

# **Corporation IP Value and Strategy**

## 企业知识产权价值和战略

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# The Value of Corporate IP 公司知识产权的价值

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1. Cash Value 现金价值
2. Market Power 市场力量
3. Merger & Acquisition 兼并与收购
4. Reputation 信誉

- In June 2011, Apple, EMC, Ericsson, Microsoft, RIM, and Sony won the auction of Nortel's 6000 patent portfolio for a total of \$4.5 Billion
- 在2011年6月，苹果，EMC，爱立信，微软，RIM，和索尼以总额为45亿美元的拍卖价获得北电的6000多个专利的专利组合
- Qualcomm's IP royalty total of \$4 Billion in 2010
- 高通公司在2010年的IP的许可费收入总额为40亿美元

- In 2005, medical device maker Medtronic paid 1.35 Billion in settlement with Dr. Gary Michelson
- 2005年，医疗设备制造商美敦力公司在与加里迈克尔逊博士的诉讼支付13.5亿美元后和解
- In 2004, Sun Microsystems won more than \$1 Billion to settle with Microsoft
- 2004年，Sun公司在和微软和解时赢得超过10亿美元

- In 2009, SMIC settled with TSMC in a series of litigation started in 2002
  - \$200 million payment
  - 8% of SMIC's issued share capital and another 2% option
- 在2009年，中芯国际与台积电就自2002年来的一系列诉讼达成和解
  - 支付2亿美元，和
  - 授予中芯国际已发行股本的8%，加上另外2%的股权

- Qualcomm – global CDMA market
- Kodak v. Polaroid
- NTP v. RIM
- Cisco v. Huawei
- i4i v. Microsoft

# Merger & Acquisition 兼并与收购

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- Google acquire Motorola Mobility for \$12.5 Billion
- 谷歌125亿美元收购摩托罗拉移动
- HTC acquire S3 Graphics for \$300 Million
- 宏达以3亿美元收购S3 Graphics



- Innovative – Intel, Qualcomm, IBM, Apple, etc.
- 创新 - Intel, Qualcomm, IBM, Apple
- Respect IP
- 尊重知识产权

# Winning Company IP Strategy

## 制胜的公司知识产权战略

- What is a company IP strategy?
- 什么是公司的知识产权战略？
  - Developing, managing, and extracting value from IP in a systematic way according to the real needs of the company
  - 根据公司的实际需要，系统地开发知识产权，管理知识产权，并在知识产权中提取价值

# Winning Company IP Strategy

## 制胜的公司知识产权战略

- How do you know your company has one?
- 您怎么知道您公司有一个知识产权战略
  - Top-down 自上而下
  - Value questions 问有关价值的问题
  - Imaginary litigations 问有关诉讼假想敌的问题
- Why do you need one?
- 为什么您公司需要一个知识产权战略?

# A Complete Patent Strategy in Practice

## 一个完整的可操作的的专利战略

1. Creating patent portfolio 建立专利组合
2. Managing patent portfolio 管理专利组合
3. Assessing patent risks 专利风险评估
4. IP commercialization 知识产权商业化

# Creating patent portfolio 建立专利组合

- Patenting the trend
- 根据行业趋势建立专利
- Defensive and Offensive
- 防守和进攻
- Boundary Between Trade Secret and Patent
- 商业秘密和专利的界限
- Patent Clustering or Concentration
- 专利集中布局

- Patent Audit 专利审计
  - How, What, and Where
  - 如何、什么、和在何处
  - Licensing in and licensing out
  - 许可进来和许可出去
  - Value
  - 价值

- Joint liability 连带责任
  - Patent indemnification 专利免责条款
  - The key is control and support 关键是控制和支持
- New product development 新产品开发
  - Freedom to operate 自由操作
  - Design around 回避设计

Thank You  
谢谢!

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完善企业知识产权管理

推动和保障企业国际化进程