IP and Finance: Accounting and Valuation of IP Assets and IP Based Financing

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What is IP Valuation: Types of Assets

- **1. Definition of an asset**
- An asset is a resource that is controlled by an entity (such as a company or a
- business) as a result of past events (for example, purchase or self-creation)
- and from which future economic benefits (inflows of cash or other assets; or
- reduction in costs) are expected.
- Basically, the wealth of a business comprises of the following types of assets
- **Wealth = Working Capital + Fixed Asset + Intangible Assets**
- **Working Capital : Working capital refers to the excess of current assets**
- (cash, short-term investments, accounts receivable, inventories, prepaid
- expenses, etc.) over its current liabilities (trade accounts payable, current
- portion of long-term debt, income taxes, withholding taxes, accrued liabilities,
- etc.). It is also known as net current assets.

Types of Assets

- **Fixed Asset : Fixed assets which include plant, machinery and equipment, land**
- and buildings, office furniture and equipment, computers, vehicles and other
- tangible property used by a business but not converted into cash in day-to-day
- business. Traditionally, fixed assets were considered to be the brick and mortar
- of a business and were seen as the main contributors to its wealth/value.
- **Intangible Assets : Intangible assets are the non-physical property of a business.**
- Traditionally, they were considered to be the 'Goodwill' of a business, that is, the
- amount paid for a business in excess of the fair value of its identifiable net
- assets. A wide range of intangible assets, such as customer's loyalty, well
- respected business name/strong reputation, calibre and morale of employees, IP
- assets, etc, were clubbed under 'Goodwill.'

Value of an IP asset?

- The value of an IP asset derives, in essence, from **its ability to exclude competitors from a particular market. Whilst the legal right grants exclusivity** or the right to exclude, the economic right is based on exclusivity of use, that is, the ability to control the use of the IP asset.

- For an IP asset to have a quantifiable value, it should:

  - generate measurable amount of economic benefit to its owner/user.

  - enhance the value of other assets with which it is associated.

How to derive value from an IP asset

a. Direct exploitation of the IP

b. Through sale or licensing of the IP

c. Even by not exploiting an IP asset (i.e., by merely owning it), it may be possible to add value, for example, by:

- minimizing the negotiating power of customers,
- offsetting supplier power,
- mitigating rivalry,
- raising barriers to entry by competitors,
- reducing the threat of substitutes.

Price and Value

- **Price**

  The price of an IP asset represents the amount of money for which the ownership of that IP asset would be exchanged between a willing buyer and a willing seller.

  Price is the monetary amount at which an asset trades in the market.

- It is typically defined as what a buyer is willing to pay, in an arm's-length transaction, based on his perceived value of the asset.

  The determination of price may be influenced by many factors, which include time, demand, reasons for selling, synergies for buyer, negotiation skills of the parties involved, etc.

- **Value**

  The value of an IP asset represents the potential future economic benefits to the IP owner or authorized user.

- For example, for a purchased patent, presumably, the benefits (value) to the buyer exceed not only the price paid but also many other costs that may be incurred by the buyer in the process of buying (such as time costs and transaction costs) or in exercising the option of buying the patent (such as opportunity costs : not being able to do or buy something else if the patent is purchased

Standard of value

- Understanding the concepts of fair market value and fair value, the most commonly used standards of value, is important when undertaking an IP valuation exercise.
- **Fair market value (Market value)**

  Fair market value can be defined as the price at which an asset or service passes from a willing seller to a willing buyer.
- - Premise of value : Exchange - It is assumed that both buyer and seller are rational and have a reasonable knowledge of relevant facts.
- **Fair value (Fair price)**

  Fair value is seen as appropriate for use in post transaction purchaseprice allocation.
- Premise of value : Use Fair value is based on the assumptions that market participants would use when pricing the asset.
- Whereas fair market value is seems to be more appropriate when used in the premise of value in exchange, fair value is often based on premise of value in-use. In common situation, IP valuation is a process to valuate the fair market value of an IP asset.

