Recommended Resources For Licensing Professionals

By John T. Ramsay, Q.C.

Introduction

The Recommended Resources Subcommittee of the Licensing Executives Society (USA and Canada), Inc., Education Committee has completed this list of resources (books and articles) that they as business and legal practitioners with extensive experience in developing, managing, protecting and commercialization intellectual property have found useful. They offer this list of resources as guidance to others.

Some years ago, the LES Foundation published a list of resources that is still in circulation and some of our subcommittee members participated in its preparation. It is time to update it and to add commentary as well as guidance as to the intended audience.

Inevitably, good resources, not included, should be included. This resource list is somewhat U.S./Canada-centric and hopefully in time will be expanded to include resources from other countries; perhaps a LESI committee may do this in the future.

les Nouvelles in itself is a recommended resource for all topics. We did not attempt to list all the articles that themselves would qualify as recommended resources; there simply would be too many.

Audience

In this list of resources, we provide a brief summary of the resource and then we try to classify its audience using the following factors:

(a) **Intended primary audience:** legal or business. Lawyers need to know business basics and business personnel need to know legal basics, but here we are looking at who is the primary audience. This does not classify the resources by the practitioner's profession, but rather focuses on the topic. There are gray areas such as IP management; in such case, it will be classified here as "business" that could be done by lawyers. As another example, a primer of IP law focused on law may be written both for business practitioners and non-expert lawyers but may be classified as "legal." "Business" personnel include technology transfer personnel at university and research institutions.

(b) **Depth level of the resource:**

(i) ***Summary level.*** Resource is a short high-level overview that provides an introduction to the topic or a refresher for the practitioner.

(ii) ***Primer.*** A more in-depth introduction to the topic appropriate for students and early-stage practitioners who want a resource that covers the essential topics comprehensively.

(iii) ***Detailed.*** For the practitioner with at least intermediate experience on the topic who wants to gain an in-depth understanding of the topic.

The focus in the latter classification is not the general experience of the practitioner but rather his/her experience on the topic covered by the resource.

■ John T. Ramsay, Q.C.,
Gowling LaFleur Henderson, LLP Barristers & Solicitors,
Partner,
Calgary, Alberta, Canada
E-mail: john.ramsay@gowlings.com

Negotiations

1. Roger Fisher & William Ury, *Getting to Yes: Negotiating Agreement Without Giving In*, 2nd ed. (New York: Penguin Books, 1991)

(a) *Getting to Yes* is a straightforward, universally applicable method for negotiating personal and professional disputes without getting angry. It offers a concise, step by step, proven strategy for coming to mutually acceptable agreements in every sort of conflict. It is based on the work of Harvard Negotiation Project, a group that deals continually with all levels of negotiations and conflict resolutions.

(b) This is a classic book on negotiations. Many readers will read it before going into major negotiations as a refresher of the principles of negotiation that lead to win-win results.

(c) Intended primary audience—business.

(d) Depth level—detailed.

2. Marshall Phelps & David Kline, *Burning the Ships: Intellectual Property and the Transformation of Microsoft* (Hoboken: John Wiley & Sons, Inc., 2009)

(a) This book provides real-life examples of negotiations undertaken by Microsoft, some successful and some not so successful. A rare insight into the internal processes of a large company like Microsoft.

(b) Intended Primary Audience—business.

(c) Depth level—detailed.

(d) See John Ramsay's book review in the September 2009 issue of *les Nouvelles.*

Valuation

3. Richard Razgaitis, *Pricing of the Intellectual Property of Early-Stage Technologies: A Primer of Basic Valuation Tools and Considerations*, Chapter 9.3, Intellectual Property Management in Health and Agricultural Innovation: A Handbook of Best Practices, 2007, MIHR and PIPRA, which can be found at *http://www.iphandbook.org/handbook/ch09/summary/.*

(a) A valuable and basic primer on valuation, based on the excellent primer Razgaitis wrote for the AUTM Manual. It is an excellent overview of the issues.

(b) Intended primary audience—business.

(c) Depth level—primer.

