

5th ANNUAL

IP MANAGEMENT, COMMERCIALISATION & PROTECTION

BOOK
EARLY &
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\$550!

Managing and enhancing the value of your IP

27th – 29th October, 2010 • The Grace Hotel Sydney

HEAR FROM LEADING EXPERTS:

- **Bronwyn James**, *Counsel-Commercial, Technology and Intellectual Property Group, Westpac*
- **Gabriel Perera**, *Manager, Corporate Development and Strategy, Blackmores*
- **Jenny Duxbury**, *Compliance, Regulatory and Corporate Affairs Director, Ninemsn*
- **Andy R. Watt**, *Technology Portfolio Analyst, Woodside Energy*
- **Matthew Roper**, *Intellectual Property Manager, Memcor Products Asia, Siemens Water Technologies*
- **Chris Sotiropoulos**, *Vice President, Business Development, Sigma Pharmaceuticals*
- **Kathryn M. Harrison**, *IP Manager, Phosphagenics*
- **Robert Cowan**, *CEO, The HEARing CRC*
- **Leo Hyde**, *R&D Manager, DuPont*
- **Vera Lipton**, *Strategy, Research and Ministerial Support, IP Australia*
- **Michael Angliss**, *Intellectual Property Manager, UniQuest*
- **Phil Aitchison**, *Vice President, Research, CAP-XX*
- **Ion Gluga**, *Intellectual Property Manager, NewSouth Innovations*
- **Lloyd Thomson**, *Commercial Manager & Company Secretary, Australian Poultry CRC*
- **Dr Rowan Gilmore**, *CEO, Australian Institute for Commercialisation*
- **Travis Stevens**, *Partner, Davies Collison Cave Solicitors*

KEY BENEFITS OF ATTENDING:

- ➔ Examine the link between **Research & Development (R&D)** and **commercialisation**: Gain an insight into different **options** for bringing your ideas to market
- ➔ Reduce your IP costs and generate **additional revenue** through the use of efficient **licensing** strategies
- ➔ Take home **practical** tools and tips allowing you to **implement** a consensus approach to **technology transfer**
- ➔ Learn to tackle the difficult task of confidently **structuring** and negotiating collaboration and **licence agreements**, whether with a local or an overseas partner
- ➔ Identify key steps in valuing IP for **licensing agreements**: Determine the most appropriate **strategy** level for licensing

PLUS: PRACTICAL POST-CONFERENCE WORKSHOPS:

Workshop A

Structuring And Negotiating Technology Licenses And R&D Collaborations: Maximising Value And Avoiding The Traps

Led By: **Rob McInnes**, *Certified Licensing Professional and Principal, Spruson & Ferguson*

Workshop B

Analysing The Practical Aspects Of Patent Searching

Led By: **Tony Jennings**, *Patent Searcher, Intellectual Technology Services*

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5th ANNUAL IP MANAGEMENT, COMMERCIAL

CONFERENCE DAY ONE Wednesday 27th October, 2010

- 8.30 Registration & Coffee
- 9.00 Opening Remarks From The Chair
Michael Angliss, *Intellectual Property Manager, UniQuest*

IP MANAGEMENT

- CASE STUDY**
- 9:10 **Techniques For Drafting A License Agreement**
- Balancing commercial expectations of the licensor and licensees
 - Consideration of IP rights in licensing
 - Understanding the impact a license has on the overall risk of the deal
 - Current license trends faced by Westpac (including open source licensing)
- Kathryn Wetherell**, *Counsel, Westpac Banking Corporation*

- 9:50 **Benchmarking Strategy: Valuing IP For Licensing Agreements**
- Considering how to set the value for your IP where it can translate into a license
 - Investigation risk benefit analysis: Determining appropriate strategy level for licensing
 - What is the best benchmarking strategy for licensing?
 - Investigate how you arrive at a value and knowing what to charge
- Gabriel Perera**, *Manager, Corporate Development and Strategy, Blackmores*

10:30 Morning Tea & Networking

- 11:00 **Commercialisation Of IP From Cradle To Grave**
- Avoiding pitfalls when creating inventions: Lessons learnt from UWA vs Gray
 - Ensuring questions of inventorship are correctly established from the beginning
 - Establishing who owns what IP
 - Assessing the arrangements you have with your employee: Does your employment agreement have IP clauses?
- Kathryn M. Harrison**, *IP Manager, Phosphagenics*