IP Valuation Trigger

- **Transaction**
- **1) Licensing of IP assets; franchising**

  Before conducting negotiations for licensing-in or licensing-out of IP, a thorough understanding of the value of the IP assets ensures more informed negotiation and decision-making concerning the terms and conditions of the proposed license, especially in determining fair and robust royalty rates for optimal exploitation of the IP asset. In franchising too, both the franchisor and the franchisee require a thorough understanding of the value of the IP assets, notably trademark(s) and trade secrets or know how.
- **2) Sale or purchase of IP assets**

  Before selling or buying IP assets, proprietary technology or a company, oneneeds to know the value of the relevant IP assets to decide whether to proceed with the sale or purchase and, if so, at what price.

Valuation Trigger:Merger & Acquisition (M & A); divestures, spin-offs

- Often, the primary reason for considering an M & A transaction is the value of the IP assets of the target company.
- In such a case, one should consider whether the stand-alone purchase or licensing-in of the relevant IP assets would suffice. If not, then only one should proceed to consider an M & A transaction.
- In both cases, IP valuation is crucial to making an informed decision. Valuation of the IP assets of the target company often identifies additional value that significantly enhances the final sale or purchase price.

Valuation Trigger: Merger & Acquisition (M & A); divestures, spin-offs and JVs

- **Merger & Acquisition (M & A); divestures, spin-offs**

  Doing so also ensures that deals are priced and structured by keeping IP risks and value realization opportunities in mind. Further, IP valuation enables the parties to take an informed decision on the acceptable cost of capital or deciding on financial leverage strategy to be followed. Understanding fully the strategic fit and value extraction opportunities of the target's core and non-core IP assets facilitates post-deal IP integration and maximization of the returns from the acquisition. It also influences positively the resulting company's value and share price.

- **Joint Venture or Strategic Alliance**

  Before contemplating entering into a joint venture or other types of strategic alliances one should make a comparative analysis of the value of IP assets involved in the various options under consideration. In structuring a joint venture deal, the parties involved should understand as to how much value IP assets contribute to it.

  The same is true of a strategic alliance, as both parties would be well placed to take advantage of the deal if they are not only aware of the technological contribution of the IP assets but also of their monetary value.

IP Valuation Triggers

- **Donation of IP Assets**
- When an enterprise owning IP assets is not using the IP assets in its core business or is not usefully licensing-out, whether the IP assets are core or non-core to its business, it should consider donating such IP assets, as donation of IP assets may attract significant tax benefits in some countries.

- For calculating the tax benefit, it is important to value such IP assets. Tax authorities would not be interested in understanding how the value of any donated IP asset was calculated but may also prescribe rules as to how the value of an IP asset should be calculated.
- **Enforcement of IP rights; Calculation of Damages**
- Knowledge of the value of an IP asset influences the decision about the strategy to be used when it is infringed. IP valuation enables an entity to decide whether to pursue the infringement through a court action (by filing a suit for infringement), take recourse to alternative dispute resolution
- mechanisms, such as mediation or arbitration, or consider licensing of the IP
- asset to the infringer. In the event of a successful infringement prosecution IP
- valuation plays an important role in calculating damages, whether those

IP Valuation Triggers

- **<u>Internal Use</u>**

Investment in Research and Development (R&D)

While considering whether to invest in R & D, the value of potential IP assets may be a key factor in taking a decision.

Internal Management of IP Assets

IP valuation helps in budgeting and resource allocation decisions. For example, if a company is spending a significant amount of money on internal R&D but is losing ground to competitors due to slow or late product introductions, it may need to rethink its R&D strategy and processes.

In today's knowledge economy, more companies are turning to an open innovation model of actively buying and licensing innovations from other entities to supplement or even replace internal R&D.

During an IP audit, the review of an IP portfolio provides an opportunity to identify IP assets whose value, for example, has become insignificant or markedly decreased. If such IP assets are used only in a non-core business activity or their strategic importance has become insignificant, it may be decided as to whether to continue maintaining such IP assets, license them, sell them or let these IP assets lapse.

Thus, an informed decision to discontinue payment of maintenance fees may lead tosubstantial cost savings. IP valuation also provides strategic guidance for new product development, brand-extensions, line-extensions, managing foreign filing and prosecution costs, etc.

Valuation Triggers: Strategic Financing and/or Raising Equity/Capital

- Despite challenges in perfecting a security interest in IP assets, some banks are relying on IP assets to secure debt financing. In the past, for monetie an IP asset, meant taking steps to create a product or secure a royalty stream.

