


**Workshop**

# What Researchers Need to Know About IP & Commercialisation

 **For Researchers****Level****Basic****Duration**

This workshop can be presented as a full one day workshop, or, to try to make the time commitment more friendly for researchers and students, it can be presented on two consecutive half days.

**Program**

A detailed description of the workshop program is below.

**Objectives**

This workshop has been designed specifically for researchers and students.

It introduces them to intellectual property, and to commercialisation.

Its aim is to remove some of the myths that researchers and students sometimes mistakenly believe about intellectual property and commercialisation.

It aims also, by dispelling these myths, to demonstrate that intellectual property and commercialisation does not encumber them or prejudice them in their research and publication objectives, but in fact complements those objectives and helps those objectives be achieved.

It aims as well to persuade them why they should embrace intellectual property and commercialisation and what their role can be.

**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.

## WHAT RESEARCHERS NEED TO KNOW ABOUT IP & COMMERCIALISATION

[Times are approximate. Please expect that the duration of breaks may be shortened throughout the day]

DAY 1		
9.00	<b>Why do we consider protecting and commercialising IP?</b>	Why commercialise? The motivation for entrepreneurship in science. The benefits of commercialisation to the community. Economic benefits to the nation, to the institution, and to the Researcher.
9.30	<b>What Researchers need to know about IP</b>	An overview of the different types of intellectual property, and what they protect, including: patents, copyright (including software), data protection, designs, trade marks, plant breeders rights, eligible layout rights, and confidential information.
10.00	<b>What Researchers need to know about the patent process</b>	Patent processes: patentable subject matter, requirements for a patent including novelty, priority date; provisional applications, PCT applications, national phase, opposition and examination.
10.30	<b>How far can you go in making disclosures without a Confidentiality Agreement?</b>	What is Confidential Information. Why have a Confidentiality Agreement. Common terms of a Confidentiality Agreement. Common traps and pitfalls. Disclosing without a Confidentiality Agreement. Guidelines to help decide how far to disclose without a Confidentiality Agreement.
11.00	<b>Morning Tea</b>	
11.15	<b>What Researchers Need to Know About Material Transfer Agreements</b>	Essential terms of a Material Transfer Agreement. Common terms. Common traps and pitfalls. Strategies and approaches to dealing with Material Transfer Agreements. The controversial issues in MTAs, including the ownership of New IP arising under the MTA, and how to deal with them.
11.45	<b>What Researchers Need to Know About Preparing Research Agreement Schedules</b>	Preparing Schedule 1: Research Program; Schedule 2: Research Funds; Schedule 3, Milestones. Schedule 4 Background IP. The legal principle of Certainty that Schedules must meet. How to ensure certainty so that the Research Agreement will not be void.
12.15	<b>What Researchers Need to Know about the downsides of IP Joint Ownership</b>	Joint ownership of IP suggests that the joint owners have equal and mutual rights over the jointly owned IP. But that is not the case. Implications of joint ownership of patents and copyright considered.
1.00	<b>Close</b>	
DAY 2		
9.00	<b>Publications as a critical commercialisation strategy</b>	How scientific publications make a critical contribution to the commercialisation objective. Achieving both publication and commercialisation objectives without either hindering the other.
9.30	<b>What Researchers Need to Know About Evaluating Commercialisation Prospects</b>	Criteria for assessing a technology candidate, and whether it warrants commercialisation effort, including patentability, novelty, the state of the research, IP ownership, assessment of the market including market need, market size, etc
10.00	<b>How Researchers create commercialisation opportunities</b>	The role that Researchers play in identifying and finding commercial partners. How Researchers can be more aware and proactive about the commercialisation opportunities that they have the power to create.
10.30	<b>Morning Tea</b>	
10.45	<b>What Researchers Need to Know About Commercialisation pathways</b>	In brief: the differences between assignment, licensing, and start up companies. Why assignment is not done. Comparing the options. Essential characteristics of each commercialization pathway.
11.30	<b>What Researchers Need to Know about Licensing</b>	The essential terms of a license Agreement. Parties. Affiliates. Field. Territory. Grant Rights. Sublicensing. Reserving research rights. Applying for and Managing Patents. Diligence Obligations. Termination. Financial Terms. Up front payments. Milestone payments. Different types of royalty structures. Royalties where product infringes a patent. Know how royalties. Royalties of sales, on sub-license income. Etc Royalties in countries where you have no patents.
12.15	<b>What Researchers Need to Know About Start-Up companies</b>	The essentials of start-up companies. How investors structure their investment for shares. Milestones. Tranches. Investors' preferential share rights and how they work. Investors' anti-dilution rights and how they work. Governance of a start-up company. Veto matters. Investor exits, trade sale and IPO. Share and Option schemes.
1.00	<b>Close</b>	