4. Richard Razgaitis, *Valuation & Dealmaking of Technology-Based Intellectual Property*, 2nd ed. (Hoboken: John Wiley & Sons, Inc., 2009).

(a) A very detailed review of the fundamentals of valuation written by one of the best writers/speakers on valuation. This is not a primer to be picked up just before negotiations start. It should be studied and digested in advance and then applied in practice. It is a very practical book that recognizes the complexity of valuation.

(b) Intended primary audience—business.

(c) Depth level—detailed.

(d) See John Ramsay's book review in the December 2009 issue of *les Nouvelles*.

5. Gordon V. Smith & Russell L. Parr, *Valuation of Intellectual Property and Intellectual Assets*, 3rd ed. (New York: John Wiley & Sons, Inc., 2000).

(a) Valuation of Intellectual Property and Intellectual Assets, 3rd Edition, describes major aspects of intellectual property such as types and definition along with examples of its exploitation, techniques for determining remaining economic life and a review of current legal events affecting intellectual property. This edition contains updated information on trends in court decisions that make patents and trademarks more valuable than ever before, royalty rate decision factors, even more detailed authentic examples, scores of illustrative charts and graphs and easy-to-use checklists.

(b) Intended primary audience—business.

(c) Depth level—detailed.

6. Robert F. Reilly & Robert P. Schweihs, *Valuing Intangible Assets* (McGraw-Hill ISBN 0-7863-1065-0).

(a) *Valuing Intangible Assets* is for those who are interested in the management of knowledge, intellectual property and intangible assets; and Valuing Intangible Assets is highly practical. For those business professions who wish to expand their framework to include the valuation aspect of intangible assets this is a great reference book. Reilly and Schweihs include a comprehensive illustration of both the 'scientific' & 'artistic' aspects of valuating intangible assets, and it is loaded with useful examples.

(b) Intended primary audience—business.

(c) Depth level—intermediate.

Licensing Surveys

7. Licensing Surveys—AUTM, *http://www.autm.net/AM/Template.cfm?Section=Licensing_Surveys_AUTM&Template=/TaggedPage/TaggedPageDisplay.cfm&TPLID=6&ContentID=2409.*

(a) This is an annual survey about licensing activities at U.S. and Canadian universities, hospitals and research institutions.

(b) Intended primary audience—business.

(c) Depth level—intermediate.

8. The LES Foundation Annual Survey of the Licensing Industry *http://www.lesfoundation.org/survey/index.html.*

(a) This annual survey of the LES Foundation provides insight and perspective on events and trends impacting the business of licensing from 2004 to 2009. The survey results offer licensing professionals data to better understand and advance their business environment and give business and government leaders a greater appreciation for the value and significance of licensing, intellectual asset management and business development.

(b) Intended primary audience—business.

(c) Depth level—detailed.

Product Development

9. Robert G. Cooper, *Winning at New Products: Accelerating the Process from Idea to Launch.*

(a) The seminal book on the stage-gate process of product development. It provides practical step-by-step guidelines for conceiving, developing and successful launching new consumer products using examples from industry leaders.

(b) Intended primary audience—business.

(c) Depth level—detailed.

10. Jon Low and Pam Cohen Kalafut, The Invisible Advantage, *http://www.providersedge.com/docs/km_articles/The_Invisible_Advantage.pdf.*

(a) This article is based on research performed by

Cap Gemini Ernst & Young Center for Business Innovation. The premise of this article is that intangibles don't get measured, managed or disclosed. It summarizes some of its research concerning determining the intangible value drivers in companies, measuring their contribution to the companies' value and otherwise identifying, measuring and reporting on intangibles.

(b) Intended primary audience—business.

(c) Depth level—intermediate.

Intellectual Capital

11. Thomas A. Stewart, *Intellectual Capital: The New Wealth of Organizations* (New York: Doubleday, 1997)

(a) A primer for intellectual capital that sets out the issues in a very logical and orderly fashion.

(b) Intended primary audience—business.

(c) Depth level—detailed.

12. Thomas A. Stewart, *The Wealth of Knowledge: Intellectual Capital and the Twenty-First Century Organization* (New York: Doubleday, 2001)

(a) Stewart builds on his primer *Intellectual Capital: The New Wealth of Organizations* with more examples and development of the concepts.