- With an emerging secondary market for IP assets, new ways to monetize IP assets are being devised. For example, in the recent past,
- Revenue streams linked to a portfolio of copyright or patent assets have provided the basis for creating IP asset backed securities. For such IP asset-backed securitization, the valuation of an entity’s IP assets is crucial.
- As a result, in recent years, IP financing deals have been completed through a number of financial vehicles – securitization, bank debt, hedge funds and private equity.
- Venture capitalists are beginning to look at patent strategies and patent portfolios. Usually, they do not engage in quantitative valuation of IP assets or of portfolios of IP assets. Rather venture capitalists prefer to value thecompany as a whole and consider the role of IP in that process.
- Asset-backed securitisation is the process of pooling homogeneous financial assets and issuing securities backed by the financial assets into the capital markets.
- It relies on the structured financing and characteristics of collateral to achieve creditworthiness. Pools of assets are transferred into a special purpose vehicle (SPV). Securities are rated on the strength of the legal structure and level of credit enhancement, based on historical performance.

Structured Finance

- Trademarks are suitable for structured finance purposes as they are separable and transferable rights that often have robust revenue streams
- The use of trademarks as security for debt is most prevalent in private equity transactions
- Some corporations enter into more complex arrangements that access international debt markets as well as achieving tax efficiencies.

Tax and Structured Finance

- **The resulting cost of funds saving can amount to several hundred basis points when compared to vanilla private placement debt.**
- **Leading international groups are moving towards centralising the ownership and management of IP for operational reasons**
- **Tax implications are considered when determining the most effective structure.**

Strategy: Transfer Pricing etc

- **Transfer pricing, capital gains and tax amortisation in different jurisdictions can materially affect the attractiveness of alternative options**

- **Savvy organisations ensure that ownership (economic as well as legal) of trademarks in growth markets is located in the desired location before they gain value. Capital transfers and transfer pricing arrangements that are not robustly supported can lead to punitive disputes with tax authorities.**

- **Portfolio management is an important facet of IP management.**

Portfolio Management

- **Portfolio management is an important facet of IP management**
- **A bloated portfolio ties up capital and management time in under performing assets**
- **In many instances value is added by selling, licensing or termination these assets. It is necessary to consider whether poor performance is the result of bad management or weak IP**
- **Misjudgement can result in a hand-over of value to a shrewd purchaser. Several private equity firms in Europe specialise in reviving under performing (and under valued) brands**

Valuation Triggers

- Pools of assets are transferred into a special purpose vehicle (SPV).
- Securities are rated on the strength of the legal structure and level of credit enhancement, based on historical performance.

4) Investor Relation

- In the case of a listed company, an IP valuation helps to communicate the value of its IP assets to capital markets, supports its share prices, and helps to obtain funding from investors. Valuation of IP assets is also required for initial public offering (IPO) documents.

Valuation Triggers

- **4. Other Purposes**
- **1) Financial Reporting**
- The recognition of the increasing share of IP assets in the total market value of enterprises has contributed to the change in the way the accounting
- community has begun to treat IP assets in financial reporting. Historically,
- accounting practice did not recognize the separability of IP assets from other
- forms of intangible assets and, hence, IP assets were not included in the
- balance sheets of a company. However, the international accounting standards
- board (IASB) now recognizes acquired and identifiable intangible assets (i.e.,
- IP assets) and requires all acquired IP assets to be recognised as assets,
- separately from goodwill, on the balance sheet of the business acquiring the
- IP assets.

Valuation Triggers

- When a brand is acquired, IP valuation is done for the initial valuation as well as the periodical impairment tests for the derived values to be included in the balance sheet.
- **2) Bankruptcy/Liquidation**
- In a bankruptcy, the IP assets of the bankrupt company have to be valued, as also its physical assets

Decision on IP Valuation

- The decision on which variant should be used will be determined by
- (1) the type of IP asset to be valued (2) the date on which the valuation is to take place, and (3) the context in which the valuation is made.

