Intellectual Asset Management

The development of intellectual property management

- Intellectual property management to protect
- Intellectual property management to enable innovation and value creation (entrepreneurship)
- Intellectual property management to enable and govern openness

The development of intellectual asset management as professional skills

- Intellectual property based claiming and management of intellectual assets
- Trade-secret based claiming and management of intellectual assets

- Organisational and contractual claiming and management of intellectual assets

- Compliance based claiming and management of intellectual assets

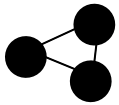
COMMISSION RECOMMENDATION (EU) 2023/499 of 1 March 2023
on a Code of Practice on the management of intellectual assets for knowledge valorisation in the European Research Area

For the purpose of this Recommendation the following definitions apply:

- **"intellectual property"** means the result of intellectual activities that is eligible for legal protection and includes inventions, literary and artistic works, symbols, names, images, and designs;
- **"intellectual property rights"** include patents, trademarks, designs, copyright and neighbouring rights, geographical indications and plant variety rights, as well as trade secret protection rules;
- **"intellectual asset"** means any result or products generated by any R&I activities (such as intellectual property rights, data, know-how, prototypes, processes, practices, technologies, software);
- **"intellectual assets management"** means a set of strategic processes to handle intellectual assets in all stages of their life, from their creation to market, including: the identification of potential assets created or acquired, the evaluation of the technical, legal and market advantages of the potential asset, the decision making on the available forms of protection, the determination of marketing and technology transfer strategy, the identification of the best partners for their management – in accordance with the business goal and socially responsible policy of the organisation.

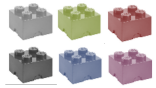
Knowledge-transfer in Universities – an intellectual property approach

Licensing model:
Invention disclosures to TTO's who file for patents and license

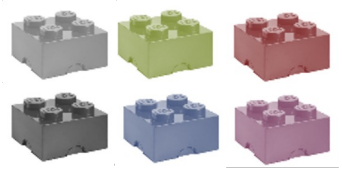


Collaboration model:
Researchers, with support, govern background and project results

Venture creation model:
Researchers/students create ideas which are verified and commercialized by a university-based innovation system



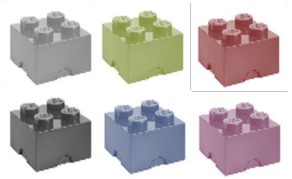
IAM model:
Academic environments are enabled to take a proactive and integrated responsibility for their research result



IAM model:

Research environments are enabled to take a proactive and integrated responsibility for their research result

IAM-model



CAPTURE

Which research result do we have to uilise?

UTILIZE

Which social responsibility shall we take on?

POSITION

How does the external environment look like and how should we be positioned?

ORGANISE

How shall we develop our capbility?

CAPTURE

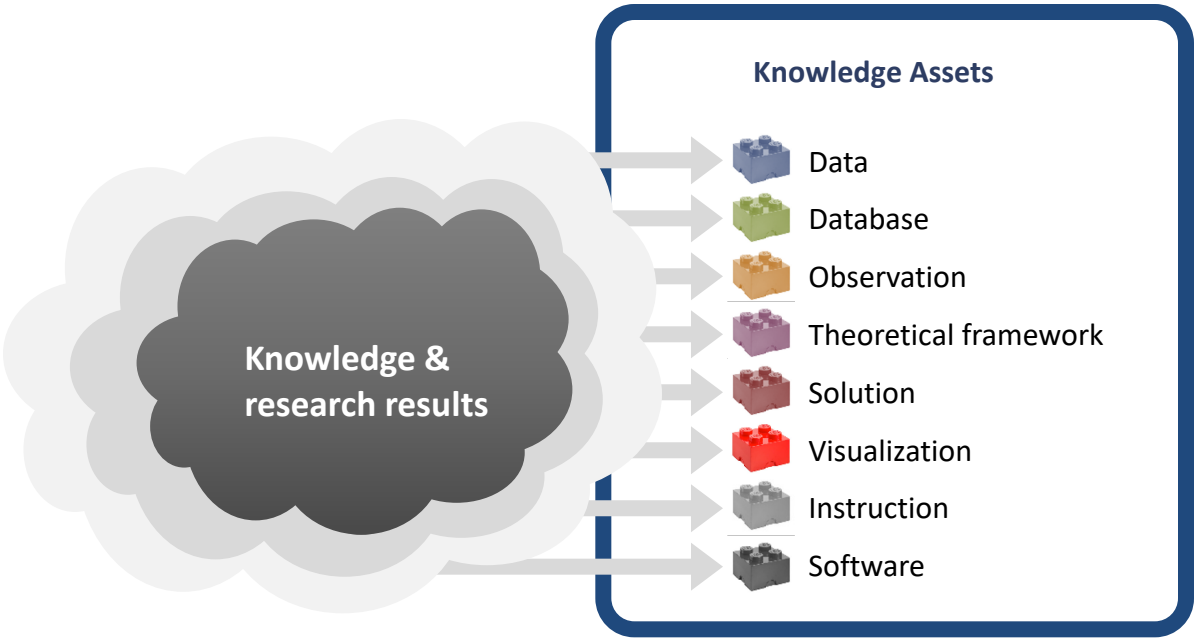
Which research result do we have to uilise?