(b) Intended primary audience—business.

(c) Depth level—detailed.

Competitive Intelligence

13. Leonard M. Fuld, *The New Competitor Intelligence: The Complete Resource for Finding, Analyzing and Using Information About Your Competitors* (John Wiley & Sons, Inc.: 1995)

(a) A primer for competitive intelligence. A more recent release by this author is T*he Secret Language of Competitive Intelligence*. Both show how to take data that is widely available to everyone, think critically about it and convert it into intelligence that leads to effective market-based decisions.

(b) Intended primary audience—business.

(c) Depth level—detailed.

Intellectual Property Strategies

14. Sharon K. Sandeen, ed., *Intellectual Property Deskbook for the Business Lawyer: A Transactions-Based Guide to Intellectual Property Law*, 2nd ed (Chicago: American Bar Association, Intellectual Property Committee, 2009)

(a) This book provides business personnel and non-specialist lawyers with material to give them a good working knowledge of intellectual property issues.

(b) Intended primary audience—business.

(c) Depth level—intermediate.

15. Eric M. Dobrusin & Ronald A. Krasnow, *Intellectual Property Culture: Strategies that Foster Successful Patent and Trade Secret Practices in Everyday Business* (New York: Oxford University Press, 2008)

(a) This book gives guidance to the IP practitioner as to how you can develop a healthy IP Culture that maximises IP value. It covers what patents you should get, how to notify potential infringers, pursue valid patent rights, design joint development agreements, develop IP strategies and protect trade secrets.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

16. "Measuring the Patent Success of Companies: Metrics and Measurement for Patent Departments," Foley & Lardner LLP, Spring 2005, which can be found at *http://www.google.ca/search?q=measuring+patent+success+foley&sourceid=ie7&rls=com.microsoft:en-US&ie=utf8&oe=utf8&redir_esc=&ei=-SCpS4S8LM6ztgeEwIGUAQ*.This is the only link we have been able to make work.

(a) An excellent review of the metrics for success that patent departments could use. A highly practical discussion of the standards that should be used for better practices. This records a study that was done to "consider what objective benchmarks, metrics, and/or measurements an IP department could use to describe its patent successes to its senior management, its board of directors, any other relevant audience internal to the company as well as to external investors and market analysts."

(b) Intended primary audience—business.

(c) Depth level—detailed.

17. Stephen P. Fox & Guy J. Kelley, "Making Innovation Pay" in Bruce Berman, ed., *From Ideas to Assets: Investing Wisely in Intellectual Property* (New York: John Wiley & Sons, Inc., 2002) 191

(a) An excellent practical review of patent strategies written by Fox when counsel at HP.

(b) Intended primary audience—business.

(c) Depth level—primer.

(d) See John Ramsay's book review in the September 2006 issue of *les Nouvelles.*

18. Marshall Phelps & David Kline, *Burning the Ships: Intellectual Property and the Transformation of Microsoft* (Hoboken: John Wiley & Sons, Inc., 2009)

(a) The story of Marshall Phelps going to Microsoft and changing its attitude towards IP management and sharing, and how that cultural change was

effected at Microsoft with success. The narration of Microsoft's experiences adds value to texts like #12 above.

(b) Intended primary audience—business.

(c) Depth level—detailed.

(d) See John Ramsay's book review in the September 2009 issue of *les Nouvelles.*

Intellectual Property Management

19. *AUTM Technology Transfer Practice Manual*, 3rd Edition *http://www.autm.net/TTP_Manual_Third_Edition.htm.*

(a) A primer for intellectual property management, particularly relevant to University technology transfers offices.

(b) Intended primary audience—business (particularly university technology transfer officers).

(c) Depth level—detailed.

20. Adam Liberman, "Establishing and Maintaining an IP Management Program in a Publicly Funded Research Institution" in *les Nouvelles* (December 2009) p.255.

(a) A primer for IP management written by an experienced Australian legal practitioner in the research sector.

(b) Intended primary audience—business (particularly university technology transfer offices).

(c) Depth level—intermediate.

