



Highlights

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ADVANCING THE BUSINESS OF INTELLECTUAL PROPERTY GLOBALLY  
CREATING, PROTECTING, AND COMMERCIALIZING INNOVATION | MANAGING AND MONETIZING INTELLECTUAL PROPERTY



## President's Message:

### Great Things Happening As We Launch Into New Year

By John Paul, President, LES International

**L**ots of work is being done. Great things are happening as we launch into the new year:

#### 1. The new LESI online community is now live.

In December, we officially launched [connect.lesi.org](http://connect.lesi.org). The site provides committee leaders with the tools to more effectively manage, communicate and share information with members. We have held orientation and training with all LESI chairs and vice chairs on the site and encourage all LES members to visit and join a committee. These committees provide links between members in various LES societies focusing on similar issues. To learn more about the LESI committees visit [www.lesi.org/committees](http://www.lesi.org/committees).

#### 2. We are meeting again in person.

In November, LES France met in **Paris** for its annual meeting and 50th anniversary. In February, the LESI board and committee leadership will meet in **Honolulu** for its annual winter planning meeting to develop plans for the coming year. And in May, LESI will meet in **Venice** for our annual conference, and you should plan to be there!

#### 3. We are better defining and differentiating ourselves.

The work of the national and regional societies provides a vision of LES at its best in the past 50 years and a fabulous foundation for the next 50 years.

The vision of LES for the future starts with who we want to think of ourselves as being, and we should dream big! A romantic idea perhaps. And, of course, we need to be practical as well—informed, honest, and right for the times—and possibly change every now and then in one way or another.

**We know who we are, and we know how we are different from other IP associations.**

We have a clear mission: To help our members, the profession, and the public *Create, Protect, and Commercialize Innovation, and Manage and Monetize Intellectual Property.*

And we are conducting and promoting that mission more strongly.

**We are a “community of communities.”**

And that is a strength!

We have 33 separate national and regional organizations involving 90 countries, which function independently around the world, and serve many different constituents with different interests and needs.

We have different roles, and we work together. We are business leaders, IP managers, licensing executives, financiers, licensing companies, IP brokers, experts in law, valuation, protection, transfer, and enforcement of IP. Our community of communities is a connected ecosystem. Together, we advance the business of intellectual property globally.

**We are healthy and have big opportunities to grow.**

Many people in many communities are waiting for us to reach out and include them in our community of communities and participate in the exchanges around our campfire of friends and colleagues.

#### 4. We are developing and implementing a far-reaching vision for the next 50 years.

We are asking some big questions on membership and sponsorship, and we will discuss them during the winter planning meeting. How do we identify and engage new members? How do we remove barriers to entry? How do we fund the operations of LES?

**How do we increase membership by removing barriers and increasing its value?**

How about an “all in” membership? We provide membership at some level to all potential LES members—everyone who is involved in what we are about—creating, protecting, and commercializing innovation and managing and mone-

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### Quick Links:

[www.lesi.org](http://www.lesi.org)

[www.lesi.org/les-nouvelles](http://www.lesi.org/les-nouvelles)

[www.lesi.org/les-societies](http://www.lesi.org/les-societies)

[www.les-europe.org](http://www.les-europe.org)

[www.les-asiapacific.org](http://www.les-asiapacific.org)

### Call For Content

We request contributions from all societies and individuals about important events, changes in the law in your country or region, conferences, annual meetings, board changes, and the like. You can submit articles or announcements to the editor or use the form on the website at the following address: [www.lesi.org/les-societies/les-global-news/submission-form](http://www.lesi.org/les-societies/les-global-news/submission-form).

Deadlines: December 1, March 1,  
June 1 and September 1

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Licensing Executives Society International

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tizing intellectual property. What if we were somehow connected to all potential LES members? Increasing the size and power and value of our network geometrically. What would that look like? How would we get there? How do we remove barriers to becoming a member? Do we create organizational memberships? How do we identify and reach out to engage potential members and potential sponsors? How do we better serve and resonate with potential members?

**How do we increase funds for services to members and the public?**

How about a funding model that does not primarily depend on fixed individual dues? What would that look like? A pay-what-you-want membership supplemented by sustaining sponsorships? Premium and Free-ium levels of membership? How do we remove barriers to becoming a sponsor? How do we identify and reach out to engage potential sponsors? How do we better serve and resonate with potential sponsors?

**How do we become better known as a thought leader?**

How do we become better known as a key thought leader? What services do we provide? What communities do we form? What public service do we do? Who do we partner with to accomplish these goals?

**5. We are on track and progressing on our priorities and value proposition**  
Providing education

Day-long job training courses in licensing and commercialization—available online so they can be accessed from around the world.

Quarterly publications on recent developments affecting licensing and other transactions around the world - court decisions, regulatory decisions, developments in the law, and how they affect business.

Monthly interactive pop-up courses on hot topics and led by experts - so far, we have addressed the proposed COVID IP waiver, trade secret licensing, and data protection.

CEO case studies, where a successful CEO talks about licensing strategies, growth financing, and build-to-sell.

**Building community**

Industry advisory boards to advise the leadership and industry forums for industry to meet and discuss issues in automotive, energy, health care, communications, consumer products, and other areas.

Industry forums to gather and immerse these groups in discussion that is interesting and relevant to their day jobs and energize them, to make them feel that they are sitting at the table with leaders in their community.

**Recognizing accomplishments and presenting awards**

New innovation awards identify and recognize achievements in what we are about—creating, protecting, and commercializing innovation, and managing and monetizing intellectual property.

**Providing public service and thought leadership**

Education for innovators and small businesses. Collaborating with the European Patent Office on presenting CEO case studies that draw over 400 attendees.

Education on international licensing and technology transfer for professionals and assistance with international technology transfer—most recently, the Korea Technology Transfer Agent Association.

“Ask me anything” sessions—the first three from China, France, and Brazil.

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Pro bono referral and legal assistance program in licensing and technology commercialization—exploring a collaboration with WIPO.

Sustainable development and technology transfer to the developing world and through the LESI Global Technology Impact Forum.

**Growing and retaining membership and sponsorship.**

We are developing our 50th anniversary campaign to grow membership and sponsorship.

We are creating tools for national societies to attract new members—detailing our value proposition in talking points—concisely listing the concrete things LES does and is planning to do, including our programs to build community, and provide education, thought leadership, and public service. An example of this effort follows this message, and you can download a copy here: <http://www.lesi.org/valueprop2022>. Please use it and add to it and spread the word to potential members!

We are exploring ways to reduce your individual membership dues.

We are exploring ways to work with the national societies to reach out to organizations around the world to become members and sponsors.

We are exploring how to expand our funding model for sponsorship to fund the programs LES is presenting.

**Working at communicating better about what we do**

Our new weekly email blast listing programs offered by LESI and national societies. It's really useful to see them all together and it's really impressive to see all the good work that everyone is doing.

We are differentiating the LES from other organizations with our role in “creating, protecting, and commercializing innovation, and managing and monetizing intellectual property.”

And we are developing a new website with more capabilities—connecting committees and other industry communities to provide interactive communications—organizing the contents more intuitively—modernizing the homepage to better reflect who we are and what we are doing.

**Come to the annual conference in Venice!**

We plan to make LESI2022 our best meeting ever. It kicks off our 50th anniversary and the beginning of our next 50 years. We need you all to be there, because you are the present and the future of LES.

You should plan to participate in making this our best meeting ever, and come with your friends, family, and colleagues.

Why should you plan to attend?

- There is nothing like being together with friends and colleagues from all over the world. And no matter how much we like being home, we have all been home for the longest

time in our lives. It's time to get out and connect.