- 11:40 **Managing IP In Collaborative Research Projects**
- Analysing strategies for identifying and managing IP in multi-party collaborative research projects
 - Implementing and achieving a consensus approach to technology transfer
 - Discussing the road to successful outcomes as a multi-lane highway: Assessing benefits from different IP strategies
- Robert Cowan**, *CEO, The HEARing CRC*

12:20 Lunch

IP COMMERCIALISATION

- 1:20 **Good Oil For In-House IP Managers**
- An in-house IP manager's perspective on patent portfolio management
 - Assessing best methods for drafting patent specifications given the differing requirements of jurisdictions such as Europe, Australia and the US
 - Cost optimisation of an IP portfolio through IP manager involvement
- Matthew Roper**, *Intellectual Property Manager, Memcor Products Asia, Siemens Water Technologies*
- 2:00 **Managing Technology Transfers Efficiently: Ensuring A Successful Outcome**
- Identifying different options for bringing your idea to the market
 - Managing potential risks of commercialisation and overcoming difficulties

- Discussing how to preserve your company's IP assets in commercialisation
- Dr Rowan Gilmore**, *CEO, Australian Institute for Commercialisation*

2:40 Afternoon Tea & Networking

INTERNATIONAL IP COMMERCIALISATION

- 3:10 **IP Licensing In University Industry R&D Collaborations**
- Understanding how universities in Australia, Germany and the US engage in R&D collaborations with industry
 - Various IP licensing strategies in university-industry R&D collaborations
 - Using IP licensing to promote the mission of universities and publicly funded research organisations
- Vera Lipton**, *Strategy, Research and Ministerial Support, IP Australia*
- 3:50 **Examining The Link Between Research & Development (R&D) And Commercialisation**
- Assessing how to get R&D to think commercially about end use
 - Discussing the best methods to when adopting a commercial approach to IP
 - Examining the IP potential of new discoveries and what to do with it
- Ion Gluga**, *Intellectual Property Manager, NewSouth Innovations*

4:30 Closing Remarks From The Chair and End Of Day One

CONFERENCE DAY TWO Thursday 28th October, 2010

- 8.30 Registration & Coffee
- 9.00 Opening Remarks From The Chair
Michael Angliss, *Intellectual Property Manager, UniQuest*

IP LICENSING

- CASE STUDY**
- 9:10 **Commercialising Technology From Australia For Overseas Markets**
- Building a technology business: Strategies for using IP to build capital and revenue
 - Structuring IP for international commercialisation with a limited budget
 - Strategies for commercialisation of IP internationally
 - Getting your hands dirty: Licensing case study
 - Sustainability: Maintaining a business beyond licensing
- Phil Aitchison**, *Vice President, Research, CAP-XX*

- 9:50 **Enforcing Your Patent Rights**
- What is patent assertion and how can it benefit you and your organisation?
 - Gaining insight into how you create and implement enforcement strategies
 - Preparing for offensive patent litigation nationally and internationally
 - Investigating strategies to overcoming funding issues
- Leo Hyde**, *R&D Manager, DuPont*

10:30 Morning Tea & Networking

- 11:00 **Mutually Assured Happiness In International Licensing**
- Understanding cultural expectations in win-win dealings
 - Aligning global licensor versus local corporate strategic expectations
 - Case studies of successful and disastrous international licensing negotiations
- Chris Sotiropoulos**, *Vice President, Business Development, Sigma Pharmaceuticals*

IP STRATEGY

11:40 **Patent Clearance: The Practicalities Of Freedom To Operate**

- CASE STUDY**
- Understanding how 'Freedom to Operate' fits into your IP Strategy
 - Assessing your competitors' IP rights: How your IP rights and their IP rights form the competitive landscape
 - Discovering how to 'get around' competitors' patent rights: Evading, challenging and licensing to gain 'Freedom to Operate'
 - Lessons learnt for improving 'Freedom to Operate' searches
- Lloyd Thomson, Commercial Manager & Company Secretary, Australian Poultry CRC**

