



Incentives (other than Fee Reductions) to Encourage Patenting from Universities – Developed Country Experience

Bo Stenhuus
Commercial Officer
Ph.d., EPA

UNIVERSITY OF COPENHAGEN



Agenda

- Brief introduction to UCPH
- Current cost structure in the patenting process
- UCPH's approach
- Potential new incentives seen from a UCPH perspective
- Summary

University of Copenhagen Facts:

9.390 Employees
38.481 Students
12.858 Publications
8.6 Billions DKK (1.15 Billions EUR)

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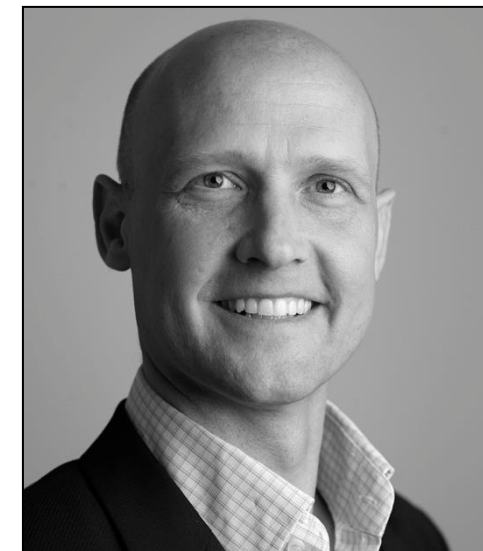
Bo Stenhuus

- 2012 - Commercial Officer (UCPH)
- 2006 – 2012 VP Contract Manufacturing (Fluxome)
- 2002 – 2005 Patent Attorney (Zacco A/S)

Registered Technology Transfer Professional with + 25 cases from filing of a priority patent application to spin outs and/or other license agreements