IP Valuation methods: Cost Method

- The intention is of establishing the value of an IP asset by calculating the cost of developing a similar (or exact) IP asset either internally or externally.
- It seeks to determine the value of an IP asset at a particular point of time by aggregating the direct expenditures and opportunity costs involved in its development and considering obsolescence of an IP asset

Cost Method

- For example, if the IP owner has data pertaining to the cost it incurred for the preceding five years and wants today's value of that IP, the cost incurred in its development, adjusted to inflation, will provide a current value which, in turn, will be further adjusted for obsolescence to arrive at a final opinion of its value.
- **Obsolescence**

  Obsolescence includes physical deterioration, and functional, technological and economic obsolescence, however, physical deterioration generally does not apply to IP because IP is intangible. Functional, technological, and economic obsolescence do affect the value of IP.
- - Functional obsolescence: It occurs when the IP user must incur excess operational costs to use the IP versus current alternatives, which may be state of the art.
- - Technological obsolescence: It occurs when technological forces render the IP worthless. For example, patents for a next generation computer floppy disk drive are likely to be worthless because there are better technological options already on the market.

Cost Method

- - Economic obsolescence: It occurs when the use of the IP in its highest and best form cannot provide an adequate return on investment. This can occur in IP easily because IP is generally unique and may have little use outside of a particular function.
- The cost method is generally the least used method as, in most cases, it is considered suitable only as a supplement to the income method (if the valuation is not for bookkeeping purposes).The method is normally used in situations where the subject IP is currently not generating any income.
- **(2) Reproduction cost method vs. Replacement cost method - ①** There are two variants of the cost method: the reproduction cost method and the replacement cost method.

Cost Method

- **(2) Reproduction cost method vs. Replacement cost method - ②** The cost method could be summarized as follows:
- First, calculate the replacement cost through the formula:
- Reproduction Cost - Curable functional and technological obsolescence = Replacement cost
- An IP's deficiencies are considered curable when the prospective economic benefit of enhancing, or modifying the IP, exceeds the current cost of the material, labor and time needed to change it.
- Next, use the replacement cost to estimate the IP's value.
- Replacement Cost - Economic obsolescence - Incurable functional and technological obsolescence = Value

Reproduction Costs

- An IP's deficiencies are considered incurable when the current costs of enhancing or modifying the asset (in terms of materials, labor and time) exceed the expected future economic benefits of improving it.
- Situations where the reproduction cost method is used include:

  - litigation purposes

  - measuring return on investment (ROI)

  - tax reporting purposes (for embedded computer software)

  - Situations where the replacement cost method is used include:

  - estimating a target price prior to negotiations for purchasing an IP asset

  - calculating a basis for suitable royalty rates

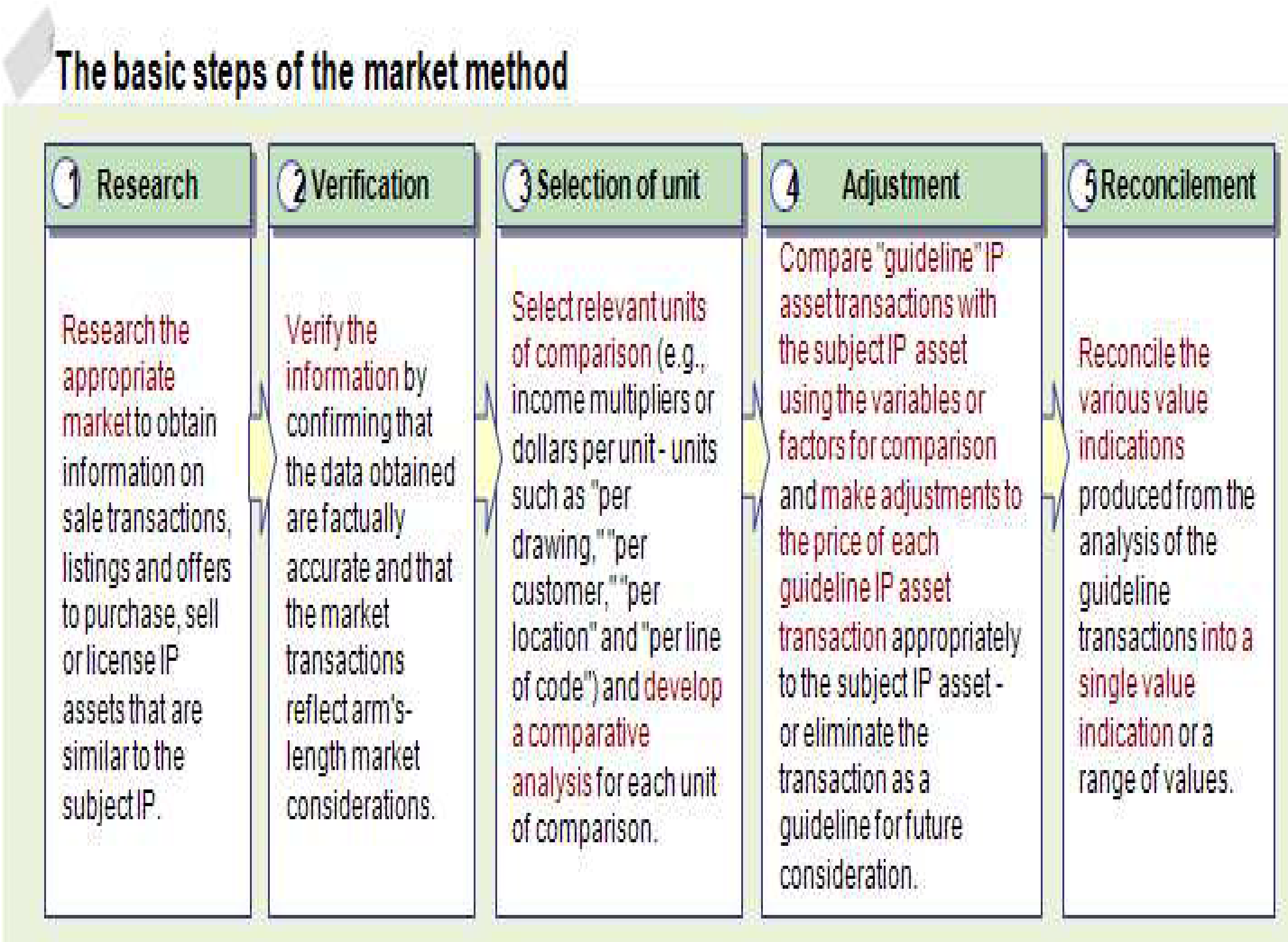
  - determining a transfer price.

