

Intellectual
Property



Scottish Enterprise

Green Heat
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20th December 2022

Intellectual Property



- Introductions
- IP Assets
- IP asset value
- IP & IPR
- Trade secrets & know how
- Brands and trademarks
- Anything else – please just ask



IP as an Intangible Asset



Tangible Assets ~30%

- Office stuff
- Stock & inventory
- Machinery
- Vehicles
-

Intangible Assets ~70%

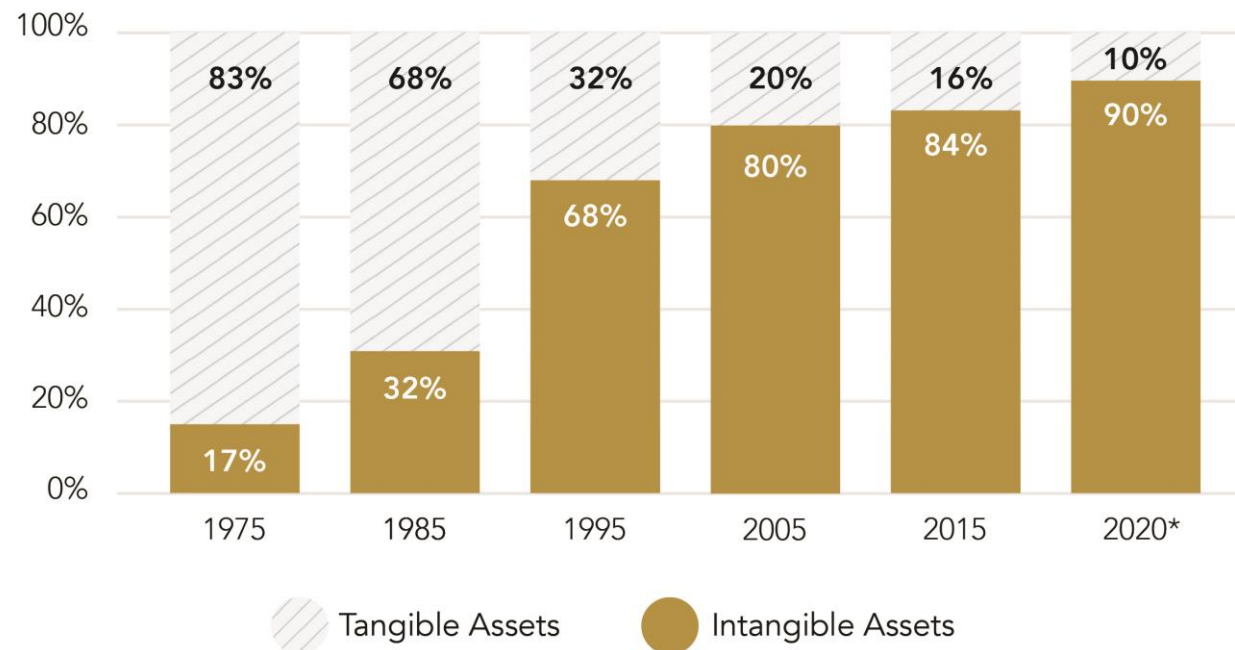
- Intellectual Property
- Knowledge
- Goodwill
- Contracts
- Supplier and customer relationships
-

- IP is in the intangible asset class
- Intellectual Property has significant value to the business
- But, in general, it is not expertly understood
- IP is often mistakenly thought of as solely a “legal” issue

