. . . Just a Horse Race . . .*

*With Winners, Losers and Some No Shows.*

## More Th

Business strategy drives IP strategy,  
not the other way around.

*Nanotechnology is no different.*

# Business Strategies

- Technology Enabler
  - primarily provides nanotechnology to others (e.g., Nanosys, Quantum Dot, Nanotek)
- Application Provider
  - primarily produces a product or service based on nanotechnology (e.g., Nanoink)
- Technology Adopter
  - primarily adopts nanotechnology from others to enhance products (e.g., Levi's)

# Business Strategies

- Intellectual (and Revenue) Capital Builder (e.g., MIT, Northwestern, Harvard)
  - primarily develops fundamental nanotechnology for intellectual and revenue stimulation
- The Government

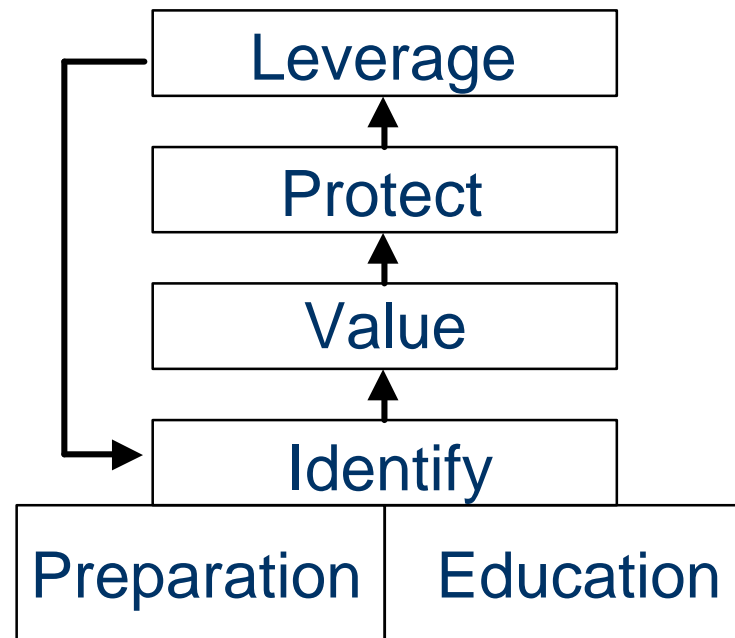
# Intellectual Asset Management Strategy

- IP Value Generation Foundation
- IP Value Generation Process

# Intellectual Asset Management

*IP Value Generation  
Process*

*IP Value Generation  
Foundation*





# Preparation

- Engage experienced IP advisors
  - Shortage of experienced IP advisors in Nano
- Maintain an IP Strategy and Plan
  - Recognized importance in Nano
- Maintain an Employee IP Incentive System
  - Not much in early stage nano, still driven by emerging nature of technology
- ***Know what you own, own what you know***

# Education

- Communicate your IP Strategy & Plan
  - Internal
  - External – Give notice that you are a player (when you are a player)
- Educate Team Members and Stakeholders on IP Basics
  - Patent barring events
  - Timetables for patents to issue
  - Don't pretend to be patent attorneys

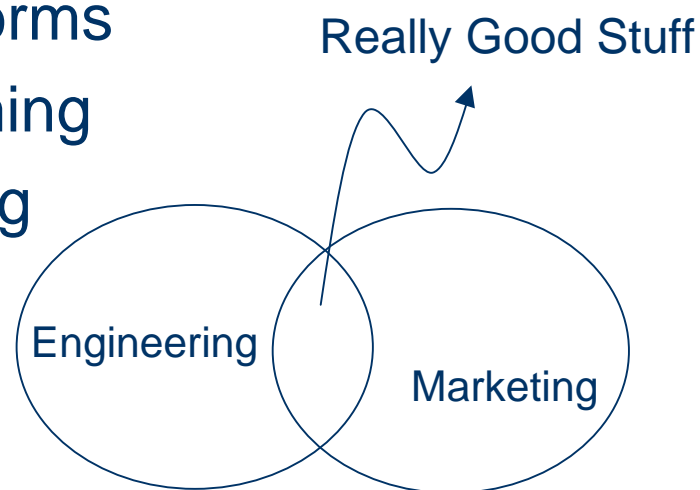
# Identify

- Internal

- Invention Disclosure Forms
- Engineering Brainstorming
- Marketing Brainstorming

- External

- VC Bumblebees
- External IP Identification Tools



# Value

- Assess value to your business strategy
- Assess value to others (if not within your business strategy)
  - Cross Licensing Potential
  - Revenue Potential
  - Defensive Value

# Protect

- What is the right form of IP Protection?
- Pursue IP Protection
- License In – Level of Exclusivity, Future Development, Term, Field of Use

# Leverage

- Enhance the value of your product
- License out
- Cross License
- Basis for Funding
- Company Credibility