  - establishment of a consumer brand from 20 years ago in today's market,which contains many new direct-to-consumer options such as the Internet and Podcasting.

Market Methods

- **(1) Main concept**
- The market method is based on comparison with the actual price paid for a
- similar IP asset under comparable circumstances.
- To do a valuation with this method, one needs to have:
- - An active market (price information, arm's length)
- - An exchange of an identical IP asset, or a group of comparable or similar
- IP assets
- - If the IP assets are not perfectly comparable, variables to control for the
- differences
- The more information available on the nature and extent of rights transferred,
- including the detailed terms and conditions, the circumstances of the
- transaction (e.g., cross-licence, licence agreed in settlement of litigation), the
- more accurate the valuation will be.
- This method is much more likely to reflect market perceptions and moods
- than a valuation based on the income method.

Steps of Market Based Approach



Income method

- **Main concept**
- The income method values the IP asset on the basis of the amount of economic income that the IP asset is expected to generate, adjusted to its present day value. This method is the most commonly used method for IP valuation.
- How to determine economic income
- a. Project the revenue flow (or cost savings) generated by the IP asset
- over the remaining useful life(RUL) of the asset.
- b. Offset those revenues/savings by costs related directly to the IP asset. :Costs: labor, and materials, required capital investment, and any appropriate economic rents or capital charges
- c. Take account of the risk to discount the amount of income to a present day value by using the discount rate or the capitalization rate
- Different measures of economic income may be relevant to the various income methods. Some of these measures include the following:
  - Gross or net revenues;
  - Gross profit;
  - Net operating income;
  - Pretax income;

Income Method

- Net income (after tax);
- - Operating cash flow;
- - Net cash flow;
- - Incremental income;
- - Cost savings.
- Given the different measures of economic income that may be used in the
- income approach, an essential element in the application of the income
- method is to ensure that the discount rate or the capitalization rate used is
- derived on a basis consistent with the measure of economic income used.

Income Method

- **(2) Direct capitalization vs. Discounted Cash Flow**
- The various income methods may be grouped into the following two
- analytical categories:
- **Direct capitalization**
- The valuer estimates the appropriate measure of economic income for one
- period (i.e., one period future to the valuation date) and divides that
- measure by an appropriate investment rate of return(Capitalization rate).
- The capitalization rate may be derived for a perpetual period of time or a
- specified finite period of time, depending upon the valuer's expectations of
- the duration of the economic income stream.