Intellectual Property Law

General

21. *Intellectual Property Management in Health and Agricultural Innovation: A Handbook of Best Practices*, 2007, MIHR and PIPRA available at *http://www.iphandbook.org.*

(a) Two volumes of articles on IP management and best practices written by senior practitioners around the world. This Handbook focuses on research institutions although many chapters have value for profit-based institutions.

(b) Intended primary audience—business (particularly university technology transfer officers).

(c) Depth level—detailed.

(d) See John Ramsay's book review in the March 2008 issue of *les Nouvelles*.

22. Georges Haour and Laurent Mieville, *From Science to Business: How Firms Create Value by Partnering with Universities* (Macmillan: Houndsmills, Basingstoke, Hampshire, England, 2010).

(a) This book by two senior Swiss practitioners is written from a university research institution basis and focuses on firm-university collaborative research, licensing and spinout of start-up companies.

(b) Intended primary audience—business (particularly university technology transfer officers).

(c) Depth level—detailed.

23. *The LESI Guide to Licensing Best Practices: Strategic Issues and Contemporary Realities*, Robert Goldscheider, ed., (New York: John Wiley & Sons, Inc., 2002).

(a) A collection of articles on technology management and technology transfer matters written by experienced practitioners. Its focus is on practice rather than dissertations of the law.

(b) Intended primary audience—business.

(c) Depth level—intermediate.

24. John Dodds, *The Statutory Toolbox: An Introduction*, Chapter 4.1, Intellectual Property Management in *Health and Agricultural Innovation: A Handbook of Best Practices*, 2007, MIHR and PIPRA which can be found at *http://www.iphandbook.org/handbook/ch04/p01/.*

(a) A good overall primer of the U.S. law.

(b) Intended primary audience—legal.

(c) Depth level—primer.

Patents

25. *WIPO/IASP Training Seminar on Intellectual Property for Managers and Staff of Science and Technology Parks and Business Incubators* organized by the World Intellectual Property Organization (WIPO) in cooperation with International Association of Science Parks (IASP), Geneva, June 28-30, 2004 (17 pages) which can be found at *http://www.google.ca/search?q=18.%09WIPO%2FIASP+Training+Seminar+on+Intellectual+Property+for+Managers+and+Staff+of+Science+and+Technology+Parks+and+Business+Incubators+&sourceid=ie7&rls=com.microsoft:en-US&ie=utf8&oe=utf8&redir_esc=&ei=zC6qSfbKIO78gau9pC8Bw.* This is the only link that we have been able to get to work.

(a) An international patent primer that provides an overview of patent basics and patent policies. It is shorter than #26 below but still helpful.

(b) Intended primary audience—legal.

(c) Depth level—primer.

26. "Patents: Chapter 2 Fields of Intellectual Property Protection," in *WIPO Intellectual Property Handbook: Policy, Law and Use*, WIPO publication no. 489(E), 2nd Edition 2004, ISBN 92-A05-1291-7, pages 17 to 40, which can be found at *http://www.wipo.int/export/sites/www/about-ip/en/iprm/pdf/ch2.pdf.*

(a) An excellent primer written from an international point of view. It reviews basic patent law, conditions of patentability, drafting and filing a patent application, examination of a patent application, infringement, and exploitation of a patented invention.

(b) Page references are to the page numbering in the manual.

(c) Intended primary audience—legal.

(d) Depth level—primer.

27. Donald S. Chisum, *Chisum on Patents* (New York: Matthew Bender, 1978).

(a) A 28-volume treatise on U.S. patent law.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

28. *An Introduction to the Patent System*, produced by the Federal Judicial Centre 2002, Sample Patent, which can be found at *www.fjc.gov/public/pdf.nsf/lookup/IntroPat.pdf/$file/IntroPat.pdf.*

(a) An excellent teaching tool for a U.S. jury to assist them to understand a U.S. patent using as an example a three-legged stool

(b) Intended primary audience—legal.

(c) Depth level—primer.

29. The Honourable Mr. Justice Roger T. Hughes, *Patent Legislation & Commentary,* 2010/2011 edition (Toronto LexisNexis, 2010).

