



Title: IP education of non IP professionals
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The growing importance of intangible assets

The importance of intangible assets in modern society is growing, now often equaling or surpassing the significance of physical assets for a company. The size and quality of a company's intangible asset portfolio has a direct impact on several factors, including the reputation of the company, the level of returns on investments and their access to the market, amongst others.

Whilst in the mid 70s, approximately 80% of the value of a company was made up of tangible assets, with the remaining 20% being made up of intangible assets, today this is completely reversed, with intangible assets making up 80% of the value of the company.

All of this, along with the changing manner in which a company is evaluated and valued, indicates the importance of having a good comprehensive understanding of this subject matter.

A general lack of good IP educational programs

Annual investment in intangible assets in the US is currently estimated at between \$800 billion and \$1 trillion, yet there is a staggering lack of education informing executives of how to manage these assets. The 'grad school rankings' only recognise 25 US institutions as offering courses in IP, one of the predominant areas of intangible assets.

UK businesses now invest more in intangible assets than in physical assets, yet the UKIPO only recognises 9 British institutions as offering courses in IP, some of which focus very much on the legal aspects of IP.

Despite the fact that many leading experts in both IP and finance recognise the importance of IP strategy in building a successful business, there remains a distinct absence of available, and more importantly appropriate, education in IP.

Some issues with many existing IP educational programs

Based on detailed analysis of a large number of IP educational programs deployed in recent years, a number of issues were identified and are listed below. These issues were gathered from interviewing people who actually delivered IP educational programs, people who participated in IP educational



programs as well as from reviewing IP educational material in the public domain. They are not listed in any particular order.

- the content material had not been adjusted to suit the particular audience,
- too much attention had been given to one particular form of IP, and other forms of IP had been generally ignored,
- the language used in the training material had not been adjusted to suit a non IP audience who generally have a poor understanding of IP specific words and phrases.
- the legal aspects of IP dominated the training,
- the focus was very on one IP particular process rather than explaining all of the key IP processes and how they are inter-related,
- learnings from how the IP game is played in different industry sectors were not included,
- all of the case studies or examples provided during the IP education were drawn from one particular industry sub-sector,
- the person providing the IP education lacked a holistic view of the IP world,
- the course content lacked consistency when implemented across a large organisation or company,
- the educational material and delivery was dry and un-attractive, and did not really engage the participants,
- too much emphases was given to how the IP game is played in one or two jurisdiction,
- some admin or facilities issues adversely impacted the success of the IP education program,
- there was no evaluation or follow-up conducted

Most companies and organisations utilise training in some form, from training new employees on job tasks to providing advanced professional development. Ongoing company training enhances productivity, efficiency, creativity and innovation. Successful training programs have several key components allowing for effective education and learning. Trainers should be educated in learning theory, curriculum development and assessment. The same applies to IP education.

Successful training programs tend to ...

- have stakeholder support,
- develop a road-map and time-line,
- conduct audience assessment,
- have the right tools,
- consider outside help and support,
- evaluate and benchmark,
- follow-up.



Definition of good IP education

Participants in such IP training should gain a good appreciation of intangible capital, intangible assets and intellectual property. They should learn the basics about the key IP processes of IP creation, IP acquisition, IP portfolio management, IP risk management, IP enforcement, IP exploitation, IP governance and ultimately how IP adds value.

This training should also explore the key players in the IP space and their respective roles and areas of responsibility, as well as cover some interesting IP facts, figures, challenges and trends, and their implications.

This IP training should focus on the “hard assets” of intellectual property; patents, trademarks, copyright and design. However any successful education in IP should include not only these hard assets, which are no doubt invaluable, but also the management of all intangible assets, including the “soft assets” of know-how, human capital and relationship capital.

The key take-away for participants should be a broad understanding of IP concepts, and the importance of creating value for business. Education to key to success with IP, and helps move the company or organisation up the IP maturity or sophistication ladder.

Suggested content

For any IP educational program, content is crucial. Based on research recently conducted, the following modules are recommended to at least be considered for inclusion...

- Introduction to IP
- IP Economics
- IP Strategy
- IP Risk Management
- Collaborative & Open Innovation
- Contractual IP
- Building IP into an organisation
- Legal aspects of IP
- IP Data
- IP Systems & Tools

A portfolio of white papers and case studies should be gathered together to help compliment any such IP training

No 'one size fits all'

There is no one size fits all when it comes to IP education. Firstly, there are a number of different targets as far as any IP education program is concerned.



The training material should be customised to a business' specific requirements, and be rolled out to the target audience based on the needs, requests and priorities of the organisation in question.

The training material should then be further adapted to educate individual contributors, middle level managers, senior managers, board members, and possibly even investors and partner groups.

Benchmark data suggests a tiered approach to IP education, consisting of at least the following levels ...

- IP 101,
- IP Management 101,
- IP Coaching and Mentoring,
- IP 'MBA'.

IP 101

This is a web based IP e-learning solution consisting of generic IP information with company specific IP information inserted into the material. It would provide a basic introduction to IP and related legal matters to the audience. It is envisaged that this training would be made available to most if not all of the employees in a company

This approach is particularly effective in international organisations as they reach out to all offices and locations equally, eliminating the inconsistencies prevailing among many existing IP trainings.

IP Management 101

This is a face-to-face classroom based solution consisting of specific IP information for people who need to understand the relevance of IP to the business. The target audience for this module consists of key inventors, key middle managers, people involved in collaboration initiatives, etc.

Individual coaching and mentoring on specific IP matters

This is a one to one coaching and mentoring. This is targeted towards certain individuals within a company who require an in-depth understanding of an IP specific issue to succeed in a specific initiative project or engagement.

IP 'MBA'

Recently, there has seen a rise in demand for executive-level training in IP, going beyond the legal and practical aspects of the discipline into exploring ways that companies in diverse industries are using their IP to obtain competitive advantage.



This IP 'MBA' should provide those participating in this IP education course with the necessary knowledge and skills to improve their level of IP sophistication and maturity, in order for them to fully comprehend what IP is, what it covers and the commercial and financial implications involved in its effective management and integration into corporate strategy and thinking.

Final thoughts

The importance of IP education cannot be stated enough. It is a self-enlightening process. It is crucial to the overall development of the individual participant and the company or organisation at large. IP education provides the participant with knowledge about the world of IP, and enables informed decisions about intangible assets and IP to be made.

A direct effect of IP education is knowledge gain. IP education gives the participant's knowledge of the IP world around. It help develop an IP perspective. The information we are constantly bombarded with about IP, cannot be converted into knowledge without this catalyst called education.

IP education makes the participant capable of interpreting things rightly and applying the gathered information in real life scenarios. IP education is not limited to the course material or case studies. Real IP education is obtained from then taking these learnings into use in real life situations.

IP awareness and education is a key deliverable of the IP strategy of many companies and organisation so serious thought needs to be given to the format, the content, the delivery mechanisms and ultimately the measures of success.