Discounted cash flow (DCF)

(Discounted future economic benefits)

- The valuer projects the appropriate measure of economic income (cash flows) for several discrete time periods into the future.
- This projection of prospective economic income (cash flows) is converted into a present value by the use of a present value discount rate.

PV and DCF

- The present value discount rate is the investor's required rate of return over the expected term of the economic income projection period.
- **(Advantages and Disadvantages of income method, especially DCF**

  Since DCF method is the most frequently used, let's look over the advantages and disadvantages of DCF method as follows:
- **Advantages**

  The DCF method is easiest to use for IP assets whose

  - cash flows are currently positive, and

  - can be estimated with some reliability for future periods, and

  - where a proxy for risk that can be used to obtain discount rates is available.

  It best captures the value of IP assets that generate relatively stable or predictable cash flows.
- It forces you to think about the underlying characteristics of the firm, and understand its business. If nothing else, it brings you face to face with the assumptions you are making when you pay a given price for an asset.

Present Value

$$PV = \sum_{t=1}^{n} CF_t/(1+r)^t$$

PV = present value
CF = (expected) cash flow
t = time representing years of IP asset economic life
n = time that economic life is expected to end
r ≡ annual rate of discount (representing the risk factor) or time value of money and assumed

Example

Company X is negotiating to license the use of its trademark whose current market value is estimated to be US $ 2 million. Company X estimates that the royalty rate would lead to an annual stream of US $ 10,000 in five years (the economic life of the trademark). The risk-adjusted discount rate has been estimated to be 8%.

Therefore, other things being equal, the net present value of the Trademark will be
$PV = 10{,}000/(1+0.08)^1 + 10{,}000/(1+0.08)^2 + 10{,}000/(1+0.08)^3 + 10{,}000/(1+0.08)^4 + 10{,}000/(1+0.08)^5$
$= 9259.26 + 8573.38 + 7938.39 + 7350.23 + 6805.96 = 39{,}927.22$

i.e. Company X would expect to receive, at present, least US $ 39927.22 if it is to license its Trademark for five years.

Projecting income stream (Cash Flow)

- Project Income stream (Cash Flow : CF in the formula) is a fundamental requirement in DCF and covers the first two parameters, revenue or income attributable to the IP asset and expected growth characteristics of the identified revenue(s) or income stream(s).
- First is to create an income statement
- Revenue - Cost of goods sold - All appropriate overhead(including Sales,
- general and administrative cost and R&D cost) - Proper tax payments = 'Earnings after tax' (EAT) is obtained.

Projecting income stream (Cash Flow)

- Since income statement does not directly reflect cash generated or consumed, several adjustments to create a proper cash flow statement.
- Earning after tax + All depreciation expenses - The increase in working capital

  - All the other investment required = Cash flow is obtained.

DCF

Disadvantages

- The DCF method does not explicitly account for the total riskiness of these cash flows but only for the systematic component of that risk in the form of market determined discount rate.
- It assumes that the investment in the IP asset is irreversible, irrespective of the circumstances in the future. In brief, the DCF method does not accommodate the option like nature of certain corporate investments and ignores managerial flexibility.

DCF

- It does not capture the unique independent risks associated with an IP asset such as patent. All risks are lumped together and are assumed to be appropriately adjusted for in the discount rate and the probability of success, rather than being broken out and dealt with individually (i.e., such as legal risk, technological risk, infringement, etc.)
- It fails to consider dependencies on patents owned by others.

Necessary information for IP valuation

- **IP related information**
  - What IP assets are owned by the business?
  - Are IP assets owned by others used (with or without permission) by the business?
  - Are the IP assets owned or used by the business, which should or could be registered, duly registered in all the relevant jurisdictions? If not, what steps/measures should be taken to ensure these IP assets are duly protected in all relevant jurisdictions?
  - Who owns the existing IP assets: Is it the company or one or more employees, consultants, or its business partners?
  - Are there any factors which would affect the value of IP, e.g., is the remaining legal life too short or is there a substitute product or an alternative patented technology?

Third Party Claims

- \- What is the likelihood of a third party claiming ownership of the IP asset of the enterprise?

