



Next Generation  
Manufacturing Canada

# Intellectual Property

# What is an Intellectual Property Strategy

Provides an overall view of how the consortium intends to manage and leverage the intellectual property of the project.

- Overall Alignment of the project
- Prior art understanding
- How IP will be protected
- Background IP
- Foreground IP
- IP Ownership
- Licensing and Access within the consortium
- Exploitation of the IP beyond the consortium

A review of a projects intellectual property strategy provides accessors with insight into the level of collaboration, technical risk, and future benefits of the project.

Must adhere to the NGen IP Strategy which is available on our website.

The intellectual property strategy should be prepared with input from all partners and will help projects iron out any IP ownership and access/licensing issues up front.

# What do we mean by Intellectual Property

## Intellectual Property (IP)

- Know How
- Trade Secrets
- Patents (Pending or Granted)
- Copyrights
- Designs
- Trademarks

# Preparing the IP Strategy

## Alignment and Focus

- Identify the problems/solutions
- Identify each partners role in the project
- List out what benefits each partner expects to get out of the project ( i.e. commercializing a new product, new technical advantages, new markets, etc )

## Prior art search

- Prior art searching/any issues
- What competitive solutions already exist

## Protecting and Preserving IP

- Assignment agreements
- NDA's in place
- Trade Secrets
- Any concerns/issues around IP ownership
- Any licenses for IP required

# Preparing the IP Strategy

## Tables to list out IP

- Template tables are provided to be incorporated into your strategy.
- Please give high level descriptions/names for the IP, do not disclose the specifics

## Background IP

- Make a list of the background IP each partner is going to bring in and use for the project.

Background IP	Part of the solution it relates to	Owner	How is it protected, type of IP (trade secret, patent, etc.)	Who needs access during the project, what kind of access, licenses	Who needs post project access, for commercialization or research purposes, licenses

- Specifics relating to Background IP listed above only need to be disclosed to other project members if it is needed for the project member to carry out their role in the project or to exploit their foreground IP post project.



# Preparing the IP Strategy

## Foreground IP

- thinking about the problems/solutions you have outlined already make a list of the Foreground IP you think will be generated as a result of the project.

Expected Foreground IP	Part of the solution it relates to	Owner	How will it be Protected, type of IP (trade secret, patent, etc.)	Is it an improvement of background IP, which one, is a license required to practice?	Who needs access during the project, what kind of access, licenses	Who needs post project access, for commercialization or research purposes, licenses

# Preparing the IP Strategy

## Ecosystem Leverage

- building market and technology development relationships outside the project
- define your ideal partners;
- market development - new customers, applications, markets, geographies
- potential suppliers and other technology partners
- researcher development - continue to develop the technology further with other research partners
- adjacent markets/applications which do cannibalize your business

Expected Foreground IP	Competitive key markets	Competitive jurisdictions in key markets	Non-competitive jurisdictions in key markets	Non-competitive markets	Other types of NGen members which would be considered for a license negotiation	Other types of NGen members which would not be considered for a license negotiation

- If you are approved for funding you will work with the NGen IP Manager to create a list of potential companies that foreground IP owners may be interested in negotiating licenses with and a list of excluded companies with justification.

# Completing the IP Strategy

- combine all the information and summarize the discussions from the previous slides together into a single document
  - Overall Alignment and Focus
  - Prior art
  - Protection of IP
  - Background IP table
  - Foreground IP table
  - Exploitation of Foreground IP Table
- at the application stage the IP strategy does not require that all license terms and details have been decided, but should include a high-level understanding and a list of items requiring resolution that will be addressed in the final IP strategy should the application be approved
- the IP strategy will form a basis for the collaboration agreement between consortium members should the project be approved for funding





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