Education: ph.d. Chemistry, European Patent Attorney, CBA finance

Contact: bo.Stenhuus@adm.ku.dk

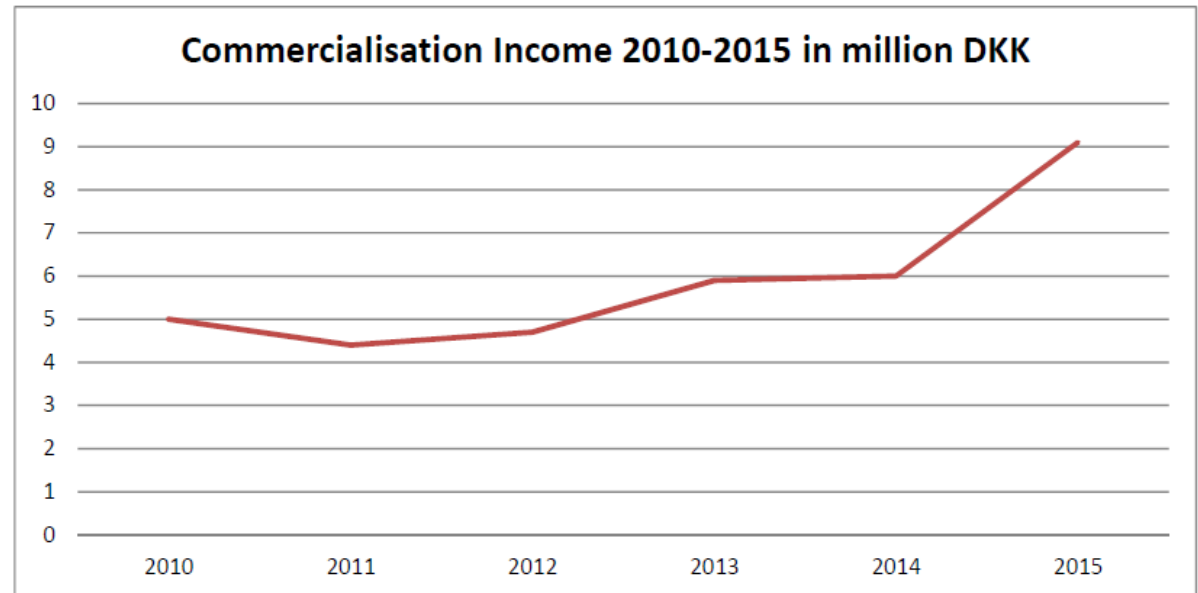


Typical case cost structure

- Initial Evaluation
- Priority application
- PCT application*
- National Phase
- *only filing, no demand for IPRP
- 2.500 EUR
- 6.000 EUR + 1.500 in fees
- 4.500 EUR + 4.000 EUR in PCT fees
- 25.000 EUR
- Until National Phase PCT fees were 23% of the external costs

Status at UCPH

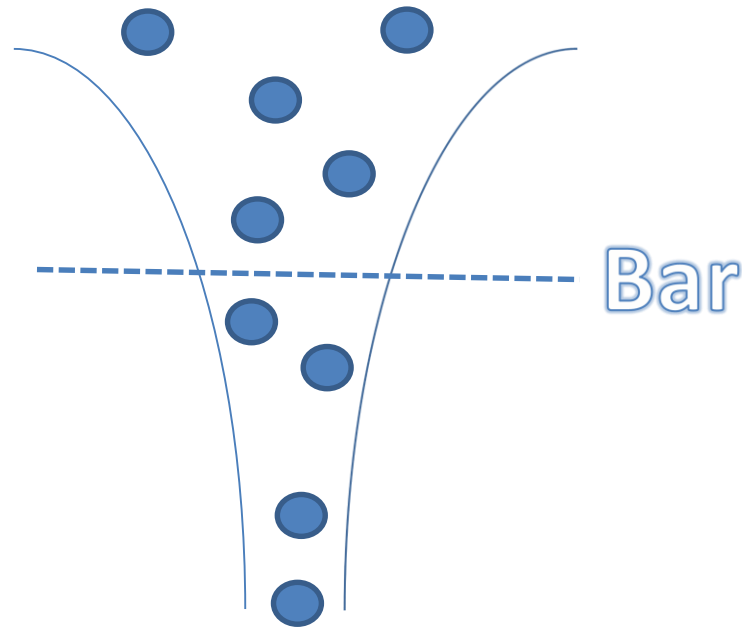
- Commercialize within 28 month from priority date so as to avoid National Phase costs
- File approx. 30 priority patent applications per year
- Approx. 25 commercial deals per year
- Trend is increasing



University vs Industry


- University
 - Few cases in each field – but many fields
 - Limited technical knowledge in a particular field by the supporting staff (researchers excepted)
 - Thus information needed at University is different from information needed in industry
- Industry
 - Many cases in few fields
 - Detailed technical knowledge in the specific field by supporting staff

Increase value instead of reducing fees



- How to lower the bar?
- From WIPO databases list the 10 most active companies in a given category
- E.g. for each of the classifications
 - C12N15/10
 - C12N15/64
 - C40B 40/10
- Enclose a page with the companies with most patent applications

What if it would be worth sacrificing on year of patent life?