At the core of IAM is the approach to making intangibles more manageable

From unspecified, diffuse and scattered knowledge...

...to well-defined and manageable intellectual assets

Intellectual assets: What we are looking for?



Valuable

Distinct

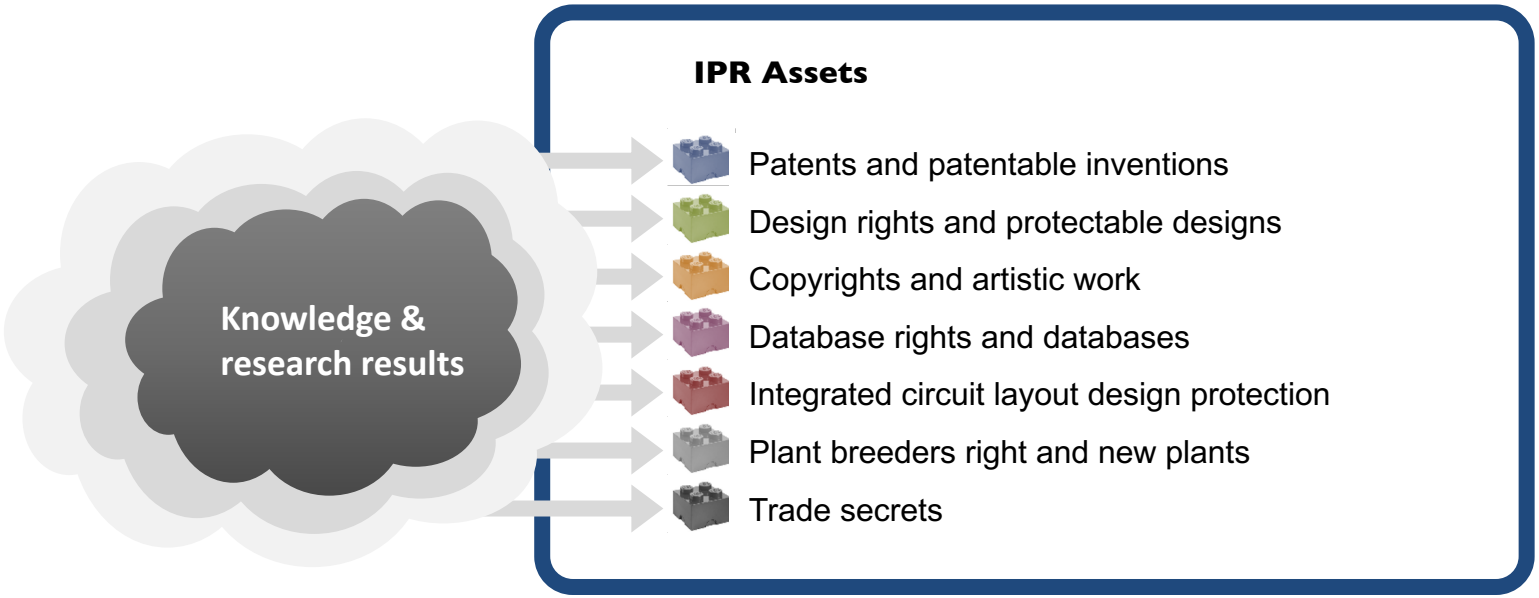
Communicable

Transactable

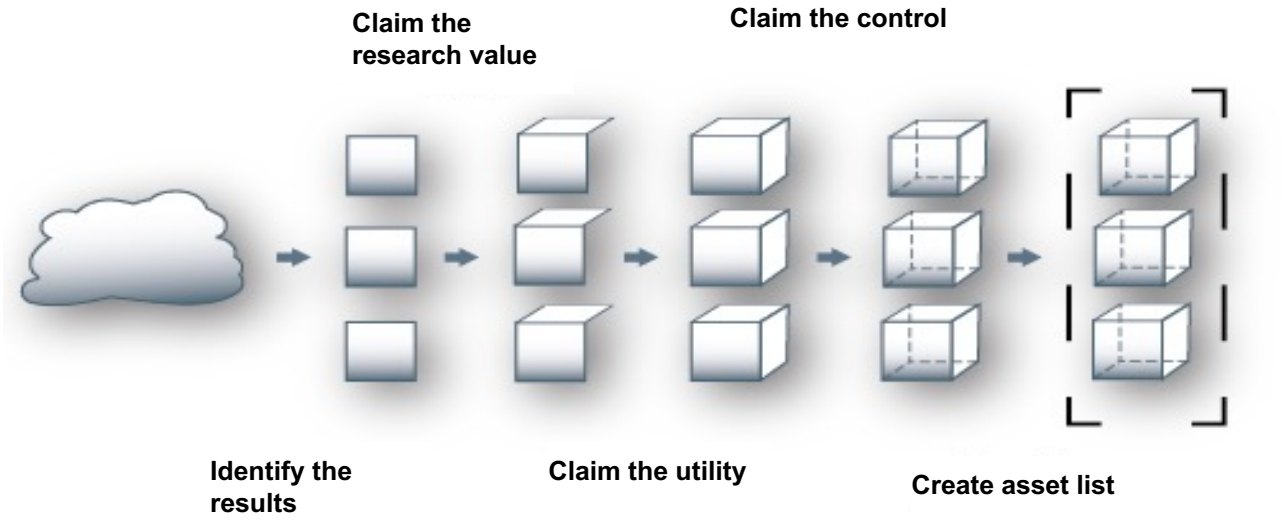
Each category represents a generic type of knowledge

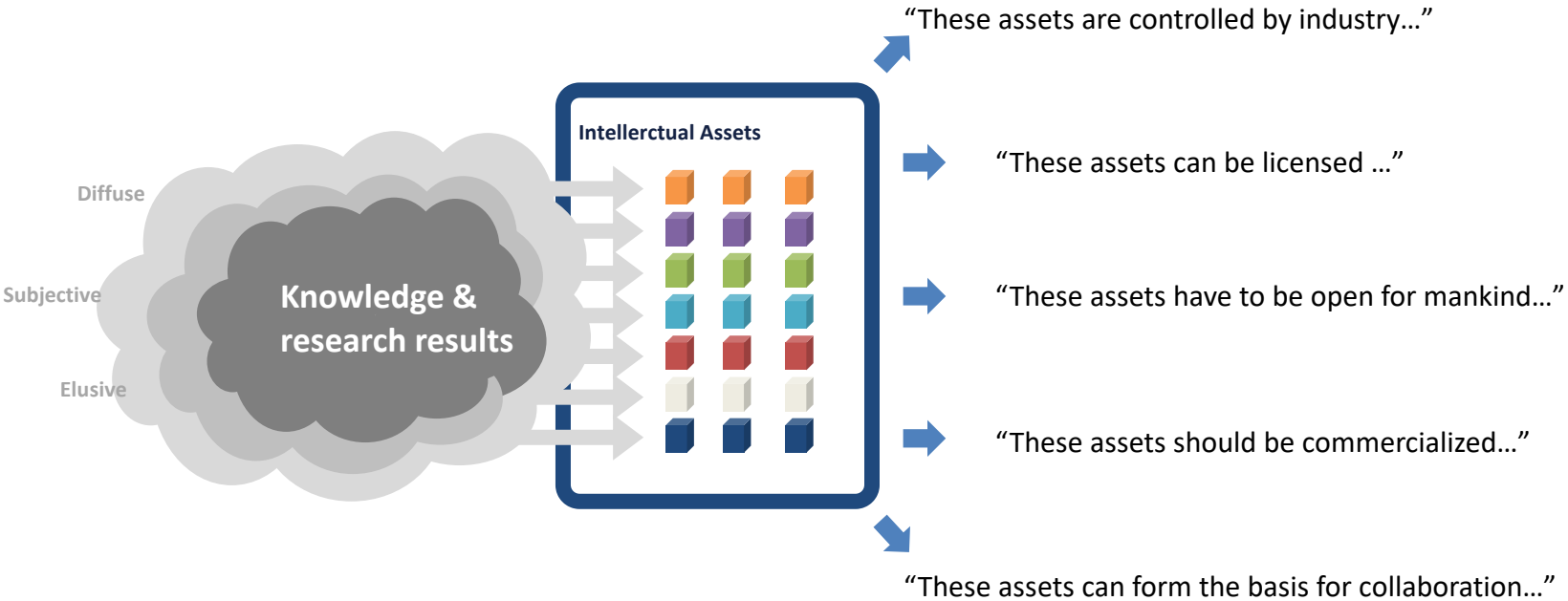
Knowledge Assets	Definitions
Data	A set of unstructured, raw data
Database	A set of structured and searchable data
Observation	A conclusion derived from analyzing data or databases
Theoretical framework	A general theory explaining technical causes and effects
Solution	A solution to a technical problem
Visualization	A communicative display in the form of a static or dynamic visual representation
Instruction	A concrete set of directions to execute a technical operation
Software	A computer-implemented collection of data and operations, performing tasks