(a) This is an annual publication that provides the full text of the current and former versions of the Canadian Patent Act and Regulations with a year-end review and an introductory commentary by the Honourable Mr. Justice Roger T. Hughes of the Federal Court of Canada. The Honourable Mr. Justice Roger T. Hughes, Dino P. Clarizio and Neal Armstrong, Hughes & Woodley on Patents, 2nd edition 2005, updated semi-annually. A comprehensive review of the Canadian patent law and practice. A fundamental Canadian resource in two volumes.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

Copyrights

30. "WIPO Chapter 2 Fields of Intellectual Property Protection," in *WIPO Intellectual Property Handbook: Policy, Law and Use*, WIPO publication no. 489(E), 2nd Edition 2004, ISBN 92-A05-1291-7, pp. 40-56, which can be found at *http://www.wipo.int/export/sites/www/about-ip/en/iprm/pdf/ch2.pdf.*

(a) An excellent primer on copyright written from an international point of view. It reviews basic copyright law, protection, subject matter that will be protected, and rights granted, ownership, piracy and infringement, and remedies.

(b) Intended primary audience—legal.

(c) Depth level—primer.

31. Melville B. Nimmer and David Nimmer, *Nimmer on Copyright* (Albany: Matthew Bender, 1997).

(a) An 11-volume treatise on U.S. copyright law.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

32. The Honourable Mr. Justice Roger T. Hughes, Susan J. Peacock and Neal Armstrong, *Hughes on Copyright and Industrial Design,* 2nd edition, LexisNexis Canada, 2005, updated quarterly.

(a) This is a long standing fundamental Canadian resource on the law of copyright that covers substantive and procedural issues in the copyright law.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

Trade Secrets

33. *WIPO Intellectual Property Handbook: Policy, Law and Use*, WIPO publication no. 489(E), 2nd Edition 2004, ISBN 92-A05-1291-7, pp. 150-153 which can be found at *http://www.wipo.int/export/sites/www/about-ip/en/iprm/pdf/ch2.pdf.*

(a) A short primer

(b) Intended primary audience—legal.

(c) Depth level—overview.

34. Melvin F. Jager, ed., *Trade Secrets Throughout the World* (Eagan, MN: Thomson West, 2005)

(a) A comprehensive three-volume multi-country review of trade secret law.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

35. David W. Quinto & Stuart H. Singer, *Trade Secrets: Law and Practice* (Oxford University Press Inc., 2009).

(a) A trade secrecy manual that focuses on practices rather than law, such as corporate trade secret plans and practices, and hiring and terminating employees.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

(d) See John Ramsay's book review in the June 2009 issue of *les Nouvelles.*

36. R. Mark Halligan & Richard F. Weyand, *The Economic Valuation of Trade Secret Assets, Intellectual Property Valuation Primer, Fundamentals of Intel-*

lectual Property Valuation. Chapter 9, American Bar Association Intellectual Property Law (IPL) Section. ISBN 1-59031-1.

(a) This trade secret chapter does an excellent job in explaining how to approach the valuation of trade secrets and laying the groundwork for what a trade secret is. They discuss the four aspects of ownership to assert trade secret protection status and a best method for valuation.

(b) Intended primary audience—business.

(c) Depth level—primer.

Software

37. H. Ward Classen, *A Practical Guide to Software Licensing for Licensees and Licensors*, 3d ed., (Chicago: ABA Publishing, 2008).

(a) An excellent resource for software licensing with many annotated precedents for consideration.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

38. Raymond T. Nimmer, *The Law of Computer Technology*, 4th ed.

(a) A thorough four-volume review of the U.S. laws, both as to current and emerging issues concerning computer technology along with guidance for the legal practitioner.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

39. Barry B. Sookman, *Sookman: Computer, Internet and Electronic Commerce Law.*

(a) A thorough five-volume text on Canadian law on software, internet and electronic commerce, with comparisons to the American law, the primary Canadian resource on this topic.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

