

Negotiating Royalties - Commercializing Intellectual Property Assets

Workshop on Negotiating International R&D and Technology Transfer Contracts –
Intellectual Property Rights, Valuation and Dispute Resolution

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KOWi

**FOUNDED IN 1964 BY MARCELINO BOTIN
SANZ DE SAUTUOLA & CARMEN YLLERA.**

PATRONAGE OF THE BOTIN FAMILY

**CONTRIBUTE TO & SUPPORT LONG-TERM
NATIONAL INITIATIVES:**

- EDUCATION**
- SCIENCE**
- RURAL DEVELOPMENT**
- ARTS/MUSIC**





KOWI



SCIENCE PROGRAM WORKING MODEL



SCIENCE PROGRAM WORKING MODEL

Research → Valorization → Commercialization

Selected Network of National Public-Based Scientists

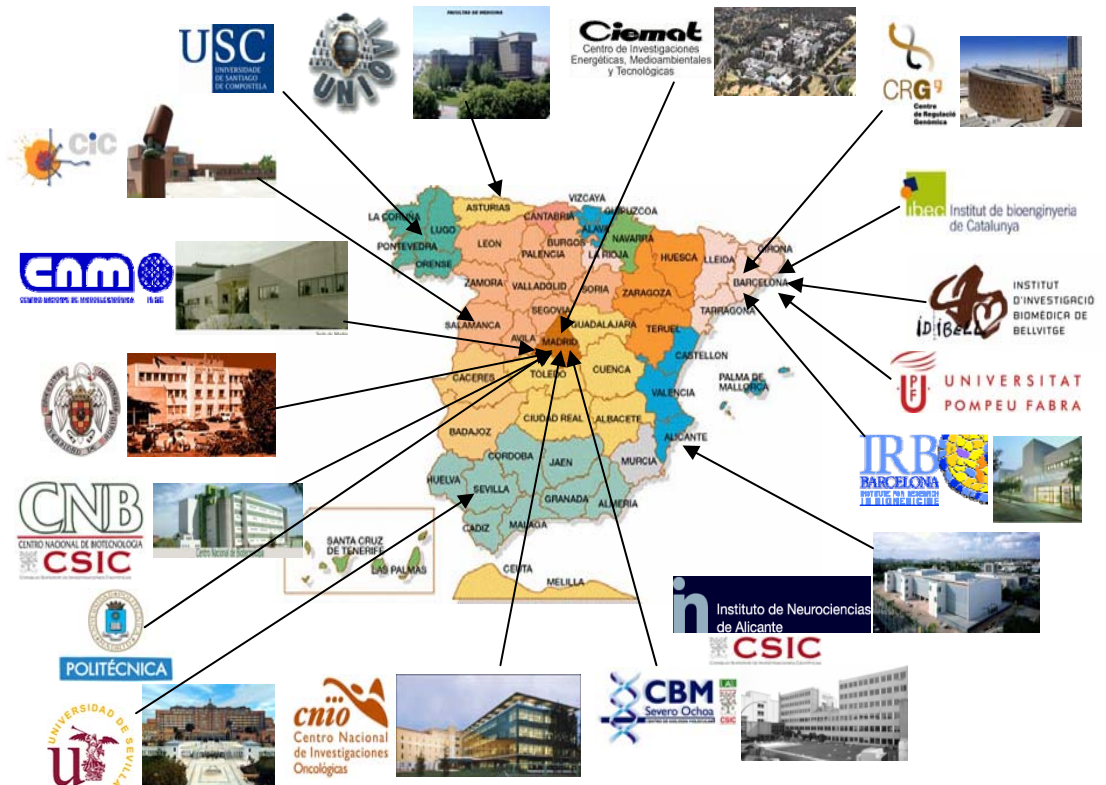
- 23 selected groups
- 17 public universities & research centers
- 450 scientists

Biomedical Research Areas:

- Oncology/Ageing
- Neurosciences
- Metabolism
- Vaccines
- Genetic & Cellular Therapies
- Biosensors

Collaborative Inter-Institutional Agreement for Technology Transfer

Five year fixed, non-competitive, open funding policy



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Research Output:

Therapeutic Tools:

- genetic/cell therapy
- Biotech therapy
- indirect drug discovery

Research Tools:

- Microarrays
- Cloning technologies
- Cell/mouse models for assays
- In-vitro biochemical assays

Diagnostic Tools:

- Biomarkers
(protein/gene/xxRNAs/SNPs)

Technological Tools:

- Forensic tools
- Electronic systems for biological components

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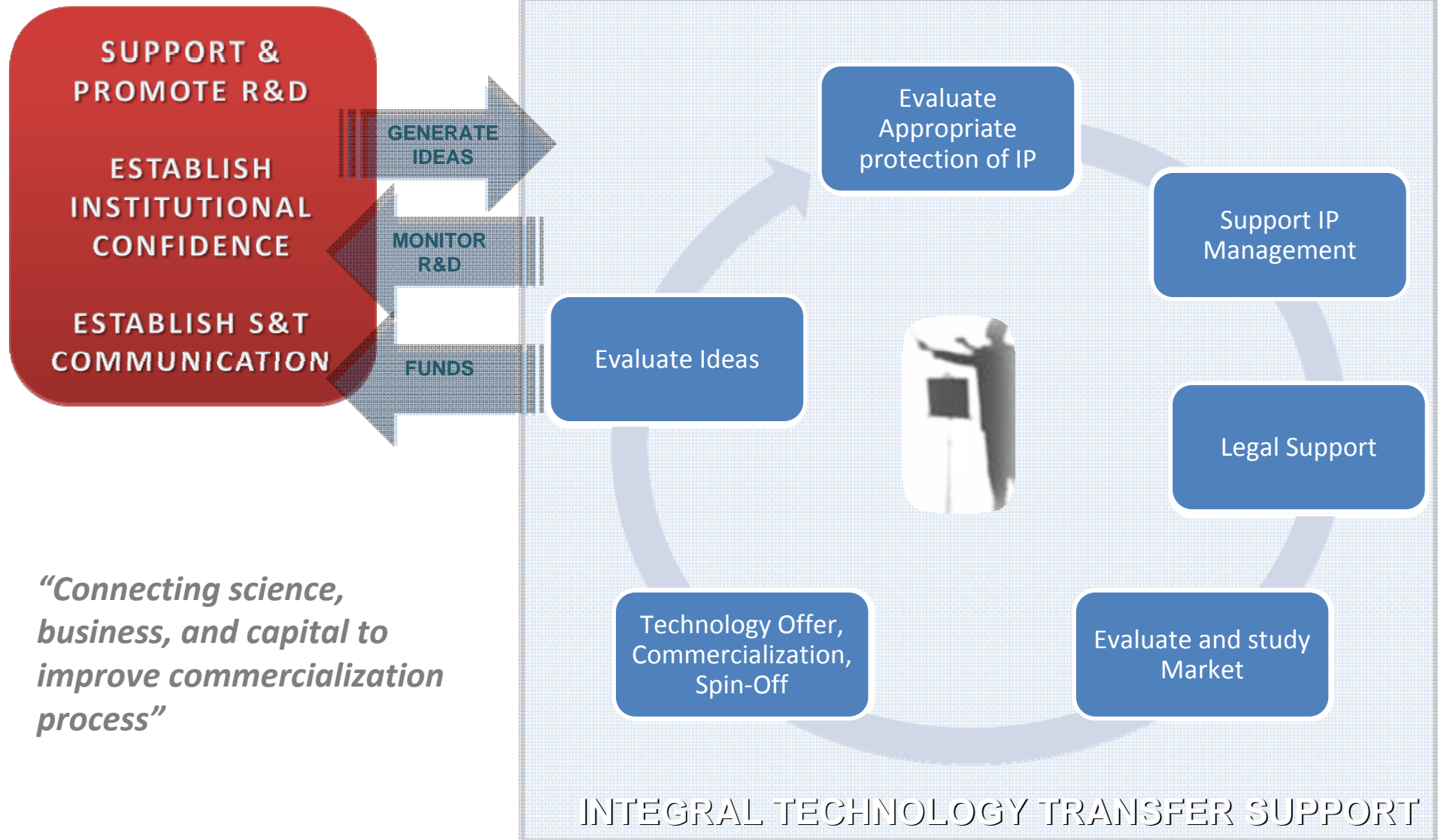
**SUPPORT &
PROMOTE R&D**

**ESTABLISH
INSTITUTIONAL
CONFIDENCE**

**ESTABLISH S&T
COMMUNICATION**

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“Connecting science, business, and capital to improve commercialization process”

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Research → Valorization → Commercialization

Evaluate
Appropriate
protection of IP

Legal Support

Evaluate and study
Market

Technology Offer,
Commercialization,
Spin-Off

EXTERNALIZED IP PROTECTION SUPPORT:

- Evaluate protection mechanism (e.g. patent, know-how, confidentiality, free source...)
- Patent evaluation & draft support
- Patent management support and follow up.

EXTERNALIZED LEGAL SUPPORT:

- Objective: ensure IP ownership issues are secured prior to commercialization:
- draft & review collaboration agreements
- draft & review co-ownership agreements
- draft & review research contract agreements, transfer agreements ...

EXTERNALIZED MARKET STUDY

- Expert market evaluation prior to Spin-Off initiatives

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EVALUATE APPROPRIATE COMMERCIALIZATION PATH

BRIDGE PUBLIC & INDUSTRIAL SECTORS

IDENTIFY LICENSEE

NEGOTIATE LICENSE AGREEMENT ON BEHALF OF INSTITUTION (excludes Botin Foundation): Internal/External Support

CONSOLIDATE SPIN-OFF CAPITAL

EXTERNALIZED LEGAL SUPPORT

- Due Diligence
- Conflict of Interest
- Spin-Off participation/shares
- Legal framework (e.g. public administration restrictions)

Due to the spectrum of research areas and output, a non-traditional negotiation approach is used, and studied case by case.

SCIENCE PROGRAM WORKING MODEL

TECHNOLOGY TRANSFER GENERATION PROGRAM

PROGRESS INDICATOR 2005 - 2009



Identified & Evaluated Ideas ■
 Identified & Managed Inventions ■
 Patents ■
 Competitive Projects ■

WHAT'S NEXT?

"MIND THE GAP"

PROGRAM:

-Bridging existing gaps in specific R&D projects with market potential

TECHNOLOGY

TRANSFER TRAINING

PROGRAM:

-share our experience with research institutions through training program

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