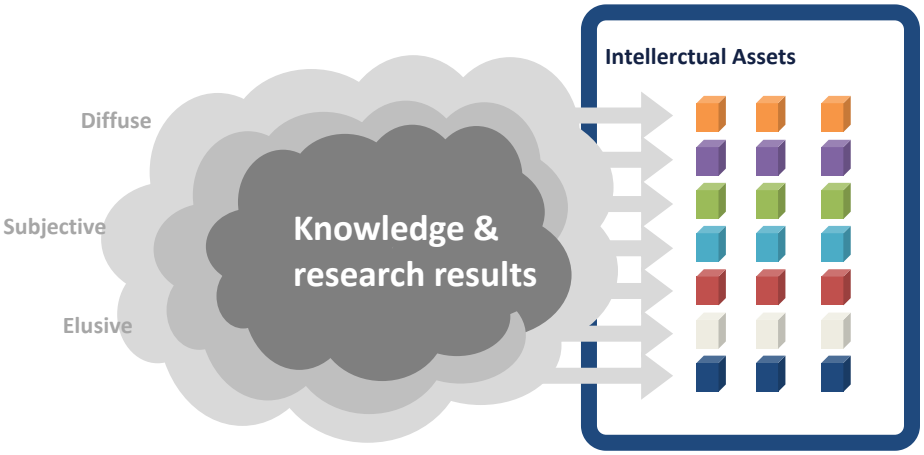
When we have a firm understanding of the knowledge assets, we can identify and assess the possibility of claiming IPRs



Process support for claiming knowledge assets




Diffuse
Subjective
Elusive
Knowledge & research results
Intellerctual Assets
"These assets are controlled by industry…"
"These assets can be licensed …"
"These assets have to be open for mankind…"
"These assets should be commercialized…"
"These assets can form the basis for collaboration…"



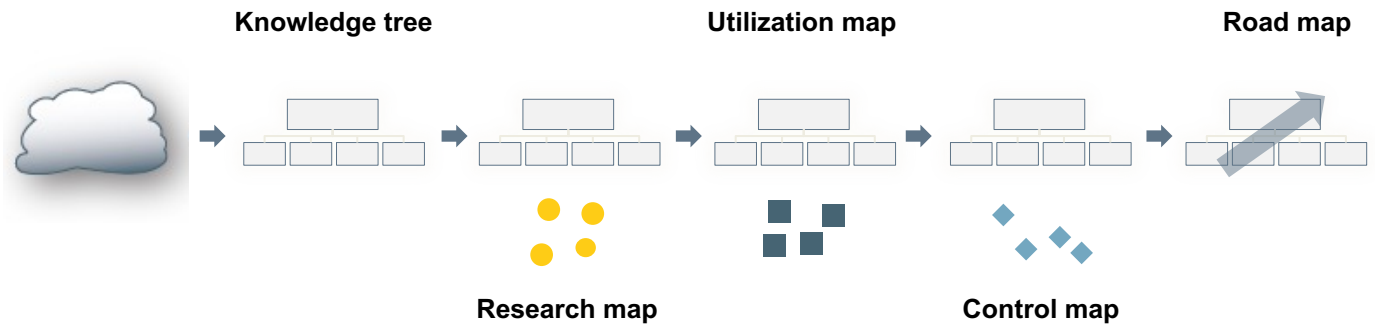
The methodology can, e.g., be used to:

- Continuously capture research results as intellectual assets
- Increase knowledge sharing within and between research groups
- Analyze utilization potential and different ways to utilize each asset
- Define background, side ground and foreground in R&D projects
- Govern openness
- Tag to individuals who created and are knowledgeable about each asset

POSITION

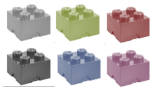
How does the external environment look like and how should we be positioned?