- It's in Venice, no better place to celebrate a 50th anniversary.

- Arrangements are set for the conference, the events, and the accommodations. They are wonderful. They are reasonably priced. And they can accommodate anywhere from a few hundred to a few thousand people.

- While it is still some months away, it's time to start thinking about it as a reality that can be yours for a business meeting, to see friends, to celebrate 50 years and plan the next 50 in one of the most historic cities in the world.

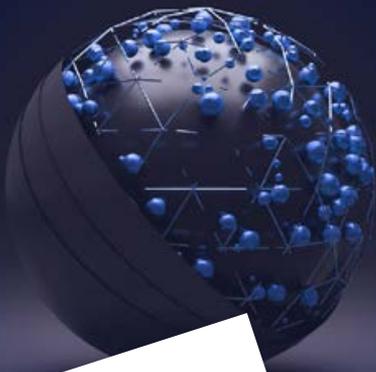
- The program will address the “state of the industry” for important industries. It will discuss major transformations in business and the new models and opportunities those transformations are creating in licensing.

- The “experience” of the meeting will be more than talking heads. There will be new elements. There will be more interaction. You will have a role in defining your experience.

- We are working on having the meeting be a “community of communities,” with different industry, university, professional, legal, government, and other affinity communities coming with their members and contributing to the program and having live interaction with those who attend the conference.

I look forward to seeing you there! ■





# JOIN!

## Licensing Executives Society International (LESI)

- A global network of businesses and professionals for nearly 50 years
- 33 member societies in more than 90 countries
- Creating, protecting, and commercializing innovation, and managing and monetizing IP
- Business leaders, IP managers, licensing executives, financiers, licensing companies, brokers
- Expertise and experience in law, valuation, protection, transfer, and enforcement of IP
- Advancing the business of intellectual property

**LESI @ 50**

## Benefits

1. **Connection and access to a global community of businesses and experienced professionals**  
*Leaders in every industry, in every legal speciality throughout the world*
2. **Education on best practices growing revenue, profit, value, cash flow through IP**  
*Creating, protecting, and commercializing innovation, and managing and monetizing IP*
3. **Access to a full spectrum of member activities and perspectives**  
*Education and support for your day job in business and university environments*
4. **Access to numerous resources**  
*Tool kits, industry and professional committees, education, mentoring, royalty rate and deal term surveys*
5. **Part of a community devoted to thought-leadership, public service, inclusion, diversity, and equity in the business of IP for nearly 50 years**

### LESI ACTIVITIES FOCUS ON:

- ▶ Building community
- ▶ Educating our members
- ▶ Thought-leadership
- ▶ Public service
- ▶ Recognizing accomplishments

### BUILDING COMMUNITY

- ▶ Industry focus groups: life sciences, communications, automotive, software, chemicals, materials, energy, environment and more
- ▶ Legal focus groups: focusing on licensing patent and technology, trademarks and branding, copyrights and software
- ▶ Affinity groups: Young Members Congress (YMC), Women In Licensing Alliance (WILA), LES Society presidents, other leaders in licensing, and more
- ▶ Global industry advisory boards: advising the board and committees

### EDUCATING OUR MEMBERS

- ▶ Job training: basic licensing and advanced commercialization courses
- ▶ Recent developments: court decisions, legislation, regulatory summaries
- ▶ Pop-up courses: "hot topics" for licensing professionals
- ▶ Scholarly articles: quarterly journal
- ▶ Master classes: deep dives taught by the best in the field
- ▶ Meet the masters: IP leaders discuss their work, achievements, plans
- ▶ Case studies of success: CEOs address business and licensing strategies, growth financing, and how to build-to-sell
- ▶ Primers: IP management, IP licensing, IP valuation
- ▶ Check lists: key issues to consider in licensing and valuation

### PROVIDING THOUGHT-LEADERSHIP

- ▶ Collaborate with WIPO, EPO, and local patent and IP offices on policy, education, and best practices
- ▶ International Standards Organization task force on intellectual property
- ▶ Les Nouvelles: A quarterly journal of scholarly articles
- ▶ Royalty rate and deal term surveys focused on life sciences, high technology, chemicals, energy, environment, materials

### PROVIDING PUBLIC SERVICE

- ▶ Mentoring, role models, and cultivating success in others
- ▶ Focusing on Inclusion, diversity, and equity initiatives
- ▶ Hosting "Ask me anything" sessions and pro bono referrals
- ▶ Facilitating tech transfer and educating the developing world
- ▶ Sustainable innovation, development, and reduced environmental impacts
- ▶ Educating innovators and small enterprises with instruction and case studies
- ▶ Educating the community of future scientists and deal makers in our schools

### RECOGNIZING ACCOMPLISHMENTS AND PRESENTING AWARDS

- ▶ Identifying and publicizing accomplishments in creating, protecting, and commercializing innovation, and managing and monetizing IP
- ▶ Presenting awards for outstanding accomplishments



Become a member of this global community!  
Join your local society today!

▶ [www.lesi.org/societies](http://www.lesi.org/societies)



# The HTB Forum Success Story Continues

By Juergen Graner, Co-Chair, High-Growth Enterprise (HGE) Task Force  
and Audrey Yap, Immediate Past President LESI

Launched on 25 February 2021 by the HGE Task Force, the HTB high-growth technology business forum is proving to be a huge success. For those of you who are not familiar with it, the HTB forum is a joint LESI-EPO event

that was created to support technology start-ups, scale-ups and SMEs in general, as well as stakeholders in the innovation ecosystem by engaging business decision-makers around the world. It is part of the LESI-EPO joint workplan 2020/2021 to strengthen co-operation in innovation support and intellectual asset management.

Each virtual HTB forum event features three key elements: a live case study, a global panel and a round-up resulting in implementable takeaway messages.

In the first part, a speaker—usually the CEO of a company—presents a live case study focusing on a particular theme. In 2021, the main themes were:

- Licensing (chaired by Sonja London),
- Growth-financing (chaired by Willem Bulthuis)
- Build-to-sell (chaired by Juergen Graner)

In the second part, a global panel composed of three geographically diverse experts (one each for Europe, Asia and North America) cover a range of questions relating to the case study presented, thus preparing the ground for a lively discussion with the main speaker.

The third part is a round-up session, which boils the discussions down to implementable takeaway messages for business decision-makers.

During the first edition of this event in February 2021, all three HTB forums were run consecutively in one online event, which created a very condensed and impactful half-day online event.

Following participant feedback, for the second series each theme (licensing, growth financing and build-to-sell) was run on a different day. The second edition also included a “meet-the-speakers” session as an optional component after the first 60 minutes.

The second series of the HTB forums has also been a great success. Highlights include:

- The appearance of Jose Maria Ochave, CEO of Unilab in the Philippines, as the live case study speaker at the licensing forum on 30 September 2021.
- The participation of the SCO/CLO from Plasmapp in South Korea in the growth-financing forum on 28 October 2021.
- The appearance of serial technology entrepreneur Paul Atherton from the UK at the build-to-sell forum on 18 November 2021.



More than 400 people from around 60 countries registered for each event, and video recordings of all the events will soon be made available on the EPO event website: [epo.org/news-events/events/conferences/2021/high-growth-technology-business-](https://epo.org/news-events/events/conferences/2021/high-growth-technology-business-forum.html)

[forum.html](https://epo.org/news-events/events/conferences/2021/high-growth-technology-business-forum.html).

LESI and the EPO's Patent Academy will continue to take a fully collaborative approach to the organisation of the HTB forums and their outreach to all relevant stakeholders.

