



# TECHNOLOGY LICENSING

## Fundamentals and Strategy for Maximizing Value of Intellectual Capital

### Topics to be covered at this event:

- Licensing as a tool for Strategic Management of technology related Intellectual Property
- Drafting a Technology Licensing Agreement to maximize value
- Legal trends in US and EU that will impact Licensing
- Once the deal is “Done” – Finalising the Licence and Post-Licence activities
- Understanding the Differences in High-Tech and Biotech Licence Strategies
- Special Issues
  - Licensing with universities
  - Licences involving government sponsored research
  - International licence issues
  - Dispute resolution
- Negotiation Workshop
  - Practical application of technology licensing principles

### Course Leaders:

**Grantland Drutchas** McDonnell Boehnen Hulbert & Berghoff, Chicago

**Patrick Gattari** McDonnell Boehnen Hulbert & Berghoff, Chicago

**Benjamin Grzimek** Taylor Wessing, Germany

**Many of our courses can be tailored to your requirements and delivered in-house. For more information please contact [sarah.packham@management-forum.co.uk](mailto:sarah.packham@management-forum.co.uk)**

## INTRODUCTION

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Obtaining intellectual property (IP) rights or maintaining trade secret protection for technology is only the beginning. To take full commercial advantage of this protection one must be aware of the opportunities offered by successful licensing of the technology. This course will outline the principles of international technology licensing, and examine the important stages of a successful licence arrangement, starting with making the decision to licence and determining how best to maximize value, through to negotiating and finalising a targeted and robust licence in an international marketplace. The course will also look at what happens after the agreement has been signed. The course is technology non-specific, but unique aspects of high-tech and biotech licensing will be addressed.

## WHO SHOULD ATTEND

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Members of Corporate IP departments, IP and Business Managers, Licensing Executives, Lawyers and Agents (either in-house or in private practice), Finance & Business Development Managers, and all those who would benefit from understanding the principles of international licensing.

## ATTENDANCE IS LIMITED; EARLY BOOKING RECOMMENDED

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This limitation, a unique feature of all MANAGEMENT FORUM seminars, will give participants the opportunity for a thorough discussion of the complex issues to be covered by the programme.

## PROMOTIONAL OPPORTUNITIES

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Through promotional opportunities and exhibitions, your company can access the audience at this event in order to increase awareness of your organisation, its services and products. Please contact Judith Black at: [judith.black@management-forum.co.uk](mailto:judith.black@management-forum.co.uk)

## DOCUMENTATION

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Delegates will receive a course material folder containing comprehensive documentation provided by the speakers, which will be a valuable source of reference for the future.

## COURSE LEADERS

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**Grantland Drutchas** is a founder and Managing Partner of the Chicago law firm of McDonnell Boehnen Hulbert & Berghoff. He is an Adjunct Professor at Chicago-Kent College of Law at the Illinois Institute of Technology and at Northwestern University Kellogg Graduate School of Management, Chicago. He represents clients in various chemical, pharmaceutical, medical diagnostic and biotechnology patent matters. He also counsels high technology clients and investors with respect to various business issues, and has lectured for many years.

**Patrick Gattari** is a partner at McDonnell Boehnen Hulbert & Berghoff. He is a former Patent Counsel at Dade Behring Inc. (now Seimens) and is an Adjunct Professor at Chicago-Kent College of Law at the Illinois Institute of Technology, and at the McCormick School of Engineering at Northwestern University in Chicago. He has extensive corporate and law firm experience as a medical diagnostic and pharmaceutical intellectual property attorney. He also has practical and instructional experience on U.S. and international patent law and technology licensing.

**Benjamin Grzimek** is a partner at Taylor Wessing in Dusseldorf, Germany. He specialises in technology-related intellectual property and practices before specialised patent courts. He advises German and international technology-driven companies on patent strategies, freedom to operate and employee inventions. Ben has considerable experience drafting and negotiating patent and know how license and transfer agreements as well as non-disclosure and R&D contracts. He regularly speaks and publishes on German and international patent law and technology-related contracts.

**Law Society Accreditation –  
12 hours**

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Please quote ref. CJA/MAFO.

**A Certificate of Attendance for Professional Development will be given to each participant who completes the course.**

## PROGRAMME

### Day One

23 June 2008

- ▶ **Understanding Licensing as a Tool for Strategic Management of Technology as Intellectual Capital**  
*Patrick Gattari*
  - Relationship of intellectual capital to other capital assets
  - How to use licensing to extract value from an intellectual capital portfolio
  
- ▶ **Effective Pre-Negotiation Preparation**  
*Patrick Gattari*
  - Determining the expectation of the parties
  - Crafting a pre-negotiation draft agreement
  
- ▶ **Legal Trends that will impact Licensing**  
*Grantland Drutchas and Benjamin Grzimek*
  - U.S. Supreme Court trends
  - Proposed US patent reform
  - Trends in EU licensing
  - Reach through royalties
  - Patent exhaustion and licensee repudiation
  - U.S. misuse and antitrust
  - EU antitrust
  - EU TTBER
  