12:20 Lunch

1:20 **What Is Patentable In 2010 And Beyond?**

- Assessing the US position in light of the US Supreme Court decision in *Bilski vs Kappos* and implications for
 - Method patents
 - Software patents
 - Business method patents
 - A comparison with other jurisdictions including Australia and Europe
 - Analysing genetic materials and other products of nature, in light of Myriad genetics in the US and the political agitation to ban gene patents
- Michael Angliss, Intellectual Property Manager, UniQuest**

2:00 **Current Developments In Trademark Law Based On Recent Federal Court And Trademark Office Decisions**

- Discussing issues relating to registrability of trademarks: Are the decision-makers getting it right?
- Determinations regarding the comparison of trademarks

- What constitutes use of a trademark?
 - Upcoming changes to trade mark opposition procedure in Australia
- Travis Stevens, Partner, Davies Collison Cave Solicitors**

2:40 Afternoon Tea & Networking

PRACTICAL IP PROTECTION

3:10 **Challenges To Managing IP In An Online Environment**

- CASE STUDY**
- New models for licensing and distributing content online: How traditional models are being challenged
 - To what extent should you distribute IP on the internet for free?
 - Promoting your brands on social networking websites: Analysing benefits and risks
 - Developing strategies for managing IP risk on the internet: Gaining practical tips
- Jenny Duxbury, Compliance, Regulatory and Corporate Affairs Director, Ninemsn**

3:50 **Improving The Intellectual Property Landscape: Tools And Techniques**

- Development of processes and online tools to support the Woodside IP workflow
 - Creating new patents and managing confidential IP
 - IP workflow management & expert review
 - Communication through e-learning
- Andy R. Watt, Technology Portfolio Analyst, Woodside Energy**

4:30 Closing Remarks From The Chair And Close Of Conference

POST-CONFERENCE WORKSHOP DAY - Friday 29th October, 2010

Workshop A:

9:00-12:30

Structuring And Negotiating International Technology Licences And R&D Collaborations: Maximising Value And Avoiding The Traps

Commercialisation is a crucial function within any innovative organisation. Ensuring your IP is managed and leveraged effectively from start to finish is vital for successful business outcomes.

This workshop will tackle the difficult task of confidently structuring and negotiating collaboration and licence agreements, whether with a local or an overseas partner.

By attending, participants will be equipped with the skills and knowledge to navigate around constraints imposed by laws of the other party's home country, including Europe, China and the US.

Attend and take home: Practical tools and techniques for negotiating international technology license agreements whether with a local or an overseas partner.

- Discussing preparation strategies for planning and negotiating a favourable deal
- Gaining an insight into special considerations when structuring international transactions
- Getting the foundation right: Managing R&D collaborations to capture and protect research outcomes
- Knowing what to ask for: Financial modelling of a commercialisation opportunity
- Finding comparable transactions and benchmarking deal terms for licensing deals
- Navigating around constraints imposed by laws of the other party's home country: Lessons from Europe, China and the US
- Avoiding drafting pitfalls to secure full value from an IP licence

Led By: **Rob McInnes, Certified Licensing Professional and Principal, Spruson & Ferguson**

Workshop B:

1:30-5:00

Analysing The Practical Aspects Of Patent Searching

This workshop is designed to equip participants with search skills and strategies to enable them to explore patent information for the benefit of their business. This is accomplished with an appreciation of databases constructions and exposing various limitations imposed in a number of public systems. With this knowledge participants can then create effective strategies to avoid the pitfalls and explore the patent information landscape with confidence.

Key benefits of attending:

- Pros and cons: The limitation and power of patent database searches
- Discuss various types of strategies employed for novelty and freedom to operate queries
- A brief tour of national patent databases with free access
- A brief guide to searchable fields, search engines and database construction
- Learn how to effectively construct useful search strategies to avoid the limitations imposed by database design
- Are commercial databases worth the high costs?

Led By: **Tony Jennings, Patent Searcher, Intellectual Technology Services**

SPONSORSHIP OPPORTUNITIES

Tonkin Corporation's 5th Annual IP Management, Commercialisation & Protection event will be attended by R&D Managers, Commercialisation Managers, Intellectual Property Managers and In-house Counsel from across Australia. Sponsorship opportunities are extensive and can be tailored according to your company's desired level of exposure. This is the perfect opportunity to build new relationships with your clients. Please call 61 2 9224 6047 or email sponsorship@TonkinCorporation.com for more detail about sponsoring this event.