Not only will the forum series be continued in 2022, but the new year will see the addition of a new, fourth forum on open innovation, to be chaired by Bowman Heiden, co-director of CIP, the Center for Intellectual Property.

Watch out for the announcement of the next four HTB Forum events in 2022 on [epo.org/business-forum](https://epo.org/business-forum) and spread the word! You can also follow the joint HTB Community LinkedIn site [linkedin.com/company/htbcommunity](https://linkedin.com/company/htbcommunity) for all updates.

We would like to take the opportunity to wish everyone a Happy New Year 2022! LESI, Let's Innovate! ■



Speakers at the licensing forum in the Philippines.



Speakers at the growth-financing forum in South Korea.



Speakers at the build-to-sell forum.

# Market-Determined Royalty Rates

By Dave Weiler, AUS, Inc.

## Introduction

Market-determined royalty rates serve as a foundation for pricing Intellectual Property (“IP”) in monetization strategies such as a license, sale or litigation. Sources of these benchmark royalty rates are from public and private licensing transactions. Public transactions can be sourced from datasets such as the U.S. Securities and Exchange Commission’s (“US SEC”) EDGAR filings, but private transactions remain unavailable. We have a unique opportunity to share some observations and metrics related to private semiconductor device and fabrication paid-up licenses.

## Paid-up/Running Royalty Benchmarks

In general, a paid-up license means that all royalties have been paid in advance. In contrast, a running royalty rate means that royalties are paid over some period based upon financial or other measures such as sales, profits or units.

License agreements that report compensation details such as upfront, milestone and a running royalty rate are one primary focus when pricing IP. Compensation details specific to paid-up licenses simply report a lump sum amount. These amounts are interesting to observe but present challenges to use in IP valuation.

Typical valuation benchmarks/multiples used to price a Subject IP include a ratio calculated by dividing the observed market value of an asset by a specific financial or other metric common to the benchmark and Subject IP. Application of the ratio to the Subject IP metric results in a value estimate. Using the private licenses, we can develop royalty rate benchmarks implied in a paid-up license by dividing the paid-up royalty amount and related project revenues. Typically, we cannot calculate this rate after reviewing public filings since information released in public licenses and financials is limited.

## Implied Running Royalty Rates

This unique opportunity to view current paid-up semiconductor device and fabrication patent-only license metrics and the calculated implied royalty rates is summarized in Table 1.

The implied running royalty rate for the 15 paid-up licenses averages 0.004697% of net sales.

## Observations

**Technology Segments**—Two technology segments emerged after reviewing the sample, including specific device technologies for three licenses.

- 1. Fabrication Segment**—In semiconductor device fabrication, the various processing steps fall into general categories such as deposition, removal, patterning and modification of electrical properties.
- 2. Device Segment**—This segment includes items such as transistors, diodes and integrated circuits (“IC”). ICs include items

such as memory, microprocessors and logic ICs. The following technologies were identified.

- a. FinFET**—is a transistor with amplifier and switch functions. Its applications include home computers, laptops, tablets, smartphones, wearables, high-end networks, automotive and more.
- b. AP**—is an application processor designed to support applications running in a mobile operating system environment.
- c. CIS**—is a low-power image sensor to integrate peripheral circuits on the same chip.
- d. Layout**—is the layout design for a circuit.

**Royalty Rates**—We note the implied royalty rates are substantially lower than a typical low single-digit running royalty rate included in public semiconductor technology licenses. While the specifics of each private license are not available to review, we will offer some observations about this difference.

1. These paid-up licenses involve patent portfolios to a large industry licensee. Supporting our low single-digit observation are public licenses that include single patent licenses to development stage and small company licensees. There

Royalty Rates, continued on Page 7

**Table 1. Implied Royalty Rates**

License (1)	Effective Date Range (2)	Technology	Technology Segment	Patent Count	Royalty Rate
1	2005-2009	Semiconductor	Device	1~9	0.000939 %
2	2015-2021	FinFET	Device	1~10	0.004100
3	2015-2021	Semiconductor	Device	1~11	0.009786
4	2015-2021	Semiconductor	Device	1~13	0.000350
5	2015-2021	AP	Device	10~25	0.007194
6	2015-2021	Semiconductor	Device	26~50	0.000334
7	2015-2021	FinFET	Device	26~50	0.005672
8	2010-2014	Semiconductor	Device	26~50	0.002702
9	2015-2021	Semiconductor	Device	50~100	0.004127
10	2015-2021	CIS	Device	50~100	0.027625
11	2015-2021	Semiconductor	Device	100+	0.003511
12	2015-2021	Layout	Device	100+	0.000006
13	2010-2014	Semiconductor	Fabrication	1~12	0.001727
14	2015-2021	Semiconductor	Fabrication	10~25	0.001889
15	2005-2009	Semiconductor	Fabrication	26~50	0.000492
<b>Average</b>					
<b>Total</b>					<b>0.004697 %</b>
<b>Device</b>					<b>0.005529 %</b>
<b>Fabrication</b>					<b>0.001369 %</b>
<b>Note:</b>					
(1) All licenses are non-exclusive and the territory is worldwide.					
(2) All licenses became effective in a year within the range.					

**Royalty Rates**, continued from Page 6

are few similar licenses to large industry licensees. Contributing to this limited number is the US SEC disclosure requirement that the license must be material to the licensee's business. Often, licenses are not material to the performance of a large company, but many times are important to development stage and small companies by influencing revenue, earnings, and investors' capital investment decisions.

2. Generally, fixed fee payments in a license can be considered pre-paid royalties and will impact running royalty payments. These prepayments would typically result in a downward adjustment to the royalty rate. Lack of a prepayment would result in an upward adjustment to the royalty rate. In other words, one would anticipate that the implied royalty rate in a paid-up license to be lower than the running royalty rate given this inverse relationship.<sup>1</sup>
3. A fixed fee payment in advance is certain. A running royalty payment is uncertain, but the licensor may be compensated for accepting this increased risk by receiving a

higher royalty amount. Therefore, a licensor can trade certainty for the uncertainty of potential higher royalty payments. In contrast, the licensee is less likely to pay for something of uncertain value by adopting a running royalty to reduce risk by paying when the license value is established. The implied risk differences also point to a similar inverse relationship.<sup>2</sup>

4. The Device Segment royalty rates are higher than the Fabrication Segment.

We welcome this opportunity to share these private license transactions to further IP value transparency. We also welcome others to share similar transaction information with us and other insights to this high-level review. ■

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1. See LES High-Tech Sector Deal Terms Survey Report 2017, p. 29.
  2. See Technology and IP Law Glossary—Certainty/Uncertainty Trade Off. <http://www.ipglossary.com/glossary/certaintyuncertainty-trade-off/#.YXBy9xrMJPY>

## LESI Consumer Products Committee

The LESI Consumer Products Committee held two meetings in the past few months. During these meetings we identified several topics that we will be working on for the foreseeable future. The primary notes from these meetings are as follows:

1. We are in active recruitment mode, and we encourage LES members to join our committee. We posted the following on LinkedIn a few weeks ago: “How will today's technology disruptions and innovations change existing consumer product markets and create new ones? This is the kind of question that members of LESI's Consumer Products Committee contemplate and discuss together on a regular basis. The Consumer Products Committee had its kick-off meeting on Wednesday. Lots of activities planned and topics to be addressed. Join us to help advance the business of licensing and stay updated on the fast-changing world of consumer products.”
2. We are also looking for members who are interested in acting as informal “liaisons” with other committees: those LES members who are members of the consumer products committee and other committees are encouraged to report useful, cross-committee discussions/activities/events.

