



# **PORTFOLIO MANAGEMENT STRATEGIES FOR TODAY'S BUSINESS**

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Ian Heath  
Managing Consultant  
First Thoughts

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## **Outline**

- Impacts of global financial crisis on IP management
- Key survival choices facing IP management in firms
- Best strategies for IP management
- Practical delivery tools for IP management

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## **Evidence of Pain (1)**

- Trade Marks (OHIM data)
  - 7% fall in filings last quarter 2008
  - 21% fall in filings from USA
  - 17% fall in filings from UK
  - 14% fall in filings from Spain

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## **Evidence of Pain (2)**

- Patents
  - PCT growth in 2008 slowed to 2.4% (cf 9.3% av)
  - 7% fall in EPO filings
  - 2% fall in USPTO filings
  - China filings growth slowed to 10% in first qtr 2009 (cf 21% in first qtr 2008)

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## **Evidence of Pain (3)**

- CPA Global survey May 2009
  - 48% fall in filing work in law firms
  - 28% fall in renewal work in law firms
  - 36% fall in spending on patent protection in company IP departments
  - 39% fall in spending on trade mark protection in company IP departments

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## **Key Survival Choices (1)**

- Cutting costs
- Rationalising IP
- Litigating
- Acquisitions & Mergers
- Investing in R&D

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## **Key Survival Choices (2)**

- Do all firms have the same choices?
  - Links between deep pockets and strategy
- Evidence that larger firms can invest in R&D counter-cyclically – smaller firms do not
- Is improved IP management a key survival choice?

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## **Key Survival Choices (3)**

- Crisis a spur for innovation?
    - 1929-39 – television, neoprene, photocopiers, electric razors
    - 1973-75 – Japan auto industry, personal computers
    - 1990-91 – internet economy
    - 2001-03 - iPod
- » Jeremy Rosie "Value of IP in a Recession", Intellectual Asset Management, July/August 2009

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## Being Strategic (1)

- Crisis as an opportunity
  - Serious crisis = significant change = opportunities
- Need to invest in the future
  - R&D
  - Product development
  - Innovation
  - Staff skills

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## Being Strategic (2)

- Getting IP management fundamentals right
  - IP auditing
  - IP mapping
  - IP monitoring
  - IP business intelligence

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## **Being Strategic (3)**

- Are we ready yet? Do we have the tools?
  - Intention is there (CPA Global survey)
  - So is the scepticism
    - Only 12% of managers in a recent survey on enterprise performance management saw business intelligence as a central business tool
      - » Quocirca 2009

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## **Practical Delivery Tools (1)**

- For IP management it is a crowded field
  - Mapping tools
    - PatentLab (Wisdomain); Themescape & Aureka (Micropatent); Patentmaps.com (i3-Research); ClearForest; CHI Research; IPVision; etc
  - Databases
    - Dialog; STN; Questal-Orbit; Lexis-Nexis; Derwent; Thompsons; Chemical Abstracts; patent offices; etc

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## Practical Delivery Tools (2)

- Example of next generation IP management services and tools
  - Filament Pty Ltd
    - Small Australian company with an off shoot in Singapore
    - A higher level strategic approach with the practical tools bundled and integrated into a firm's operations
    - Filament delivers superior IP Intelligence to help corporations make smarter, more strategic

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## Practical Delivery Tools (3)

- The *Illume* monitoring tool
  - Comprehensive – broader than traditional IP searches
  - Collaborative – allows a team to review and confer
  - Accountable – facilitates management of review
  - Auditable – maintains a history of search & review
  - Usable – simplifies the process for non-legal teams

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## Conclusion

- No substitute in good times or bad for strategically designed and implemented IP management arrangements

*Know the enemy, know thyself, and victory is never in doubt, not in a hundred battles.*

Sun Tzu, *The Art of War*,