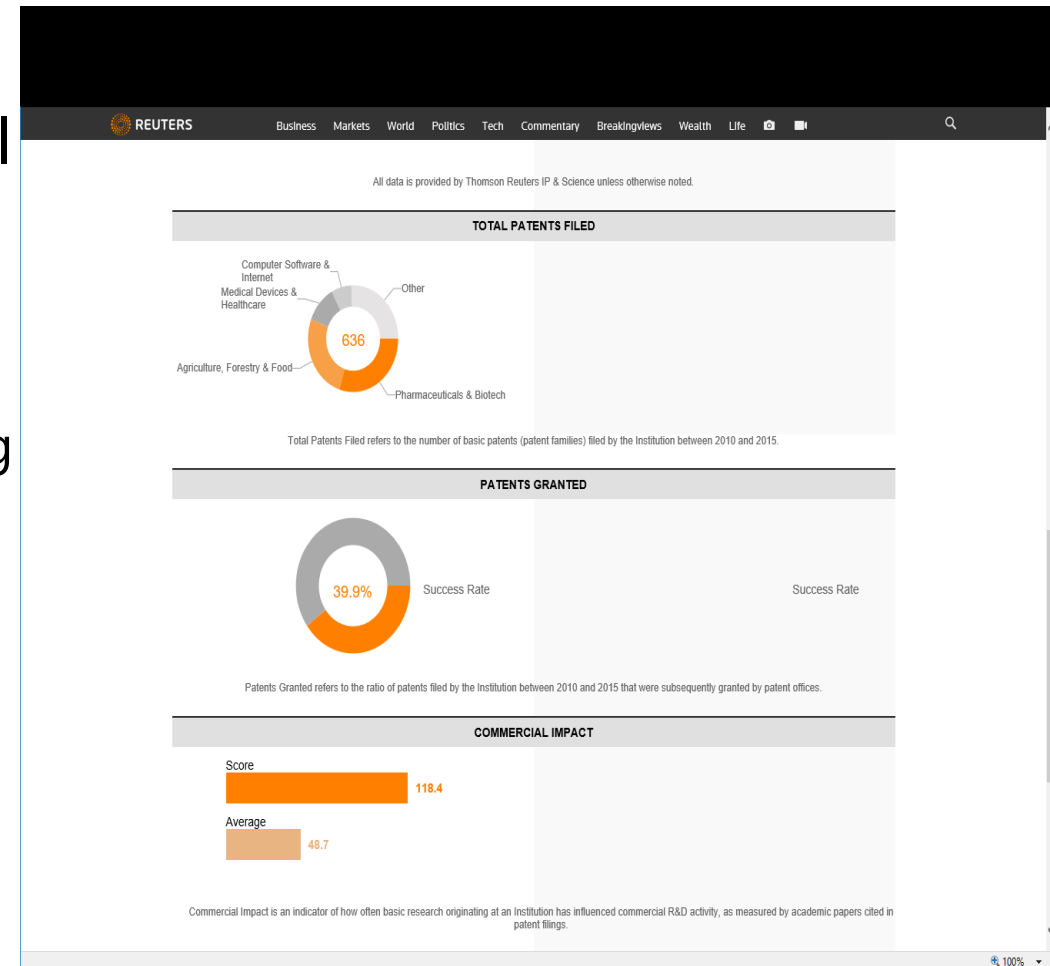
- Some patent applications are terminated within the priority year
 - Can the PCT system create enough value so that is for some cases (pharma excluded) would be worth filing the priority application as a PCT application?
- 
- Those applications never become PCT applications

Can Written Opinion be expanded for Universities?

- List of patents/patent applications that are frequently cited in search reports for the relevant PCT categories e.g. C12N15/10
- Is there a regional area with a lot of priority applications
- Points at Freedom to Operate issues
- Points a potential partners – both research and commercial

Publish intelligent metrics

- Universities read rankings
- Develop a metric that merits actual industrial use e.g.:
 - Number of patent families co-owned by industry and university
 - Percentage of patent families resulting in an actual technology transfer to industry etc.
- Source: Thomson Reuters:
<https://www.reuters.com/innovative-universities-2017/compare>



Matchmaking

- UCPH has a “wish list” where companies has expressed interest in certain field.
- Can you databases be used for some automatic matchmaking e.g. by ticking off a box to express consent?



Facilitate seminars on when NOT to patent

- Case:
 - Report from patent attorney: "--Thus we recommend that a patent application is filed"
 - Me: Calling patent attorney: "what is the recommendation based upon?"
 - Patent attorney: "Well nothing particular – it is patentable and then we always recommend to file"

Too many patent applications are filed based on fear of missing an opportunity

Objective for universities

- Transfer Technology to society and industry in order to create value
- The patent application is only a tool.



Summary

- The PCT fees are not the determining factor
- Universities have a different information need than industry has - use the WIPO databases to create value for the universities
 - Matchmaking with potential license partners
 - Help us get business information via the classification system

Patent applications are tools – not the objective



Thank you for your attention!