An exemplary list of Committee topics is presented below:

- What is hot in IP and licensing (especially as it relates to consumer products and services) in your country?
  - Amendment of IP law in Poland
  - Amendment of patent law in Germany

- Data ownership and access
- Availability of injunctions
- Value chain consideration and access to technology
- Proposed new Copyright laws in South Africa that have very broad exceptions to infringement, and significantly erode rights of copyright
- AI as inventors of patents (in South Africa)
- Household devices and IoT
- Chinese patent laws and implication for consumer products and services
- New developments in standards and SEPs
- Lessons from collaboration between industries, continents and cultures. The importance of licensing and the trade of ideas
- Ownership and IPR in data
- Focus on Asia: specific topics?
- Supply chain problems—how they will affect consumer product markets and what will be done to avoid them in the future?
- The evolution of the semiconductor industry and what it means for consumer products
- The next frontier of AI and data—finding more uses for all the data being collected
- Counterfeiting: The IPRs enforcement saga

If any of these topics are of interest to you or if you have additional topics that the Committee should consider, please get involved! ■

# Patent & Technology Licensing Committee Highlights

By Madelein Kleyn

**Chair:** Madelein Kleyn

**Vice Chairs:** Qinghong Xu (LES China), Jennifer Pierce (LES Ireland & UK), Claudia Tapia (LES Germany)

The committee met regularly to discuss the action plans and agenda and co-opted members to attend as the case arose.

The committee had a good year and were instrumental in the launching of the following events:

**Kids IP Day:** A tribute to Patrick Terroir. The committee prepared a base slide deck and with assistance of committee and other LESI members translated the material in various languages.

**Negotiating the Moolman Institute:** LESI Financial Modeling course agreement in collaboration with Education and IP Valuation Committees. For the coming year we plan better marketing of the LESI-Moolman training module.

Webinars were initiated and presented, some independently and others in collaboration with LESI society members. These included:

- **2 July 2020—Cannabis and IP**—a webinar held in collaboration with LES SA.
- **28 August 2020 webinar**—expert panel discussion on 2040: Long-term Insight into the Future of the IP/Licensing Practice.

**November 2020—In collaboration with the University Forum of South Africa**—Assignment of IP and exchange control and other regulatory approvals for technology transfer.

- **26 April 2021 World IP Day celebrations**—preparation of IP Strategy Toolkit—on-call webinar for SME's.
- **May 2021 AGM**—the committee mandated and chaired a panel of experts on the Webinar: Trade secrets in various jurisdictions covering China, USA, Brazil and South Africa.



## Work Products:

- **Development of material and hosting a small table at upcoming AGM: Freedom to operate:** what does it mean today? With the IP domain overcrowded with small incremental inventions that overlap and competitors that merge and form stronger and bigger corporations, is there space for the SME which needs all possible funds to run the business but are often challenged with large IP portfolios?
- **les Nouvelles Special Edition:** Trade secrets: an international perspective; this also resulted in a webinar for the AGM as mentioned above, as well as a les Nouvelles Live! Session.
- **les Nouvelles articles:** University Start-ups: The Virtual Reality And Hard Data Of Successful University Start-Ups That May Succeed... Or Not (June 2020 edition) Co-Ownership Pitfalls (March 2021 edition).
- **Facilitating and contributing to publications and LES societies:** LES Singapore contribution to handbook on licensing for SMEs.

## Looking Forward

- Continue to grow the IP Toolkit for SME's
- Attract more members. ■

## IP Maintenance Committee

The function and aim of the IP Maintenance Committee is in assisting in the management of the LESI trademarks portfolio, in deciding renewals, and in legal matters. The Committee is currently involved in a trademark litigation in the USA on behalf of LESI, while another litigation was positively settled out of Court.

We have an interest in improving LESI member participation with the Committee's activities. In practice our Committee currently consists of two persons only, the two Co-Chairs. We have asked the LES National Chapters to propose some volunteers, but please feel free to volunteer on your own. Meetings/Calls are carried out when necessary, mainly in connection with the pending litigation matter. We currently do not organize webinars or other events. ■

Rinaldo Plebani, LES Italy—Co-Chair and Janet Pioli, LES USA & Canada—Co-Chair

# LESANZ Honorary Life Membership Awards 2021

By Mark Pullen, LESANZ President

LESANZ concluded the year with a Fireside Chat with former LESANZ and LESI President, Rodney De Boos. This presentation highlights the long term personal and business value that comes from being involved in the LES community of IP focused specialists, both nationally and internationally, and the relationships and long-term friendships you gain from being involved.

As LESANZ President, I had the honour of announcing on the 13th December, two LESANZ Honorary Life Membership awards.

LESANZ's first ever Honorary Life Membership award was presented to the lovely John Stonier in 2019, having been LESI President in 1980, President of LESANZ in 1976-1977, just 2 years after the inaugural LESANZ meeting in March 1974 (at which John was one of the founders along with Des Ryan), and was ever present at conferences and a staunch supporter of all things LES. A lovely, kind and engaging man. I personally recall a lovely evening dinner with him in, of all places, the 'Top Gun' bar in San Diego after a hard day 'conferencing' at an LESI conference a few years ago.

There is an old saying, the greatest gift you can give to another person is your time. And our two recipients are genuine gentlemen in the truest sense, who have shared their knowledge and encouraged others over many years, and today we honour two major contributors to LESANZ, LESI and the world of IP.

On behalf of LESANZ and our national committee, I am pleased to present our second LESANZ Honorary Life Membership award to: **Des Ryan**.

Des was a founder of LESANZ, LESANZ President 1984-1985, President of LES International (LESI) in 1988 and an active supporter of all things IP over many years, helping to train and educate many in the IP profession, as well as serving over 60 years with DCC and being awarded as a Member of the Order of Australia in 2001 for his contribution to intellectual property.

It has been a difficult year to have face to face meetings, particularly in Victoria. Beth Benson managed to catch up with Des at his home to personally present his certificate to him.

On behalf of LESANZ and the LES community, congratulations Des and thank you for your many years of active support of LES.

Des Ryan



## Rodney De Boos

Our third LESANZ Honorary Life Membership award goes to Rodney De Boos. Rodney was LESI President in 1998, Gold Medal awardee and LESANZ President in 1985-1986, immediately following Des Ryan. Highlighted in the Fireside Chat, Rodney has been very much actively involved over many years in the LES community at home and abroad, creating and enjoying strong friendships over the years.

I personally have fond memories of the always welcoming smile and handshake from Rodney at international and national conferences – someone who always made people feel a part of the organisation and who has remained active in LES, always willing to support our education and conference programs.

Congratulations to Rodney on receiving this award.



Karen Sinclair interviewing Rodney De Boos during the December Fireside Chat.

The awards were recorded and are available via the LESANZ Secretariat for anyone wishing to watch both the Fireside Chat and the presentations.

The LESANZ national conference 'New Horizons – Creating The Future', which will be run as a hybrid conference in 4-6 April 2022. Updates to the conference program will be available via the LESANZ.org.au website soon.



**LESANZ 2022**  
 New Horizons | Creating the future  
 Hybrid Conference 4-6 April 2022 

LES Brasil

## LES Brasil Hosts Webinars

Over the last several months, LES Brasil hosted the following webinars:

- (a) Closing the LES Brasil established series of “lives,” wherein each director is to define a topic and invite a speaker to give a presentation; On November 11th Cédric Sikandar (LES Brasil—Secretary Director) invited Daniel Rejman, responsible for the Law Department at SIDI, a Science and Technology Institute, to talk about “legal aspects on the R&D activities in the field of the internet of things (IoT).” It took place on LES Brasil’s Instagram page, where it is still available for review.

