



**The Abdus Salam
International Centre for Theoretical Physics**



2335-Hand-out

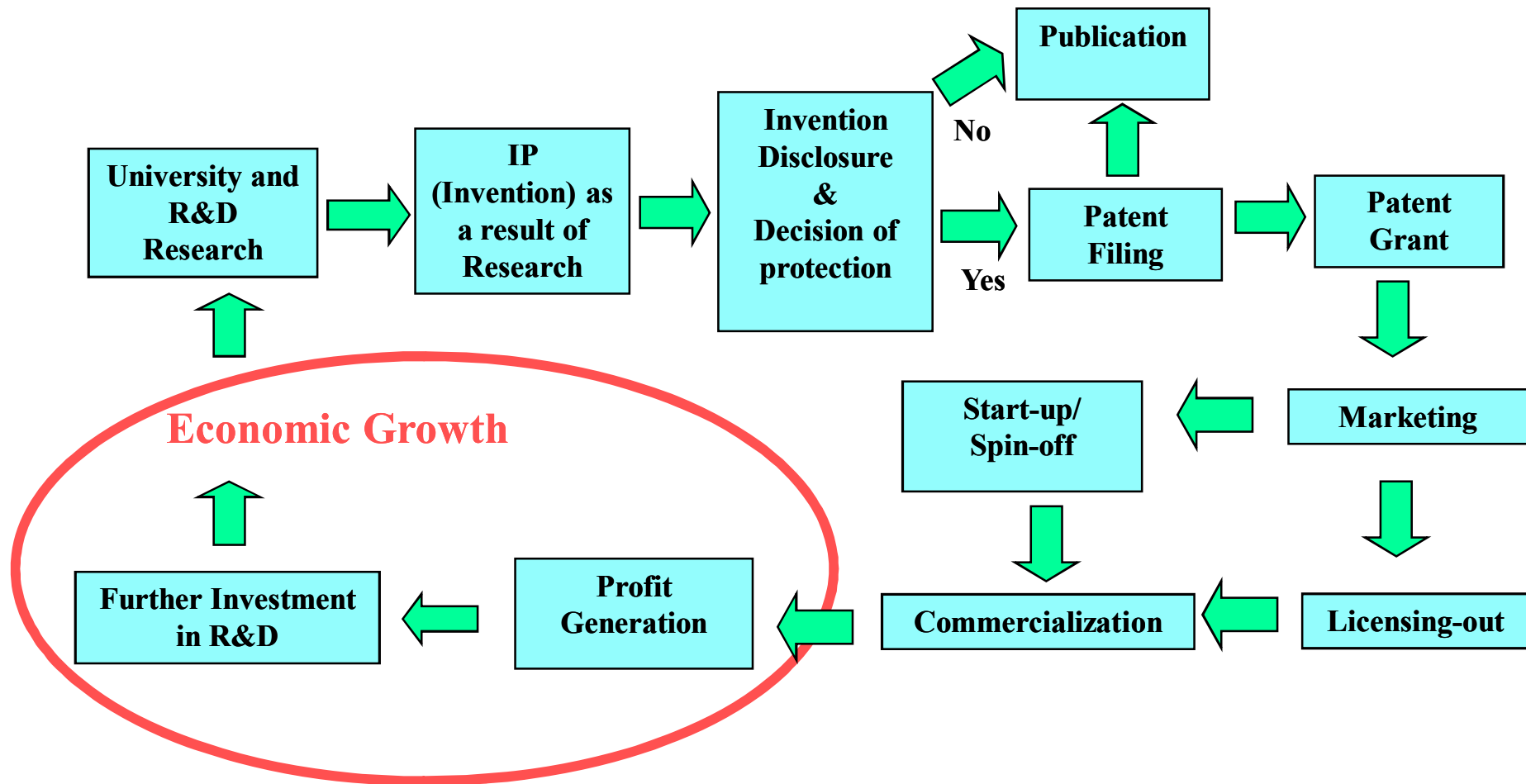
**Workshop on Entrepreneurship for Physicists and Engineers from Developing
Countries**