Licensing And Technology Transfers—General

40. Raymond T. Nimmer & Jeff C. Dodd, *Modern Licensing Law*, 2008-2009 Edition (Eagan, MN: Thomson West, 2008).

(a) The authors provide an extensive discussion of the U.S. law on licensing that has a welcome focus on licenses of information technology, including computer systems, software and data. This is an especially useful guide for the legal practitioner who wants more than instant answers.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

41. John T. Ramsay, *Ramsay on Technology Transfers and Licensing*, 2nd ed. (Toronto: Butterworths, 2002).

(a) A review by a Canadian author of the basics on technology transfer covering valuation, IP basics, the transfer of rights, consideration, customization and acceptance, improvements and joint ownership, restraint of trade, consideration, term and warranty/liablity. Note – 3rd edition will be published late 2010 or early 2011.

(b) Intended primary audience—legal.

(c) Depth level-intermediate.

42. John T. Ramsay, *The Dreadful Drafting* series including *The Do's and Don'ts of Licensing Agreements* published in *LESI Guide to Licensing Best Practices: Strategic Issues and Contemporary Realities,* Robert Goldscheider, ed., (New York: John Wiley & Sons, Inc. 2002) p. 67, *Non-Disclosure Agreements* published in les Nouvelles June 2007, p. 387, *Grant Clauses* published in *les Nouvelles* December 2007, p. 628, and *IP Warranty Clauses* in *les Nouvelles* June 2003, p. 64. Note—The Dreadful Drafting series will be part of John Ramsay's book *Technology Transfer Best Practices* to be published late 2010.

(a) A clause-by-clause analysis of components of various clauses in license agreements. Part of the 2009-2010 Dreadful Drafting webinar series.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

43. Comments to the *Uniform Computer Information Transactions Act* (UCITA), October 15, 1999 (Draft for Discussion Only), Uniform Law Commissioners, found March 25, 2010 at *http://www.law.upenn.edu/bll/archives/ulc/ucita/cita10cm.htm.*

(a) Although UCITA was not popular and adopted by only a few states, the comments are still valuable as to the summary of the law and the analytical process. It gives guidance for the drafting of product quality warranties and non-infringement warranties particularly for software and data.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

Licensing And Technology Transfer Precedents

44. Battersby, Gregory & Charles W. Grimes, *Licensing Desk Book* (New York: Aspen Law and Business, 1999).

(a) *Licensing Desk Book* is designed to provide coverage of the business and legal issues that arise during a licensing deal. Updated annually, the volume carries information on such topics as determining whether to seek the assistance of a licensing agent, securing the proper intellectual property protection, negotiating and executing the content

of a licensing agreement, establishing royalty rates, cancelling agreements, administering the licensing program, antitrust and patent or copyright misuse issues, taxation issues, litigation strategies and tactics on infringement, and intellectual property protection and licensing issues.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

45. Brian G. Brunsvold & Dennis P. O'Reilley, *Drafting Patent License Agreements*, 5th ed. (Washington D.C.: Bureau of National Affairs, 2004).

(a) *Drafting Patent License Agreements*, Fifth Edition, tracks and discusses, clause by clause, the critical components of a licensing agreement. It contains concrete examples and advice on negotiating, drafting, and administering a patent license agreement.

(b) American focus with precedents and commentary

(c) Intended primary audience—legal.

(d) Depth level—detailed.

(e) See John Ramsay's book review in the June 2005 issue of *les Nouvelles.*

46. Robert Goldscheider, *Licensing Law Handbook: The New Companion to Licensing Negotiations* (St. Paul: West Group, 2003).

(a) *Licensing Law Handbook: The New Companion to Licensing Negotiations* is a definitive resource for professionals in licensing and technology management. This guide offers information on licensing best practices from the esteemed members of the Licensing Executives Society International and also offers an in-depth discussion of a broad range of important topics in the field of licensing. This book has an American focus with many detailed precedents with alternate clauses and commentary.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

(d) See John Ramsay's book review of an earlier edition in the September 2001 issue of *les Nouvelles.*

47. Adam Liberman, Peter Chrocziel & Russell E. Levine, *International Licensing and Technology Transfer Practice and the Law—Volume 1,* (The Netherlands: Kluwer Law International BV, 2008)

(a) International in scope with precedents and commentary.