**LIVES**  
LES BRASIL

Quinta-feira 11/11 às 17h ao vivo no Instagram @brasil.les

Aspectos Legais na P&D da Internet das Coisas (IoT)

**Cedric Sikandar**  
Diretor Secretário  
LES Brasil

**Daniel Rejman**  
Head Jurídico - SIDI (Instituto de Ciência e Tecnologia)

- (b) LES Brasil (@brasil.les) and Inovabra (@inovabra), the Bradesco co-innovation space, started a series of three “lives” debating the “Circular Economy.” The debates were held and made available on the Inovabra platform (www.inovabra.com.br).

On September 13th Karina Muller (LES Brasil President) moderated a conversation between Beatriz Luz (Exchange4Change), Renata Menezes Rocha (FIRJAN) and Vinicius Crespo (Instituto Fecomércio de Sustentabilidade);

On September 15th Laetitia d’Hanens (LES Brasil Academic Director) moderated a conversation between Jeferson Camarão (Instituto Socio Ambiental), Renato Paquet (BR Polen) and Vanessa Spiess (Rastra); and

On September 17th Bruna Rego Lins (LES Brasil Young Members Director) moderated a conversation between Renato Paquet (BR Polen) and Ana Cristina Costa (BNDES, the Brazilian development bank). ■

O que é Economia Circular?

13/9 das 14h00 às 15h30 **evento online e gratuito**

Inscrições <https://bit.ly/2YI0dA3> (link na bio)

**Beatriz Luz**  
Exchange4Change

**Renata Rocha**  
FIRJAN

**Vinicius Crespo**  
Instituto Fecomércio de Sustentabilidade

**MEDIADORA | Karina Müller**  
Presidente LES Brasil

www.lesbrasil.org.br | siga @brasil.les

Dificuldades e desafios da Economia Circular

15/9 das 14h00 às 15h30 **evento online e gratuito**

Inscrições <https://bit.ly/3hk6f05> (link na bio)

**Jeferson Camarão**  
Instituto Socio Ambiental (ISA)

**Renato Paquet**  
BR Polen

**Vanessa Spiess**  
Rastra

**MEDIADORA | Laetitia d’Hanens**  
Diretora de Estudos LES Brasil

www.lesbrasil.org.br | siga @brasil.les

Economia Circular e monetização

17/9 das 14h00 às 15h30 **evento online e gratuito**

Inscrições <https://bit.ly/3A18hJI> (link na bio)

**Renato Paquet**  
BR Polen

**Ana Cristina Rodrigues da Costa**  
BNDES

**MEDIADORA | Bruna Lins**  
Diretora do Grupo de Membros Jovens LES Brasil

www.lesbrasil.org.br | siga @brasil.les

LES China

# LES China Annual Meeting 2021 Held Online

On November 26, 2021, LES China held its virtual annual meeting, bringing together online LES China members, guest speakers and invited licensing professionals from across China.



John Paul, LESI President delivers opening remarks at LES China Annual Meeting.

At the invitation from LES China, Mr. John Paul, President of LESI, attended the meeting and by pre-recorded video, he delivered the opening remarks, in which he emphasized the priorities of the LESI working plan and mission and thanked LES China for continuous cooperation and contribution in the past. LES China also had the honor to invite Ms. Yang Song, the Director General of China (Shenzhen) Intellectual Property Protection

Center, to share with the participants their experience and thoughts on IP commercialization. Mr. Zhongqi Zhou, President of LES China, gave a welcome speech and a review of LES China’s work in 2021. Taking the opportunity, Mr. Zhou also commended Professor Xiaobo Fan of Beijing University of Chemical Technology, Ms. Jinghuan Jia of Huachuang Purplevine IP Management (Beijing) Co., Ltd., Ms. Ying Wang of Lifang & Partners, and Ms. Qinghong Xu of Lung Tin Intellectual Property Agent Ltd. for their contribution to LES China in the year of 2021.

The presentations at the meeting covered various areas of IP commercialization. Ms. Xiaoguang Li of China International Economic and Trade Arbitration Commission South Sub-Commission talked about IP disputes and arbitration; Ms. Xuehan Cai of Shenzhen Customs Office gave an update on the border enforcement practice of Shenzhen Customs Office, Ms. Xianying Lou of King & Wood Mallesons walked the participants through her study on the interaction between IPR and economic development and best practice and pitfalls in IP commercialization and Mr. Xin Tong, of

ZTE, focused on the changes and trends in SEP licensing from the 4G to the 5G era.

The LES China Annual Meeting was initially planned to be held in Shenzhen as an in-person event, but due to the unexpected travel restrictions caused by the COVID-19 Delta Variant, LES China made the decision to organize a virtual annual meeting instead. The virtual annual meeting was a great success and well received by our members in light of the informative and insightful speeches and presentations from the speakers and the thought-provoking discussions and interactions with the speakers.

LES China hopes that the COVID-19 pandemic will be put under control and business and daily life are back to normal in 2022 and the LES members and friends may meet in person at the LESI 2022 Annual Conference in Venice, Italy to be held May 8-10. ■



LES China Annual Meeting speakers and some of the participants.



## LES International Calendar

### 2022

May 7-8

2022 LES International Management & Delegates’ Meeting (IMDM)

Venice

May 8-10

2022 LES International Annual Meeting

Venice

### 2023

April 30-May 2

2023 LES International Annual Conference

Montreal

LES France

## Save The Date—4th Edition Of The Paris Conference On Standard Essential Patents (SEPS) And FRAND

December 14, 2021 And January 17, 2022, Hosted In Paris And Live-Streamed Online

**A**PEB and LES France are glad to announce the 4th edition of their annual conference on SEPs and FRAND.

Divided in two sessions, this captivating topic brings together an exceptional panel of experts and judges:

**Session 1** was held on 14 December 2021, from 5 pm to 7 pm CET, and featured Professor Daryl Lim from the University of Illinois—Chicago as the moderator. This session encompassed (1) a summary of the EU Commission's expert group report on SEPs: Ruud Peters (Peters IP Consultancy B.V.); (2) a panorama of major cases and deals announced over the last year: Mathieu Klos (Juve); (3) an update on US and EU regulatory initiatives: Andrei Iancu (Irell & Manella; Former Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office) and Professor Rudi Bekkers, Chair of Standardization and Intellectual Property at Eindhoven University of Technology; and (4) an industry roundtable with Pio Suh (IPCom), Clemens Heusch (Nokia), Marianne Frydenlund (Nordic Semiconductor) and Michael Schlögl (Continental) participating.

**Session 2** will be held on 17 January 2022, from 9 am to 11 am CET. The moderators will be Anne-Charlotte Le Bihan (Bird & Bird) and David Por (Allen & Overy). Speakers for this session include:

- Judge **Dr. Klaus Grabinski**, Federal Supreme Court, Germany
- Judge **Richard Meade**, High Court, England & Wales
- Judge **Nathalie Sabotier**, Paris Court, France
- Judge **Edger Brinkman**, Hague Court, The Netherlands
- Professor **Guangliang Zhang**, former judge at the Court, China
- Judge **Prathiba M. Singh**, judge at the High Court of Delhi, India.