- ▶ **Special Considerations**  
*Benjamin Grzimek*
  - International license issues
  - Choice of law issues
  - Bankruptcy
  - Dispute resolution
  
- ▶ **End of day one - drinks reception**

### Day Two

24 June 2008

- ▶ **Licensing To Maximize Value**  
*Grantland Drutchas and Patrick Gattari*
  - The anatomy of a successful agreement
  - Terms required to maximize value
  - Accurately defining technology and intellectual property
  - Effectively addressing improvements and grantbacks
  - Providing appropriate termination provisions
  - Negotiation strategies and common pitfalls
  
- ▶ **Post-Deal Considerations**  
*Grantland Drutchas*
  - Negotiating changes/termination of the license agreement
  - Post license activity
  - Enforcement
  
- ▶ **Unique Considerations Related to Licensing with Universities**  
*Patrick Gattari*
  - Addressing the needs of a university Tech Transfer Office
  - University reservation of rights
  - Sponsored research
  - Considering the differences in high-tech and biotech licensing
  
- ▶ **Negotiation Case Study**
  - The attendees will be split up into teams to negotiate important terms of a technology license agreement
  - The emphasis will be on honing negotiation skills to maximize value
  
- ▶ **End of day two**



# TECHNOLOGY LICENSING

## APPLICATION TO REGISTER

23 & 24 June 2008, Conf. No. H6-5108

Please PRINT your details:

Title..... First name.....  
(Dr, Mr, Mrs, etc)

Family name.....

Position .....

Department.....

Section .....

Company .....

Address .....

City..... Post Code.....

Country .....

Tel No. .... Fax No.....

E-mail Address.....

Secretary's name.....

Signature.....

Substitutions may be made at any time at no extra charge

Payment by either:  VISA  MASTERCARD  AMEX

Card No. 

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Security code: (last 3 digits) 

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Expiry date...../.....

Cheque enclosed payable to Management Forum Limited

Bank transfer on receipt of invoice

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## YOU MAY REGISTER BY:-

 +44 (0) 1483 730008

 Management Forum Ltd, 98-100 Maybury Road,  
Woking, Surrey GU21 5JL, UK

 www.management-forum.co.uk

 E-mail: registrations@management-forum.co.uk

If you have NOT received confirmation seven days after registering,  
please contact Registration Department.

If you do not want to receive future mailings from Management Forum please contact [nick@management-forum.co.uk](mailto:nick@management-forum.co.uk)  
If you do not wish to receive selected third party mailings please contact [nick@management-forum.co.uk](mailto:nick@management-forum.co.uk)

## REGISTRATION INFORMATION

Dates 23 June 2008 Start 09.30 – Finish 17.00  
24 June 2008 Start 09.00 – Finish 16.30

Registration & Coffee  
23 June 2008 09.00

### Venue

The Rembrandt Hotel, 11 Thurloe Place, London SW7.

### Directions

Opposite V&A Museum.

Nearest Underground station: South Kensington.

Map available on Website under Hotels and Venues.

### Accommodation

A limited number of bedrooms have been reserved at The Rembrandt Hotel, 11 Thurloe Place, London SW7, at a special rate of £127.66 (Superior) inc. English breakfast, £144.69 (executive) inc. English breakfast. All +17.5% VAT – subject to availability.

A special rate for Friday, Saturday and Sunday of £114.90 (Superior) inc. English breakfast +17.5% VAT – subject to availability when booked as additional nights.

Hotel Tel: +44(0)20 7589 8100.

Hotel Fax: +44(0)20 7225 3363.

Email: [reservations\\_rembbrandt@sarova.co.uk](mailto:reservations_rembbrandt@sarova.co.uk)

**All bookings should be made directly with the hotel quoting Management Forum and your credit card number.**

### Conference Fee

**£995 +17.5% VAT.** The fee includes course documentation as well as mid-session refreshments and lunch. Invoice and confirmation will be forwarded to you.

**10% Early Bird discount if you book before:  
14 April 2008.**

**(Discount only applies to full delegate rate).**

### Conference No. H6-5108

### Discounted Rates

Available on application for personnel from non-profit making organisations and registered charities.

**Group discount available on request.**

### Cancellation Policy:

Over 14 days prior to the Seminar: Cancellation fee of £75.  
7/14 days prior to the Seminar: 50% of the fee. Fewer than 7 days or if no notification received: Registrant liable to pay FULL seminar fee.

**NB: Cancellations must be received in writing by  
[lesley@management-forum.co.uk](mailto:lesley@management-forum.co.uk).**

In the event of circumstances beyond its control, Management Forum reserves the right to alter the programme, the speakers, the date or the venue.

Exhibition spaces and promotional opportunities will be available at this meeting.  
For further information please contact Judith Black  
(email: [judith.black@management-forum.co.uk](mailto:judith.black@management-forum.co.uk))

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