  \- Is there Freedom to Operate? That is, are there any existing IP assets owned by a third party that could block the development or effective use of the IP asset of the enterprise?
- \- For a patent, claim construction is a paramount issue that affects the valuation of IP from three perspectives, i.e., whether

  : the claims define the subject matter in terms that create commercial value;

  : the claims are valid and enforceable; and

  : the owner of the IP should have Freedom to Operate within the scope of
- the claims. - Is the strength of the IP asset supported by other IP assets without which it significantly looses its strength, e.g., a patent supported by trademark, patent supported by industrial designs, trade secret supported by a trademark, etc?

Market Related Info

- **Market related information**
- - What is the market strength of the IP asset? An established trademark, for example, would have a higher value than a newly created trademark.

  - If the underlying IP asset is a patent, its remaining economic life and the possibility of it being challenged as infringing other existing patent(s) will influence its value.

  - What is the level of competitiveness of the IP asset in the marketplace, i.e., are there other strong trademarks, patent or trade secret-based products which are similar or can be considered as alternative/substitute products?

  - Is the strength of the IP asset maintained by aggressive marketing strategies or conventional marketing strategies?

  - In most cases, an IP asset that has wider (regional or international) coverage is more valuable than one which is protected in only one country.

Market Related Info

- Normally, broader geographical scope of protection is viewed as bigger market potential, i.e., potential for market expansion.
- - Coverage may also include the number of products that the subject IP asset covers, e.g., whether a trademark covers several products or is used for a single product. For a patent, the coverage consideration would include whether the patent is a basic patent (i.e., used by other patents), a dependent patent (i.e., it is based on another basic patent; in other words, the invention covered by the subject patent is incremental), or an independent patent (i.e., it does not depend on any other existing patent which is in force).
- - What is the likely ability of the business to exclude competitors from a certain market?

Other practical information

- - What is the return on investment in the IP? (e.g., brand investment)
- - Should co-branding or a brand extension be considered? Would this add value?
- - Should the business continue developing a particular piece of technology or not?
- - Does the business own core or non-core IP that it could out-license?
- - Could the business get more out of its core or non-core IP?
- - Are the IP assets adequately insured?

Determining the Remaining Economic or Useful Life (RUL) of the IP asset for estimating the duration of income

- The RUL will vary depending on the type of subject IP asset.
- An IP asset with a long RUL will be worth more than an IP asset with a
- shorter RUL.
- - Patents lose their useful life 20 years after the filing date-the point at which the legal protection comes to an end. No company would pay royalties in the 21st year, because it can copy the invention that was earlier protected by the patent, that is, copy without any fear of legal retaliation.

Determining the Remaining Economic or Useful Life (RUL) of the IP asset for estimating the duration of income

- Copyright may have a long useful life well after an author's death.
- A trade secret may have an indefinite useful life if it remains confidential and continues to be of competitive value to its owner.

Determining the Remaining Economic or Useful Life (RUL)

- Many other factors are considered in determining the RUL of an IP asset,including:

  - the expected usage of the IP asset by the entity and whether the IP asset could be managed efficiently by another management team;

  - typical product life cycles for the IP asset and public information on estimates of useful lives of similar IP assets that are used in a similar way;

  - technical, technological, commercial or other types of obsolescence

  - the stability of the industry in which the IP asset operates and changes in the market demand for the products or services output from the IP asset;

  - expected actions by competitors or potential competitors

Determining the Remaining Economic or Useful Life (RUL)

- the level of maintenance expenditure required to obtain the expected future economic benefits from the asset and the entity's ability and intention to reach such a level;

- - the period of control over the IP asset and legal or similar limits on the use of the IP asset, such as the expiry dates of related licenses; and
- - whether the useful life of the asset is dependent on the useful life of other IP assets of the entity.

Considering risks (Discount rate)

- The discount rate used must take into account all the risks that have an impact on the generation of the future revenue or income stream the higher the risk, the higher the discount rate.
- The risks include:

  - the overall market risk,

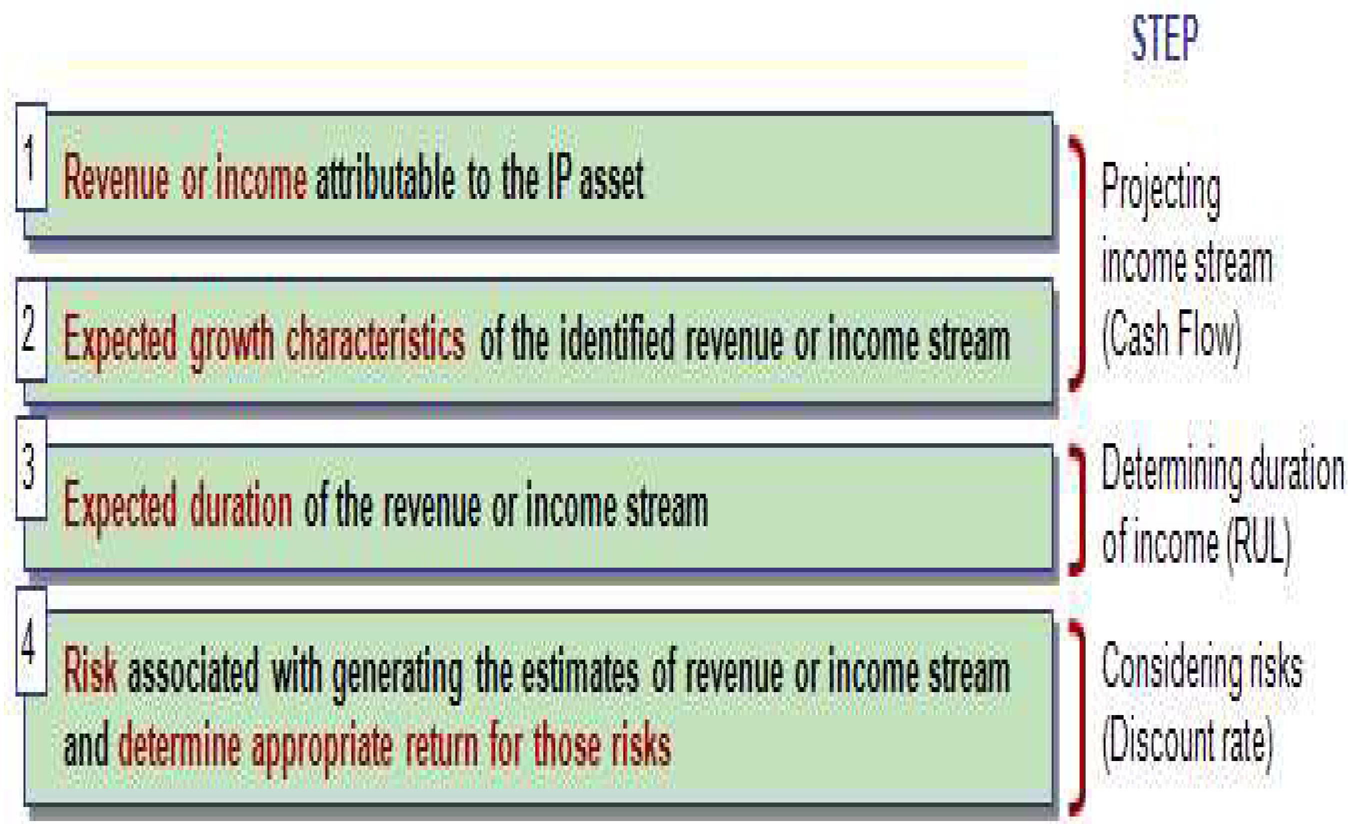
  - the specific industry risk, and

  - the risks associated with specific IP assets and operations being considered

Discount Rate Methods

- Several methods are used to calculate the discount rate.
- - 'Capital Asset Pricing Model'(CAPM)
- - 'Weighted Average Cost of Capital'(WACC)
- - 'Arbitrage Pricing Theory'(APT) model

Steps


STEP
1
Revenue or income attributable to the IP asset
2
Expected growth characteristics of the identified revenue or income stream
Projecting income stream (Cash Flow)
3
Expected duration of the revenue or income stream
Determining duration of income (RUL)
4
Risk associated with generating the estimates of revenue or income stream and determine appropriate return for those risks
Considering risks (Discount rate)

How does a Modern Value Statement/ Accounts System look

<u>Fair Market Value Return</u>

- **Cash & Equivalents $700,000 (FMV) & 5.0% (discount rate)**
- **Accounts Receivable-Trade 400,000   7.0%**
- **Prepaid and Other Expenses 100,000   7.5%**
- **Net Fixed Assets 800,000   8.0%**
- **Intellectual Property 3,000,000   16.0%**
- **Goodwill ™ 2,500,000   26.4%**
-
- **Total and Weighted Average Return $7,500,000   17.0%**

The End