

How To Get A UCLA Start-Up Going

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Intellectual Property Protection

- **Why Protect?**
- **When to Protect?**
- **How to Protect?**

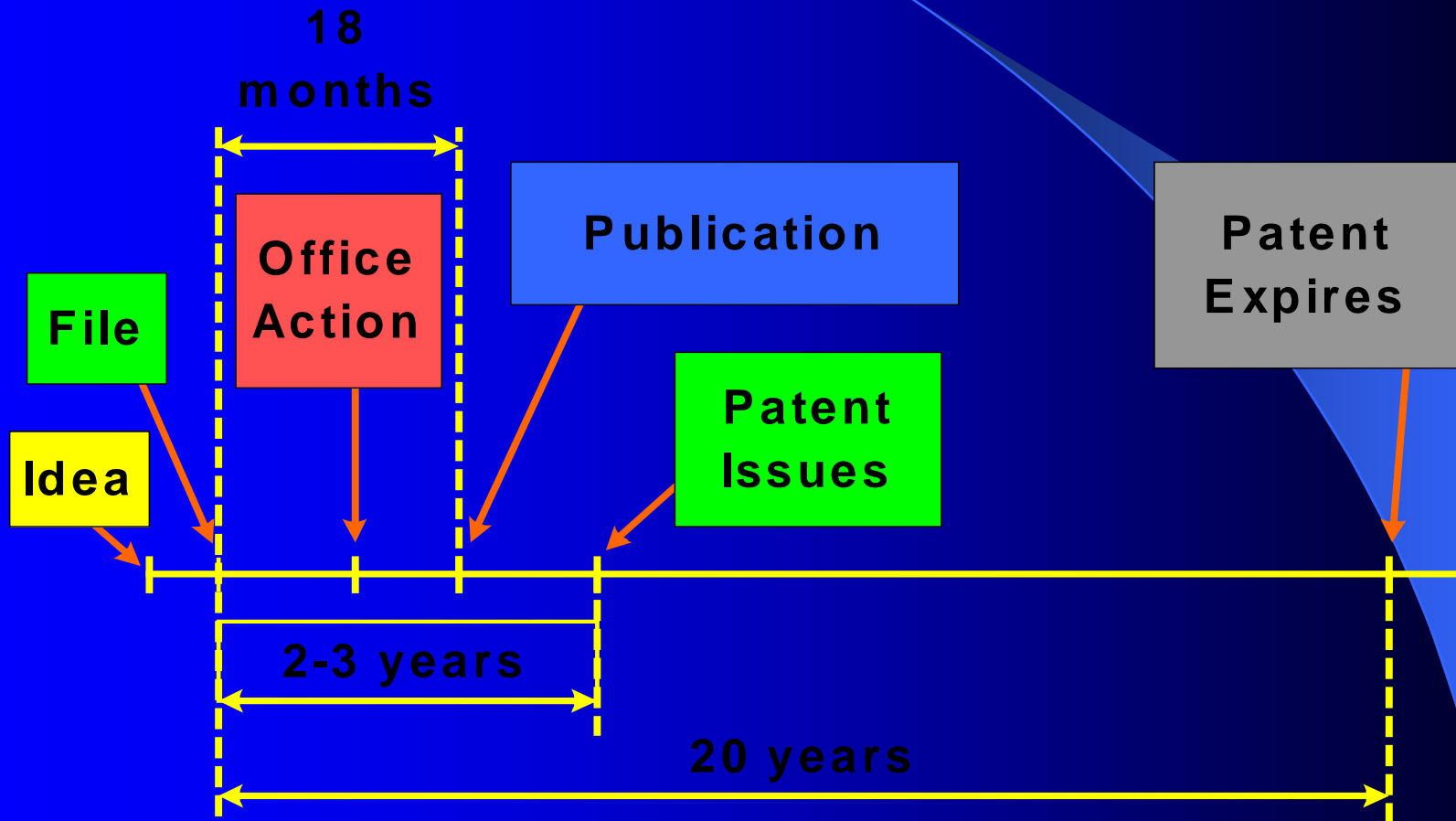
Intellectual Property Rights

- **PATENTS**
- **COPYRIGHTS**
- **MASKWORKS**
- **TRADEMARKS**
- **TRADE SECRETS**
- ***LICENSES***

Technical Maturity

- **Idea**
- **Proof-of-Principle**
- **Prototype**

Patent Timeline



Prosecution Considerations

- **Filing Provisional Applications**

PROs (Cost/Time) & CONs (Enablement-Risk)