PROCESS SUPPORT FOR POSITIONING ACADEMIC ENVIRONMENTS



Utilise

Which social responsibility shall we take on?



The academic environment promotes the utilization of the research result by making it available in open contractual networks

Knowledge assets are managed as portfolios of background knowledge, project results, etc. in contractually- based knowledge platforms

Contractual networks

The academic environment promotes the utilization of research results through innovation processes

Knowledge assets are packaged as ideas, which can be developed into innovations

Innovation processes

The academic environment promotes the utilization of the research result by making it available and applicable for specific stakeholders

Knowledge assets are managed as background and foreground – may require patentability or other control mechanism for stakeholders

Applicable for specific stakeholders

The academic environment promotes the research result's utilization by making it as widely available as possible

Knowledge assets are transferred to the public domain, without intellectual property restrictions

Publicly available

Activities to make research result publically available in the public domain

Research results are made publically available through academic publishing

- ❑ Scientific articles
- ❑ Scientific books
- ❑ Reports
- ❑ Conference contributions

Research results are made publically available through academic education

- ❑ Courses, seminars and other educational efforts
- ❑ Handbooks and textbooks
- ❑ Other educational materials

Research results are made publically available through popular science activities

- ❑ Popular science books
- ❑ Science radio/TV
- ❑ Debate articles, social media and other social dialogue
- ❑ Home pages etc.
- ❑ Other information material

The research result becomes a societal resource when it is *publically available and diffused, without any intellectual property right restrictions

Activities to make research results applicable for users in society

Research results are made applicable through research activities

- ❑ Contract research
- ❑ Collaborative research
- ❑ Adjunct professors, industrial PhD's and other researcher exchange

Research results are made applicable through educational activities

- ❑ Contract education
- ❑ Exam-work, student internships and similar
- ❑ Handbooks and other published training material
- ❑ Instructions, manuals, documented decision support and other information material
- ❑ Students are trained and hired

Research results are made applicable through other knowledge transfer

- ❑ Positions of trust, e.g. expert positions and membership
- ❑ Partnership programs and other institutionalized collaboration
- ❑ Licensing
- ❑ Development projects
- ❑ Consultancy services
- ❑ Societal dialogue
- ❑ Researchers are employed by external actors

***The research result becomes a societal resource when it is *applicable* and *transferred* to stakeholders along with *enough control* to enable implementation**

Activities to develop research results into innovations

Research results are developed into innovations as processes integrated in research

- ❑ Social-innovation projects
- ❑ Projects on organizational and institutional innovations
- ❑ Projects on IT-based product- and service innovation, such as research tools and tools for diagnostics

Research results are developed into innovation integrated in the education

- ❑ Student innovation projects
- ❑ Student innovation projects in entrepreneurship schools etc. connected to the environment

Research results are developed into innovation outside the academic environment

- ❑ In a project incubator associated to the university
- ❑ By the TTO/innovation office
- ❑ In start-up-companies in a university incubator
- ❑ By a privately owned company
- ❑ By existing firms owned by researchers etc.

***The research result becomes a societal resource when it is identified as *ideas* that are *controlled in projects* to be *developed as innovation processes* in society**

Activities to include research results in open knowledge platforms

Research results are included in open research-driven platforms

- ❑ Databases for research purposes
- ❑ Jointly developed software for research purposes
- ❑ Research consortium and other common research platforms

Research results are included in open educational-driven platforms

- ❑ Databases for educational purposes
- ❑ E-learning platforms and similar

Research results are included in ”commons”

- ❑ Databases open for the public
- ❑ Software as “open source code”
- ❑ ”Creative commons” and similar contractually governed platforms

Research results are included in open innovation platforms

- ❑ Databases that are shared by a number of actors in the private and/or public sector
- ❑ Jointly developed software
- ❑ Open (and contractually governed) processes
- ❑ Patent pools and other IPR-based platforms

The research result becomes a societal resource when it is openly included in databases and other platforms/networks which through portfolio management is made openly available to different stakeholders

The IAM framework is based on four main framework questions, that together have the ambition to ***unveil*** as well as ***operationalize*** how intellectual assets create value

CAPTURE Intellectual assets as resources	**LEVERAGE** Intellectual assets as value propositions
POSITION Intellectual assets as a market position	**ORGANISE** Intellectual assets as capability

Petrusson, U. (2016) Research and Utilization.pdf

ulf.petrusson@law.gu.se