



WIPO ToT Programme – Trinidad and Tobago IPO

Dr. Wendy Hollingsworth | Virtual | August 18, 2020



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Session 4:

Introduction to Licensing, Franchising, & Merchandising

Purpose

- IP assets can be commercially exploited by individuals and businesses to bring value to the rights owner
- The rights in IP can be commercialised in various ways including through licensing, franchising and merchandising
- In this session trainers will learn the basic concepts of licensing, franchising and merchandising and their relevance to business competitiveness

Outcomes

- Understand commercialisation of IP assets within the context of innovation
- Explain the key differences between licensing, franchising and merchandising
- Understand and be able to explain how licensing, franchising and merchandising fit within a business model
- Understand and explain the key terms in each of these means of exploiting business IP assets
- Design and implement IP-related training programmes

Topic 1: Introduction to IP Commercialisation

IP Management and Commercialization Strategy

- It is important to convey that IP commercialisation does not occur in isolation but must be integrated into a wider business strategy
- Developing the strategy will help the business to:
 - Define the IP assets owned
 - Develop a plan for how to protect and exploit those assets on a commercial basis



Key points to consider:

- Understanding the business and how it creates business assets
- Conducting an IP audit to define and categorise these assets
- Determine the value of these assets to the business and the potential for creating value for other businesses

Key points to consider:

- Is there any other use for the IP to generate revenue/value for the business
- What are the best, or most appropriate, options for exploiting the business's IP – licensing, merchandising, franchising, selling, enforcing, use

Steps for Commercialisation:

- Market Analysis
- IP Audit
- IP Valuation
- Financing and Raising Capitals Using IPRs



IP Management and Commercialization Strategy

Steps for Commercialisation:



- Market Analysis
 - At what stage does a business conduct a market analysis?
 - All the markets where the new products/ services will be commercialized – Geographically and within the product market

Steps for Commercialisation:

- Market Analysis – Consider
 - Value of your IPRs
 - Customer discovery – know the customer and the potential for growth in the market
 - Competing products
 - Trends – future of the market

Steps for Commercialisation:

- Market Analysis – Consider
 - Competitors
 - Potential partners
 - Value chains and logistics
 - National and international legal framework

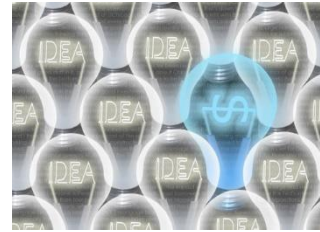
Steps for Commercialisation:

- IP Audit– Recap
 - Systematic review of all IP owned and used – registered, unregistered, under license etc.
 - Identifies all intangible assets owned
 - Determine the overall value of your company
 - Assess any risks in current business practices
 - Helps to develop management strategies to increase income
 - Identifies compliance with contractual agreements
 - Protection and enforcement



Steps for Commercialisation:

- IP valuation
 - Assess and quantify the economic value of IP assets
 - To determine the current and future/potential economic benefits
 - Determine the monetary value of your IP rights



Steps for Commercialisation:

- IP valuation - Why
 - Entering into a contract that includes the sale, licensing or franchising, merchandising IP Assets
 - M&A; spin-offs, joint ventures, donating IP
 - In case of dispute or litigation
 - To attract investors or obtain a loan – securitization
 - Taxation, estate planning etc.

IP Management and Commercialization Strategy

Steps for Commercialisation:

- Financing and Raising Capitals Using IPRs
 - Speaks to obtaining capital based on IP assets
 - The IPRs are used as collateral for the business to obtain Funds
 - IP securitization – selling future cash flows based on IPRs



Bibliography & Resources

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2. Handbook on IP Commercialisation - Strategies for Managing IPRs and Maximizing Value Jakarta: ASEAN Secretariat, November 2019. www.asean.org
3. Your Guide to IP Commercialisation. The European IP Helpdesk. <http://www.iprhelpdesk.eu/>



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	-	
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