### Location:

**In person:** Allen & Overy, 52 ave. Hoche, 75008 Paris

**Remotely:** Connection details to follow

### Register

If you have questions, please contact [secretariat@les-france.org](mailto:secretariat@les-france.org). ■

LES Poland

## Revolutionary Changes In The Industrial Property Law

By *Krystian Maciaszek*

**T**he Polish Council of Ministers has announced the commencement of work on introducing significant changes to the Industrial Property Law and has outlined the proposed amendments, *i.e.*, law governing protection of patents, trademarks, industrial designs, and utility models in Poland. The purpose of the changes is to dispel doubts concerning the interpretation of the current provisions, as well as to simplify and accelerate procedures to make them more attractive from the business perspective. The changes are very broad in scope and are to cover all industrial property rights. New institutions will be introduced, such as, for example, a deposit of information constituting trade secrets. The amendments are due to be adopted by the Council of Ministers in the fourth quarter of 2021. The most important changes are as follows:

- Acceleration of the trademark registration procedure. To achieve this goal, the institution of opposition will be replaced by a new, renamed measure, which it will be possible to initiate within two months of the publication of information about the trademark application. The abandonment of the obligatory cooling-off period in opposition proceedings is also expected to reduce the waiting time for registering a mark.

- Consolidation of provisions concerning national patents and provisions concerning the filing of European patent applications and the effects of the European patent in Poland. The institution of the preliminary invention application is also to be introduced.
- *Inter partes* proceedings before the Polish Patent Office will be reformed. As a rule, the Office will make decisions in closed session.
- The examination system is to be replaced by the registration system in the case of utility models.
- The institution of conciliation is to be introduced as a new, alternative, less formal way of dispute resolution.
- The introduction of a completely new institution—the deposit of information constituting trade secrets—is also envisaged. It will cover information of a technical and technological nature. The deposit is supposed to make it easier for entities to prove the priority of the existence of such information, as well as its content, thus ensuring more effective legal protection of confidential know-how.

I will endeavour to keep you informed about further development of work on these important amendments. ■

LES India

# LES India 2021 Recap Of Webinars

Licensing Executives Society India held a webinar on the “Future of IP Jurisdiction: The Show Must Go On” on September 30, 2021. The incredible line-up of speakers included Richa Pandey, President of LES India; the Honorable Justice Manmohan Singh, a former judge of the Delhi High Court; and Pratap Shanker, Joint Secretary of LES India. The event was moderated by Lakshika Joshi, the Secretary of LES India.

On December 3, 2021, a webinar titled “The Master Stroke, Key to Building Successful IP Assets” was held by LES India. The speakers were Amit Mahajan, Group CEO

of the Phoenix Group of Companies; Shalini Dabholkar, Founder & COO of the SME Accelerator Network; and Lakshika Joshi, Secretary of LES India. Key highlights included IP strategies, industry best practices, the role of a partner ecosystem in an IP-centric business, licensing vis-à-vis business growth, approaches to filing IPs and patents, IPs and brand equity—relationships and interplay, and patent and licensing hassles in family-run businesses, among other topics.

The official secretariat for both webinars was *THE WITNESS*, India’s first magazine on legal and corporate affairs. ■

**LES LICENSING EXECUTIVES SOCIETY INDIA**

**FUTURE OF IP JURISDICTION**  
The Show Must Go On  
30TH SEPT 2021 | THURSDAY

**4:30 PM IST**  
**Welcome Remarks**  
Richa Pandey, President, LES India

**4:45 PM IST**  
**Fireside Chat Session – The Show Must Go On!**  
The Future of IP Jurisdiction – IP Courts & More.  
Hon’ble Justice Manmohan Singh, Former Judge, Delhi High Court

**MODERATOR**  
**Lakshika Joshi,** Secretary, LES India

**6:00 PM IST**  
**Closing Remarks**  
Pratap Shanker, Joint Secretary, LES India

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E: secretariat@lesindia.org

**LES LICENSING EXECUTIVES SOCIETY INDIA**

presents  
**THE MASTER STROKE**  
KEY TO BUILDING SUCCESSFUL IP ASSETS  
3rd December, 2021 | 4:30 PM IST

**THE SPEAKERS**

**Amit Mahajan**  
Group CEO,  
Phoenix Group of Companies

**Shalini Dabholkar**  
Founder & COO, India  
SME Accelerator Network

**Lakshika Joshi**  
Secretary, LES India

**KEY HIGHLIGHTS**

- IP Buildup Ride – Lows & Highs Practices & More
- IP Strategies – Industry Best Practices & More
- Competing with the Sharks while building an IP Centric Culture
- Role of Partner eco-system in an IP Centric Business
- Licensing vis a vis Business Growth – Challenges faced
- Approach to filing IPs and Patents – Reluctant or Proactive?
- IPs and Brand Equity – Relationship & Interplay
- Patents & Licensing Hassles in Family Run Businesses

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Non LES India Members – INR 2000  
Taxes as applicable | Group Registration Discounts Available in case of 3 or more registrations

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# LES Singapore: Update On Events Held

(October & November 2021)

## Joint Webinar between LES Singapore and IPwe:

**Non-Fungible Tokens (NFTs): What is it all about and why is this relevant to my business?**

### LES Speakers

**Jonas Block**, (top left)  
Head of Product Management, IPwe Inc.

**David Piesse**, (top right)  
CEO of DP88 Insurtech Consultancy

**Shyam Nagarajan**, (bottom left)  
Executive Partner of Go to Market Blockchain Services, IBM

**Sheena Jacob**, (bottom right)  
Partner and Head of Intellectual Property, Technology, Media, IP & Competition, CMS Holborn Asia



In this joint webinar by LES Singapore and IPwe held on November 2, 2021, our panel of experienced global speakers who are deeply involved in NFTs for finance, insurance and IP, shared their thoughts on how the use of NFTs can be adopted for enterprise use. Our panel believes the licensing, legal and R&D community will all play a key role in guiding adoption and execution of NFT strategies. This session was highly informative and hopefully sparked greater interest in how NFTs can play a role in the IP ecosystem. ■

## Joint Webinar between LES Singapore and Anaqua:

**Securing a Competitive Edge in IP Licensing**

### Speakers

**Mr. Suresh Sachi**,  
Deputy Chief Executive (Corporate) and General Counsel of A\*Star

**Mr. Tom Major**,  
Vice President of TransactionsIP LLC

**Mr. Sandeep Agarwal**,  
Vice President (Acquisitions) of Xperi Corporation

**Ms. Shayne Phillips**,  
Director (Analytics Solutions) of Anaqua

**Ms. Catherine Lee (moderator)**,  
President of LES Singapore



On October 1, 2021, LES Singapore and Anaqua held a joint webinar on this core topic of how one can secure a good licensing deal, especially as technology develops and the landscape gets more crowded. Participants enjoyed the sharing of best practices, tips and useful lessons learned from experience from the panel of industry experts. Topics such as organizing and positioning your research and development efforts, identification of near-to-market technology, and the use of analytic tools to assess the IP landscape were discussed. ■

LES Thailand

## LES Thailand Updates—November

We would like to share our past and future activities from the LES Thailand community, as follows:

### LES Thailand Annual Conference

In 2021, LES Thailand held its annual conference during 9-10 September 2021, focusing on supporting Sustainable Development Goals (SDGs). The conference was opened to non-members from technology licensing offices, universities, government agencies, law firms and private companies.

The welcome address was given by Michelle Ray-Jones, the President of LES Thailand. The opening remarks were given by the Director-General of the Department of Intellectual Property, Mr. Vuttikrai Leewiraphan, and the keynote speaker was John Paul, President of LESI.

The conference was organised in four sessions covering the following topics:

- **Session 1—COVID-19: Impacts & Plans for the Future**

The participants had the opportunity to learn about COVID-19 vaccine developments in Thailand covering both mRNA and viral vector technologies. COVID-19's impact on infrastructure and operations during the workforce working remotely from home was also addressed. The challenges and changes during COVID-19 from the view of insurance services was also deliberated.