- **Filing Foreign Applications**

PROs (Offshore-Piracy) & CONs (Costs)

- **Speeding-up the Process**

PROs (Time) & CONs (Cost/Time?)

International Considerations

- **No 1-yr period to file patent after disclosure**
- **Reciprocal copyright treaties available**
- **Limited foreign trade secrets, maskworks**
- **Increasing business-model, software patents**
- **Offshore I.P.R. tax shelter strategies**

Protecting Biotechnology

- **Bioinformatic/Proteomic Software, Databases**

Copyright vs. Patent Protection

Internet Business Methods

Sequence/Expression Inventions

- **Biomedical/Molecular Devices, Sensors**

Interdisciplinary Technical Complexities

FDA Approval Delay?

Protecting Semiconductors

- **COPYRIGHT and MASKWORK Protection for Electronic Design Files**

(Original Literal-Works, Layout)

- **PATENT Protection for Circuits, Systems, Signal Processing**

(Un-obvious Functionality, Algorithms)

Protecting Telecom

- **Communications Equipment and Devices**
- **Network Architecture and Systems**
- **Applications Software and Databases**
- **Media Files and Electronic Transmissions**
- **Company and Service Goodwill**
- **Semiconductor Component Designs**
- **Manufacturing and Channel Operations**

I.P.R. Strategies

- **Mitigate Patent Infringement Risks**
- **Manage Joint-Ownership Exposure**
- **Establish Internal Technology Committee**
- **Secure Defensive Patent Position**
- **Launch Offensive Blocking Patents**

Defense vs. Offense

- **DEFENSIVE PATENTS**

Claims Cover Own Products/Methods/Improvements

Protects Primarily Against Copying Your Technology

- **OFFENSIVE PATENTS**

*Claims Cover Future Competitors, Industry-Stds?
Products/Methods/Improvements*

Sets-up Possible Cross-Licensing, Acquisition

Business Plan

- **When to start**
- **Key components**

Funding Stages

- **EARLY**

Angels, Private Investors, Bootstrap

- **MID**

Venture Capitalists, Investment Bankers

- **LATE**

Corporate Customers, Joint Ventures

Investor Demeanor

- **EQUITY DEVALUATION**
- **LIMITED EXITS**
IPO, M&A
- **INCREASED REGULATORY SCRUTINY**
SEC, FDA, INS, IRS
- **TECHNOLOGY MARKET TROUBLES**
E-commerce, Telecom, Biotech, Nanotech?

Investment Criteria

- **TEAM**

Experience, Leadership, Integrity

- **MARKET**

Size, Timing, Positioning

- **TECHNOLOGY**

Proprietary, Validation, Cost

Start-up Checklist

- **ENTITY SELECTION**

Sole Proprietor, Partnership, Corporate

- **EQUITY ALLOCATION**

Directors, Officers, Employees, Consultants

- **OPERATIONAL PLAN**

Product Development, Manufacturing, Channels

Valuation Milestones

- **Demonstrate Technology Prototype**
- **Secure Customer Design-in Endorsement**
- **Achieve Cash-flow Profitability**
- **Install Professional Management Team**
- **Patent Core Concepts, Business Models**

Liquidity Options

- **Initial Public Offering**
- **Merger / Acquisition**
- **Corporate Partnering**
- **Technology Licensing**

UCLA OTL

- “*Fast Track*” Patent Application Procedure
- “*Hidden Gems*” Licensing Services
- UC Policy on Royalty Distribution

www.research.ucla.edu/oipa

Thank You!

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