

Workshop

Licensing Essentials

Level**Basic****Duration****1 day** – 8.30am to 5.00pm.**Program**

A detailed description of the workshop program is below.

How this workshop helps tech transfer professionals

This one day workshop is a condensed version of our two day Licensing Master Class.

It covers the essentials of licensing that new licensing professionals need to master.

It introduces new licensing professionals to the nature of licensing and the essential terms of a license agreement.

By doing so it equips new licensing professionals to negotiate basic license agreements.

Customisation

The content of this workshop can be changed and customised to enable specific learning objectives to be achieved.

Presenter

Philip Mendes

Delivery style

Interactive workshop style.

Emphasis on discussion, participants asking questions, contributing their comments, and sharing their experiences.

We find that this interactive workshop style keeps participants alert, and achieves a more effective learning and skills building outcome.

Materials

Each participant receives a set of bound workshop materials which will be an ongoing reference resource.

Certificate of Completion

A Certificate of Completion is provided to each participant.

LICENSING ESSENTIALS

8.30	Welcome and Registration	
9.00	The term or duration of a license. The scope of a license	The term of a license. Different models for the term depending on the type of license and the type of technology being licensed. Option to extend term, and its operation. Can “irrevocable” or “perpetual” licenses be terminated? The scope of a license: exclusive, non-exclusive, territory limitations, and field limitations.
9.30	Subject matter of license grant. Sub-licensing	What is licensed: patents, scope of improvements, boundary between improvements and new IP. Sub-licensing. When it should be subject to consent, when it should not. Limitations on the power to give or withhold consent. What can be taken into account, and what cannot be taken into account.
10.00	Patent prosecution and infringement	Patent prosecution responsibility, patenting decision making, patenting expenses, maintenance of patents. Different models for field limited licenses, non-exclusive licenses, etc. Models for dealing with infringement.
10.30	Morning Tea	
11.00	Royalties and other financial terms of a license	Different types of royalty models and other financial terms that may be employed in a license to maximise the financial return to the licensor. Types of licenses when they are likely to be encountered. A licensor’s perspective, and a licensee’s perspective. What a royalty is calculated on.
11.30	Diligence Obligations in an exclusive license	Guarding yourself against a non-performing or under-performing licensee - the hardest part of a license to negotiate. Are “best endeavors” and “reasonable endeavors” enough to protect the licensor? Why they are inadequate. Other models that afford greater protection to the licensor.
12.00	Publication and Students	Managing academic publication in a license as an exception to confidentiality obligations. Special provisions in relation to students.
12.30	Lunch	
1.30	Warranties and indemnities	What everyone involved in licensing needs to know about warranties and indemnities – not just lawyers.
2.00	Termination	What everyone involved in licensing needs to know about terminating a license – not just lawyers.
2.30	Governing Law	What everyone involved in licensing needs to know about governing law and dispute resolution – not just lawyers.
3.00	Afternoon Tea	
3.30	Practical Exercise	Participants are divided into groups and allocated into negotiation teams, as either a licensor, or a licensee. A problem will present an impasse which the participants, in their negotiation teams will be challenged to find a solution to.
4.30	Report back on Practical Exercise	Teams report back on the practical exercise, and the outcomes of their negotiation.
5.00	Close	