- **Session 2—Future Technology and Licensing Trends: Turning the Crisis into Opportunities**

The solution system in livestock feed was shared in this session from the perspective of future technology and licensing. In this session, the other two speakers shared their knowledge of how AI and machine learning is involved in drug discovery and clinical trials, and how IP databases play a significant role in IP technology development and licensing.

- **Session 3—Food, Nutrition, and Agriculture**

The current Thai regulations surrounding cannabis and hemp, including their legal prohibitions, were shared with all participants. Furthermore, the impact of COVID-19 on rice value chains, sustainable food systems and nutrition at scale were discussed by the Executive Director of the Sustainable Rice Platform. At the end of this session, we had a successful Thai entrepreneur running botanical extract manufacturing businesses share her story of how technology and IP are involved in her businesses.

- **Session 4—Impact of World's Climate Change: The Decarbonization Trend**

Decarbonization was the main topic discussed. We had a representative from a government agency talking

about national policies related to decarbonization. We also had two representatives from large listed companies sharing their policies and business activities concerning decarbonization. In addition, the participants learned quite a bit from representatives in the finance sector who talked about the Thai carbon market and developments, as well as Green Bonds. This topic received much attention from all participants.

There were 16 presentations in total by Thai and overseas speakers, who are experts in their relevant research fields and industries.

### LES Thailand's Webinar on IP Valuation: With a Focus on Trademarks

The importance of IP valuation cannot be overstated, as the digital economy continues to flourish, year after year, and the growth of IP assets shows no signs of abating. We feel that now is a good time to update our members and others on the current IP valuation practice.

LES Thailand held a webinar on IP Valuation on Thursday, December 2, 2021, which was conducted in English.

In particular, this webinar provided not only insights on the latest trends in IP valuation, but also focused on trademark valuation matters. We were honored to have three distinguished speakers, who shared their knowledge and real-life experience on IP valuation, both from a financial perspective and from a legal perspective, with the aim to incentivize businesses to realize the actual value of their IP assets and their brands. The discussions included the following:

#### Speakers:

- Mr. André Gorius, the Chair of IP Valuation Committee of LESI
- Ms. Udomsri Nathikanchanalab, Managing Director at UK Valuations and Agency Co., Ltd
- Ms. Ploynapa Julagasigorn, Senior Associate at Tilleke & Gibbins International Ltd.



LES South Africa

## News And Events—June To November 2021

The LES SA Board met three times since the May report, with the Annual General Meeting held in August 2021 and the final board meeting and year-end function held in November 2021. There were also a few afternoon talks during the last half of the year, and our first face-to-face training conference.

### Activities included:

#### 22 July 2021—Webinar: Leveraging Publicly Financed IP In The Life Sciences For Spin-Outs And Start-Ups—An Afternoon Arranged With Tech Transfer Experts

Collaboration with publicly financed institutions provides many opportunities for commercialisation of innovative technologies within the life sciences. There are various possible models for collaboration, whether these



obtain between such an institution and its spin-off companies, or such an institution and private entities. The panel explored the preferred practices with regard to collaboration between publicly financed institutions and private entities, with a focus on spin-off and start-up company collaborators.

The webinar was co-hosted by LES South Africa and the Southern African Research and Innovation Management Association (SARIMA). The obvious synergies between LES and SARIMA provided motivation for an excellent panel of senior representatives. The panel moderator was LES SA director and Committee Chair for Life Science Cluster, Dr. Joanne van Harmelen and co-committee member Nolene Singh. They were joined by the expert panel comprised of: Gideon Burger, founder of Stellenbosch University start-up Axiology Labs, a company that supplies and supports scientists in psychophysiological recording equipment; Saberi Marais, the Technology Commercialisation Manager at University of Cape Town (UCT), who focuses on assisting UCT researchers and innovators to valorise their research outputs; Rosemary Wolson, Director of the University of Johannesburg; and Tamlyn Shaw, one of the founding members of Cape Bio Pharms, a start-up company from UCT.

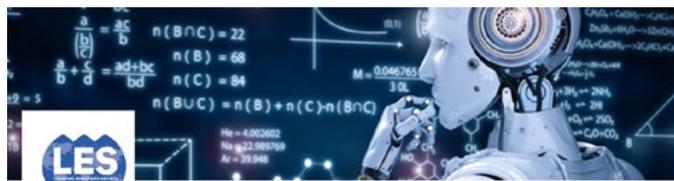
Attendees rated the experiences and advice provided by the panelists as insightful and extremely useful from a practical perspective. Research Institutes have the ability to generate important new technologies to feed into the pipeline of life sciences innovation, particularly since the advent of the COVID-19 pandemic. However, in order to optimally leverage these technologies to achieve societal and commercial benefits, there is frequently an interplay between the private sector and these research institutes. This type of event provides input from both sides as to how to manage these relationships for greatest benefit. The information gathered, and networking opportunities provided

are not only of benefit to existing members of LES, but likewise, are likely to provide incentives to non-members to join the LESI organisation.



#### 26 August 2021: Annual General Meeting And Seminar: Exploration To Mining: The Value Chain

The AGM was held in August 2021. The board cycle of LES SA is on a yearly cycle and the board and presidency were re-affirmed and feedback reports from the various committees were presented to the delegates. The event included keynote speaker Dr Ian Basson, the CEO and founder of TECT Geological Consulting, who addressed the members and LES SA guests on the journey of a consulting geologist and the value chain of mineral exploration. The discussion included the state of exploration in South Africa and covered recent key developments. The event was advertised via the LES SA LinkedIn page and attracted more than 300 delegates of which quite a few attendees were non-South African.



#### 21 October 2021: Afternoon Talk: Patenting Of Inventions Created By Artificial Intelligence—A South African Perspective.

During an October afternoon talk session, Pieter Visagie, one of our LES members and partner at Adams & Adams, discussed the controversial AI inventorship matter. The South African Patent Office was recently the first in the world to grant a patent for an invention purportedly created by an artificial intelligence, on an application naming the artificial intelligence (“DABUS”) as inventor.

The discussion focused on the contribution that the grant makes to the global debate on AI inventorship in the context of patent protection and corresponding foreign patent applications also naming DABUS as inventor, and further explored the validity of the granted South African patent. Visagie explained that, in light of international treaty provisions and local practice directives that limited the patent office’s ability to interrogate the identity of the inventor and the applicant’s entitlement, it is unlikely that there was a substantive consideration of merits behind the grant. As such, the contribution that the grant makes to the debate is non-substantive. On the question of validity, Visagie concluded that basis may exist to take the registrar’s decision

on judicial review and to challenge the validity of the patent, specifically on the points of the applicant’s entitlement and the requirement to supply proof thereof. In this regard, Visagie expressed the view that it appears questionable that, in South African law, there is a legal basis on which to submit that a right to pursue patent protection comes into existence when an inventive act is performed by an AI. In Visagie’s view, legislative amendments would be required to provide such basis, for example by creating a legal fiction of inventorship such as that which is created in copyright law in determining authorship in relation to computer-generated works.

The afternoon talk was attended by 71 delegates.

**IP Valuation Training Course—November 2021**

Once again, together with the Moolman Institute, LES SA presented the hands-on 3-day IP Valuation course in November 2021 in the boutique Leipzig conference venue and hotel. Delegates were introduced to the various IP valuation methodologies, conducted IP Valuation and helped to un-



derstand the impact that tax, commercial, regulatory and other considerations may have on the value of IP through case studies and group exercises.

The trainers were Alan Lewis, Theo Doubell, Sean Moolman and Madelein Kleyn.