23 - 27 April 2012

Presentation

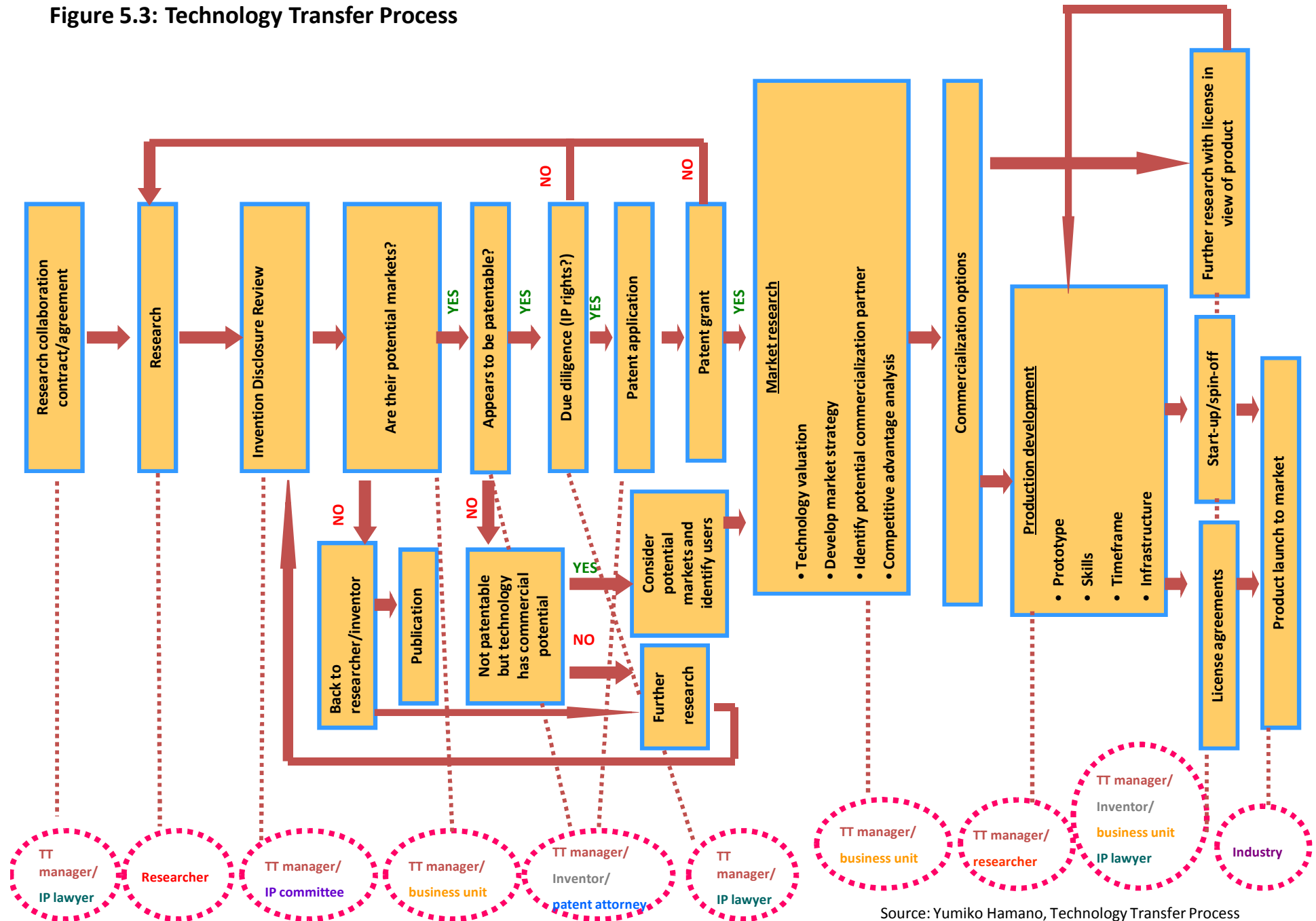
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Innovation and Economic Growth Cycle



Source: Yumiko Hamano, "Innovation and Economic Growth Cycle"