(b) Intended primary audience —legal.

(c) Depth level—detailed.

(d) See John Ramsay's book review in the September 2008 issue of *les Nouvelles*.

48. M. Roger Milgrim, *Milgrim on Licensing,* 4 volumes, LexisNexis, loose-leaf updated.

(a) American focus. Precedents and extensive commentary

(b) Intended primary audience—legal.

(c) Depth level—detailed.

49. H. Ward Classen, *A Practical Guide to Software Licensing for Licensees and Licensors*, 3rd ed., (Chicago: ABA Publishing, 2008

(a) An excellent source of precedents on various aspects of software licensing published by the American Bar Association.

(b) Intended primary audienc—legal.

(c) Depth level—detailed.

50. Michael J. Lennon, *Drafting Technology Patent License Agreements* (Aspen Law & Business; 2nd edition; November 7, 2007).

(a) This text provides guidance for IP strategies and management as well as many precedents for technology transfers.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

51. Manoel J. Pereira dos Santos and Wilson Pinheiro, editors, *Contratos de Propriedade Industrial e Novas Tecnologias" (translation: "Industrial Property Agreements and New Technologies")*, GVLaw, Sao Paulo: Editora Saraiva, 2007.

(a) This book contains information, comments and advice on the Brazilian legal requirements concerning license and technology transfer agreements, including policies adopted by the Brazilian Patent and Trademark Office (INPI) in the process of registration of said agreements. (Text in the Portuguese language)

(b) Intended primary audience—legal.

(c) Depth level—detailed.

Legal Drafting

52. Cynthia L. Elderkin and Julia S. Shin Doi, *Behind and Beyond Boilerplate: Drafting Commercial Agreements,* 2nd ed. (Toronto: Carswell, 2005)

(a) A Canadian standard manual for techniques and principles of legal drafting.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

53. Kenneth A. Adams, *A Manual of Style for Contract Drafting*, 2nd ed., (Chicago: ABA Publishing, 2008).

(a) A standard for contract drafting that provides fundamental tools to the legal practitioner for the

transactional lawyer.

(b) Intended Primary Audience—legal.

(c) Depth level—detailed.

54. David Mellinkoff, *Legal Writing: Sense and Nonsense* (New York: Charles Scribner's Sons, 1982).

(a) A humorous and stimulating classic book on legal writing that sets the standard for all of the more recent books on legal drafting.

(b) Intended primary audience—legal.

(c) Depth level—detailed.

55. Lynne Truss, *Eats, Shoots & Leaves: The Zero Tolerance Approach to Punctuation* (New York: Gotham Books, 2003).

(a) An excellent and humorous book on grammar.

(b) Intended primary audience—This book is written for the mass market but for the purpose of these classifications, the audience would be legal. It would also not approve of the grammatical structure used in this article.

(c) Depth level—detailed.

56. Howard Darmstadter, *Hereof, Thereof and Everywhereof: A Contrarian Guide to Legal Drafting*, 2nd ed. (ABA Publishing, 2008).

(a) An American Bar Association publication on the basics of legal drafting. Not focused on technology transfers. This is an excellent book of general application.

(b) Intended primary audience—legal.

(c) Depth level—detailed. ■

Participants were Phil Barnett, PricewaterhouseCoopers LLP; Stan Benda, Sim & McBurney Sim Lowman Ashton & McKay LLP; Sheldon Burshtein, Blake, Cassels & Graydon LLP; Michael J. Dansky, Capstone Advisory Group, LLC; Sean Irvine, Adreflex Corporation; Russell E. Levine, Kirkland & Ellis LLP; Michael McCoy, Alston & Bird LLP; Zosia Martin, Scottish Health Innovations Limited; Willy Manfroy, Bornival LLC; Laurent Mieville, Unitec / University of Geneva; Raymond T. Nimmer, University of Houston Law Center; Dwight Olson, v3Data; John Charles Paul, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP; Richard Razgaitis, Charles River Associates; James Sobieraj, Brinks Hofer Gilson & Lione; Juliana L.B. Viegas, Trench, Rossi e Watanabe Advogados.