Intangible Asset's Market Values



COMPONENTS of S&P 500 MARKET VALUE

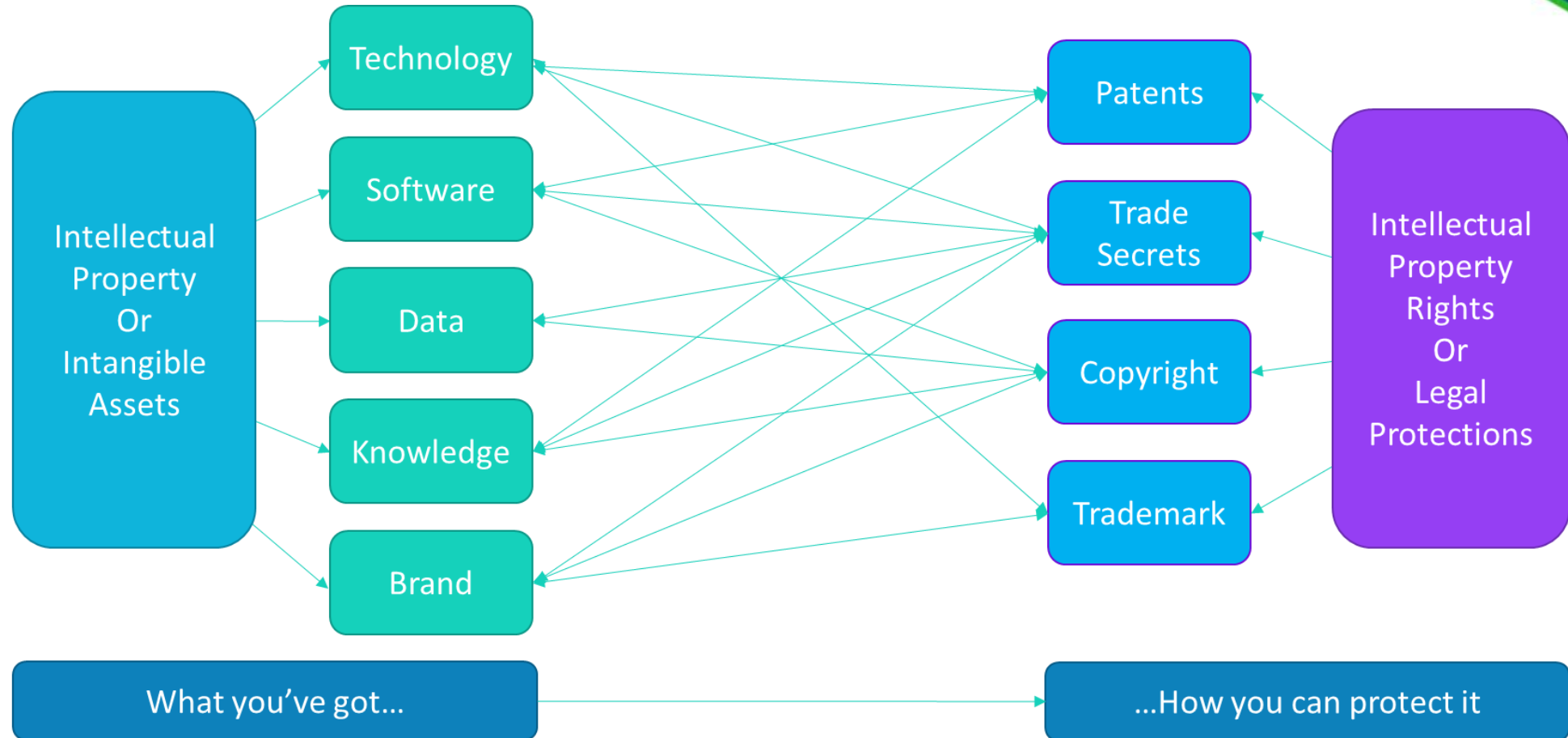


“Over the past 35 years, the developed world economies have experienced an economic inversion. These markets are being transformed from their industrial manufacturing base to an innovation-driven foundation. This shift is one of the most under-exploited themes in contemporary economics, finance, and investing.”

- Matthew Johnson of Ocean Tomo

 SOURCE: OCEAN TOMO, LLC INTANGIBLE ASSET MARKET VALUE STUDY, 2020
*INTERIM STUDY UPDATE AS OF 7/1/2020

What is IP & what is IPR?



Trade Secrets or know-how



PHARMA

AstraZeneca partner FibroGen slaps former employees with trade secret theft lawsuit

By Zoey Becker • Dec 5, 2022 10:55am

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Technology

China-Bound Ex-Apple Engineer Admits to Trade Secrets Theft

- Robocar worker who planned to join Xpeng pleads guilty in US
- Judge orders plea agreement to be sealed from public view

By Robert Burnson
23 August 2022 at 00:02 BST Updated on 23 August 2022 at 06:25 BST

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The Register

Ex-Broadcom engineer asks for house arrest over IP theft

Admits guilt, but claims he took files to jog his memory, afraid he'd not keep up with 'younger engineers'

