



Connecting Vision to Reality*

Report on Emerging Canadian Software
Companies:
The CEO Perspective

Peter Matutat,
National Emerging Company
Practice Leader

Intellectual Property



Intellectual Property



John Beardwood



Mark D. Penner

John Beardwood (Technology Law Group) and Mark D. Penner (Intellectual Property Group) of the National Law Firm:



Intellectual Property



18% of CEOs have been involved in an IP dispute

Intellectual Property



Importance of IP:

- 56% - Increase valuation
- 50% - Distinguish company in the marketplace
- 50% - Create barriers to competition
- 27% - Attract investment
- 26% - Generate revenues



Intellectual Property



IP Rights Owned:

- 25% - Trademarks
- 23% - Copyrights
- 20% - Patents
- 8% - Trade secrets

Intellectual Property



63% of companies do not license any IP from third parties

Intellectual Property



59% of companies have a formal IP policy

Intellectual Property



59% of companies have a formal IP policy

41% of companies do not have a formal IP policy

Intellectual Property



Before launching a new product:

- 52% would complete a market analysis



Intellectual Property



Before launching a new product:

- 52% would complete a market analysis
- BUT, only 18% would complete an IP search



Intellectual Property



Before launching a new product:

- 52% would complete a market analysis
- BUT, only 18% would complete an IP search
- AND, only 5% would confirm their own IP ownership



Intellectual Property



55% believe their IP strategy requires improvement



Intellectual Property: Key Points



1. Secure IP protection



Intellectual Property: Key Points



1. Secure IP protection
 - Need to balance scope of protection vs. cost



Intellectual Property: Key Points



2. Have Effective IP Policies



Intellectual Property: Key Points



2. Have Effective IP Policies

- Develop and implement clear policies and procedures regarding IP ownership



Intellectual Property: Key Points



3. Address Third Party IP Issues



Intellectual Property: Key Points



3. Address Third Party IP Issues

- Assess and address the use of third party IP in each product or service



Thank you.