Figure 5.3: Technology Transfer Process



Source: Yumiko Hamano, Technology Transfer Process

Licensing Key Terms and Conditions

- **Subject matter (use specification, technical description, patent No., name of the invention, trademark, standards?)**
- **Scope of the license (make, use, sell, make copies, distribute?)**
- **Field of use (technical fields?)**
- **Ownership**
- **Confidentiality**
- **Exclusive or non-exclusive**
- **Sub-licensing**
- **Territory**
- **Duration (How long? Does this depend on events?)**
- **Financial terms (Royalty, Lump-Sum, stock, payment method)**
- **Development rights**
- **Derivative works, improvements**
- **Future version of the technology**
- **Warranties (for risk of technology defect, defect in title, infringement)**
- **Dispute settlement (where settled? Who indemnifies against risk from 3rd party claims?)**

Source: Successful Technology Licensing, WIPO

10 Negotiation Tips

1) Most negotiations are “repeated games”

(You need to work with the other party after an agreement is reached)

2) Most deals get done in a few months or not at all

(Deals get worse over time. People get bored, they find alternatives)

3) Never lie

(It will ruin your credibility and create unneeded complexity - Instead, avoid a topic or be unspecific.)

4) Discover their position

(Ask a lot of questions. Find out what is important to them. - It’s probably not what you think it is.)

5) Discover their decision making process

(Who makes the call? - If they don’t have a clear answer, that’s bad.)

6) Create a bigger “pie”

- It’s not just price, it’s:
- Schedule of payments
- Form of payments
- Consulting
- Other products
- Territory
- Possibly a long-term business partnership
- Future employer of (PhD) students

and many other things

7) Ask for more things you expect to get

(If you want 3 things, ask for 5)

8) Link the deal to the other negotiator’s personal success

(Turn them into your internal advocate for the deal)

9) Don’t talk

(Allow at least four seconds of silence before saying anything - You will be surprised what people say.)

9) Don’t be afraid to walk away.

(Understand your limits: you will lose credibility if you accept a deal that is bad for you.)

PCT Contracting States (144)

States designated for regional protection and also, unless otherwise indicated, national protection

EA Eurasian Patent

AM Armenia
 AZ Azerbaijan
 BY Belarus
 KG Kyrgyzstan
 KZ Kazakhstan
 MD Republic of Moldova²
 RU Russian Federation
 TJ Tajikistan
 TM Turkmenistan

EP European Patent

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 * BE Belgium
 BG Bulgaria
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 * MT Malta
 * NL Netherlands
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 PT Portugal
 RO Romania
 RS Serbia¹
 SE Sweden
 * SI Slovenia
 SK Slovakia
 SM San Marino
 TR Turkey

* Regional patent only

1 Extension agreement continues to apply to applications filed before 1 January 2008 (for HR), 1 January 2009 (for MK), 1 May 2010 (for AL) or 1 October 2010 (for RS)

5 2 The Republic of Moldova denounced its adhesion with the Eurasian Patent Convention as from 26 April 2012

PCT Contracting States (144) (continued)

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MW	Malawi
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NA	Namibia
RW	Rwanda (from 24.09.2011)
SD	Sudan
SL	Sierra Leone
* SZ	Swaziland
TZ	United Republic of Tanzania
UG	Uganda
ZM	Zambia
ZW	Zimbabwe

OA OAPI Patent

* BF	Burkina Faso
* BJ	Benin
* CF	Central African Republic
* CG	Congo
* CI	Côte d'Ivoire
* CM	Cameroon
* GA	Gabon
* GN	Guinea
* GQ	Equatorial Guinea
* GW	Guinea-Bissau
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* NE	Niger
* SN	Senegal
* TD	Chad
* TG	Togo

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BZ	Belize	KR	Republic of Korea	ST	Sao Tome and Principe
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EC	Ecuador	MY	Malaysia	VN	Viet Nam
EG	Egypt	NG	Nigeria	ZA	South Africa
GD	Grenada	NI	Nicaragua		
GE	Georgia				
GT	Guatemala				

* Extension of European patent possible