

Case Study:

Establishment and Implementation of an IP-Strategy for a Polymer Producer

Tech Transfer
IP Consulting
IP Handling



Pursuant to the business strategy of an innovative company, intellectual property (IP) assets are valuable and important strategic tools for the growth of the company. IP rights such as patents, trademarks and trade secrets and other means are vital tools to secure a company's technology and product portfolio. Such IP assets are used to defend the company's core market position and to enter new markets. By implementing an integrated and living IP strategy, an innovative company will strengthen its position and will achieve its business objectives more efficiently.

A European polymer producer (the "client") has asked BDC - The Business Development Company GmbH ("BDC"), Switzerland, through its head of the Business Development Department, for assistance with setting-up a tailor-made IP strategy for the client with a special focus on patents. The aim was to present a proposal for the establishment and implementation of an IP strategy which is in line with the client's all over business strategy, its products/services, markets, production facilities and research & development. This goal was achieved in a two step approach by a joint effort between the client's representatives and BDC's IP experts.

In a first step, the client's business fields and models, products, USPs, technologies, methods, markets and competitors were analyzed based on interviews with its representatives and documents provided by the client. Additionally, the IP portfolio, in particular existing patent rights and their scope of protection was also assessed. By combining the client's business aspects with the IP portfolio, relevant IP assets were identified and categorized into four classes and eight subclasses. Moreover, the current state of protection of these assets by intellectual and industrial property rights were briefly evaluated and the innovation potential of the specific classes and subclasses was estimated to define a first framework of a customized IP strategy.

In the second step, BDC met with the client's representatives of upper management, R&D, Business Development, Marketing and presented a general direction for an IP strategy. Thereby, the fine-tuning, planning and streamlining of each of the four IP relevant classes were finalized with the client. With regard to the implementation of a proper IP strategy, the client's existing IP responsibilities, processes and culture was evaluated and discussed.

Having a strong trademark portfolio, the client was generally recommended to strategically enlarge his patent portfolio, to seek additional patent protection in his current and future markets as well as to follow a more proactive IP right enforcement strategy in specific markets. Furthermore, the client's know-how implemented in the production process is best protected by confidentiality measures. Specific wording of an IP strategy was given for the client's four groups of IP relevant assets.

BDC's IP strategy implementation and process recommendations included the elaboration and approval of the IP strategy and policy by the upper management. IP responsibilities were recommended to be allocated to an IP panel, which will be entrusted to assess and review the client's IP portfolio in detail. Following this revision process, standard operation procedures (SOPs) will be worked out and a centralized IP budget will be set up by the IP panel. This panel will also be responsible for the client's IP culture. The IP strategy and policy as well as the SOPs will be internally communicated. Internal and external communication of the IP strategy, policy, SOPs as well as the education of middle management and project leaders will certainly be helpful for the sensitization of intellectual property to be valuable assets and an important strategic tool for the growth of the company.

BDC's representatives would be happy to assist you with establishing and implementing a tailor-made IP strategy for your company.

Please contact us for further information.