[Jude Karabus](#) Thu 15 Sep 2022 // 15:15 UTC

npr SIGN IN NPR SHOP DONATE

NEWS CULTURE MUSIC PODCASTS & SHOWS SEARCH

NATIONAL SECURITY

Court sentences Chinese spy to 20 years for trying to steal U.S. trade secrets

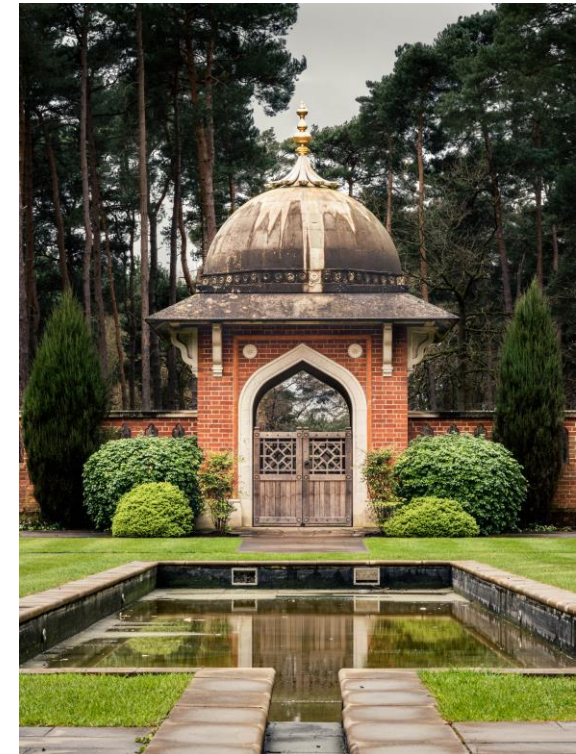
November 16, 2022 · 4:54 PM ET

RYAN LUCAS

Employee Know-how



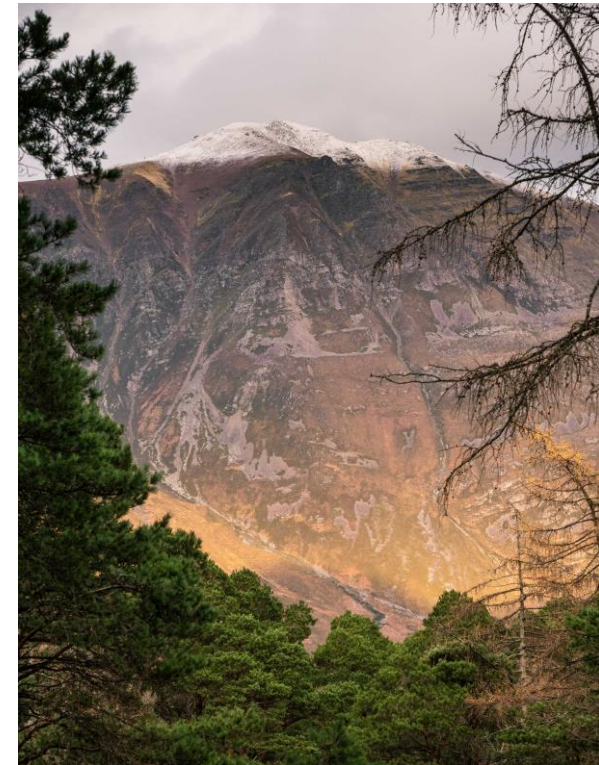
- Get specialist legal advice
- Can ex-employees set up in direct competition?
 - Employment contracts
 - Partnership or shareholder agreements
- Can they take ideas they developed for my business?
 - IP tends to be owned by the employer, but not always
- What if a group leaves my business to work together?
 - Team move – might be prohibited in contract



Brands and Trademarks



- Should I protect my brand?
 1. Is it a problem if I'm forced to change my company name?
 - Build goodwill, and then cease and desist letter lands...
 - Fight the letter or change your name at your expense
 2. Is it a problem if my competitor starts using my trademark?
 - You notice that your orders are decreasing and a competitor is piggy-backing on your brand and good reputation
 3. Will my trademark add value to my business and future plans?
 - Franchising, sale, or expansion of the business



Thank you
Any questions?



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