The course was attended by technology start-ups, university technology transfer officers, industry and law firms.

All delegates had to complete FinMod101 as requirement to qualify for course attendance. This enabled delegates to easily work on the exercises having the FinMod background. The course was attended by 15 delegates (the maximum we could accommodate at the venue).

We also had some fun!

**2021 YMC And LES SA Year-End Function**

The Young Members Committee of LES SA arranged a YMC event as LES SA 2021 year-end function on 25 November 2021. As usual the YMC knows the venues to choose to engage the members: A popular whiskey lounge and restaurant called a Taste of Tennessee in Centurion, Gauteng!

This was the first in-person social event hosted by LES SA in almost two years.

Following the final 2021 Board meeting, the members were invited to the YMC function where attendees were treated to American style food and a bourbon whiskey tasting (Wild Turkey, Woodford Reserve, Bulleit Bourbon, Jim Beam, Knob Creek and Maker’s Mark).

The debate about which bourbon had the best nose, taste and finish was never settled but all agreed that the venue, food and drinks were all excellent and that it was fantastic to break through the glass screens and socialise in-person.

**End Of Year Wishes**

The LES SA board of directors wish our LES family all the best for the festive season. we all hope that 2022 will be a fantastic year and that we will see you all in Venice. ■



LES Russia

# XI (XXVI) Annual Scientific And Practical Conference Topical Issues Of IP Rights Protection

23 November - 26 November 2021

LES Russia held the round table titled “Topical issues of IP use in new economic conditions” at the Annual Scientific and Practical Conference “Topical issues of IP rights protection.”

Natalia Karpova, PhD, Professor, Russian Academy of National Economy and Civil Service under the President of the Russian Federation (RANEPA), Vice-President of LES Russia, and Alexey Vakhnin, Russian patent attorney, VAKHNINA & Partners, LES Russia board member, were co-moderators of the Round Table, where Natalia Karpova spoke on “Changes in regulations after the Russian Government approved the roadmap,” “Transformation of the business climate. Intellectual property” and “Review of the Order # 2360-r,” and Sergey Vasiliev, PhD, Partner, Gorodissky & Partners, member of LES Russia, spoke on “Use of DB (database): right to information vs IP rights.”

LES Russia members: Veronika Odintsova, Ph.D., Russian patent attorney, EUROMARKPAT, and Jennet Abduraimova, IP Center

Skolkovo, gave presentations on “Rospatent Appeal Commission practice: things to keep in mind for patent attorneys and candidates” and “Overview of innovations and problems solutions in legislation regarding the payment of remuneration for service RIA” within the Conference.

The Conference was held by the Russian Chamber of Patent Attorneys in Vinogradovo, Moscow region. ■



From left, Nikita Tumin, Senior Lawyer, Gorodissky & Partners; and Natalia Karpova, PhD, Professor, Russian Academy of National Economy and Civil Service under the President of the Russian Federation (RANEPA), Vice-President of LES Russia.



Sergey Vasiliev, Ph.D., Partner, Gorodissky & Partners.

**Sustainable Value Creation**

Strategy alignment	Scouting/ marketing	Use case partnering	Market access	IP value assessment
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# Inaugural Global Technology & Innovation Support Centers (TISC) Conference 2021

## Jointly Organised By WIPO & CNIPA

By Audrey Yap, Immediate Past President, LESI

LESI was proud to contribute and participate in the inaugural Global Technology & Innovation Support Centers (TISC) Conference held from November 29 to December 1, 2021. Over 950 participants from 98 countries joined the Conference. Interactive modules allowed participants to raise questions with experts from TISC networks, government, academia, and industry. The Conference, which was a joint collaboration between the World Intellectual Property Organisation (WIPO) and the China National Intellectual Property Administration (CNIPA), was to recognise the important contribution provided by TISCs from across the world and explored how to deepen their networking on a global scale.

The Conference was officially opened by both the Director General of WIPO, Mr. Daren Tang, and the Commissioner of CNIPA, Mr. Shen Changyu. The Commissioner highlighted the importance of deepening the participation in global IP governance and promoting knowledge sharing. Mr. Daren Tang noted the importance of research and development and difficulties to commercialise IP and innovation:

***“All over the world, countries are increasing their investments in research and development. However, the journey from research to product is challenging, and getting economic outcomes from research investments requires technical knowledge, deep expertise and close connections between researchers, businesses and government. TISCs help ease this journey from research to product in two ways. They provide powerful tools that provide knowledge and build expertise, and they have local knowledge in the different stakeholders in the innovation ecosystem that allows them to be better connected with one another and in that connection the magic happens.”***

—Director General Daren Tang

Welcome address, Global TISC Conference,  
November 29, 2021

The Conference topics included how TISCs can facilitate the transfer of technologies into local communities to create social and economic impacts; what TISCs can do to facilitate the transfer of technologies to communities worldwide; and resources and services provided by WIPO and national TISC networks to facilitate the management of national TISC projects and promote further exchanges in experiences and best practice between TISC networks.

The objectives of the conference were aligned with LESI's expertise in promoting the business of IP globally. Karin Hofmann, vice president and member of the LESI board, joined a panel of different organisations to speak about the value proposition for TISC network joining or collaborating more with LESI and the range of expertise found in LESI. This session, titled *“Using International Technology Transfer Networks for Successful Technology Transfer,”* covered experiences and lessons learned in using technology transfer networks at the enterprise/institutional level



Speakers at the TISC Conference.

to link producers and consumers of technologies. The panel was ably moderated by Ms. Olga Spasic, Head, Technology Transfer Section, IP for Innovators' Department, IP and Innovation Ecosystem Sector, the World Intellectual Property Organization (WIPO).

Audrey Yap, immediate past president of LESI, presented on Theme 4 *Successfully Marketing Technologies*. The presentation covered IP strategies, approaches, and resources useful to identify and connect with partners for commercializing and/or utilizing technologies and, inter alia, highlighted how LESI was a great place to network and find expertise.

The event was webcast live and a recording is available at: <https://webcast.wipo.int>.

The Assistant Director General of the IP and Innovation Ecosystems Sector, Mr. Marco Aleman, summarised key takeaways of the conference including how networking is critical not only to enabling technology transfer but also to sharing knowledge, experiences, and good practices. This makes technology transfer more effective and enables global networks to open a world of new opportunities for technology transfer and sharing knowledge, experiences, and good practices. He set out useful resources available to TISC and any tech transfer offices or entities wanting to monetise IP:

- Landscape Reports
- WIPO Manual on Open-Source Tools for Patent Analytics
- WIPO Patent Analytics Handbook
- IP Toolkit for Universities and Public Research Institutions
- Toolkit for Using Inventions in the Public Domain for assessing technology projects
- WIPO Green as an IP marketplace

He also encouraged using their ability to participate in technology transfer by building on their capabilities such as patent analytics, licensing, and valuation, all topics covered during the three-day conference.

The Conference was closed by the Deputy Commissioner of CNIPA, Mr. Gan Shaoning, who talked about the importance of cooperation in further enhancing the role of TISCs and in promoting vibrant IP ecosystems and economic and social development around the world. ■



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## Licensing And Intellectual Property Organizations Meetings

For more information on LESI Meetings, go to [www.lesi.org](http://www.lesi.org)

### 2022

May 7-8

**2022 LES International Management & Delegates' Meeting (IMDM)**

Venice, Italy

May 8-10

**2022 LES International Annual Meeting -**

Venice, Italy

October 17-19

**2022 LES USA & Canada Annual Meeting**

San Francisco, California USA

### 2023

April 30-May 2

**2023 LES International Annual Meeting -**

Montreal, Canada

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