Agenda

- Introduction to UniQuest
- UniQuest/UTS partnership
- Protecting research IP
- The commercialisation process
- The role of the researcher
- Why commercialise?
About UniQuest

Separately incorporated entity, 100% owned by UQ. Independent board of directors.

25 years young

Manages a patent portfolio of 1500+ patents in 300+ patent families

$60 Million group revenues in 2009

80+ staff (~45+/- in tech commercialisation group)

No 1 in Australia - top 10% in the world
## UTS-UniQuest Partnership

- Signed July 2008 – long-term partnership agreement
- 3 faculty-based Managers of Innovation & Commercial Development (MICDs)
- 190+ discoveries identified from UTS so far
- 20 patent applications
- 1 license deal, several projects close to licensing or spin-out
- IP Management, R&D grant application assistance, Commercialisation and IP education
- Close working relationship between RIO & UniQuest
Types of IP

- Patents
- Designs
- Trade Marks
- Copyrights
- Plant Breeders Rights
- Circuit Layouts
- Confidential Information and Know How
Inventions must be:

- Novel
- Inventive
- Useful
- Patentable

Subject Matter
Patents 101

• Novelty
  • *Has the invention been previously described in the prior art?*

• Inventive Step
  • *Whilst nobody may have done it before, would it have been obvious?*
  • *To whom? – the person skilled in the art*
Patents 101

• Utility
  • Application of a scientific principle
  • Industrially applicable

• Patentable subject matter
  • Combinations – non obvious result
  • Aesthetic Creations
  • Unethical/Contrary to Law
  • Mere Discovery
  • Patenting Life Forms

• Sufficiency/Enablement
Patents 101

Provisional Application

- Generally describe the invention
- $3000-$5000

PCT Application

- Fully describe the invention, including the best method
- $10,000-$15,000

National Phase Entries

- Select Countries for protecting the invention
- $5,000-$10,000 per country

Examination & Grant

- Demonstrate patentability to the patent offices in the selected countries
- $5,000-$10,000 per country
Designs 101

• Protection for Aesthetics
  ➢ Shape and Configuration
  ➢ Pattern and Ornamentation

• Unregistered Design Right in Europe
Trade Marks 101

Goodwill in a brand

- Unregistered Trade Marks
  - Tort of Passing Off
  - Trade Practices Act

- Registered Trade Marks
  - More transparent protection
  - Cheaper Enforcement
  - Freedom to Operate
Copyrights 101

Expression

- NOT Subject Matter
- Artistic Works, Photography, Literary Works, Computer Programs, House Plans, Engineering Drawings
- Automatic rights to the Author
Plant Breeders Rights 101

- New or recently exploited varieties can be registered
- Distinct
- Uniform
- Stable
Circuit Layouts 101

- Integrated circuits
- Computer chips
- Type of copyright
- No requirement for registration
Confidential Information 101

Protect-able by keeping it confidential

- Do not disclose it
- If must disclose then under confidentiality agreement
- Disclosure outside confidentiality agreement equals a loss of rights
Managing IP 101

- Confidentiality prior to IP protection
- Confidential Disclosure Agreements (CDAs)
- Material Transfer Agreements (MTAs)
  - Note – who is authorised to sign these agreements?
The Process

1. The idea
2. Disclosure
3. Appraisal
4. IP strategy
5. Marketing
6. Deal management
The Patenting Decision

Is a patent the best IP protection?

Patent Review Committee submission

Prior art?

Patentable position?

Exploitation timeframe?

PRC make recommendation to UTS

UTS agree (usually)

Milestones agreed with researchers

MICD instructs patent attorney

Researchers assist attorney with patent spec
Role of Researchers: Discovery

Know your MICD

Disclose early, disclose often

Keep good records of research (lab notebooks)

Public disclosure: myth-buster…

Ask questions
Role of Researchers: Diligence & Patenting

You are the subject matter expert

Help us by providing information

Be open and honest about EVERYTHING

Ask questions
Role of Researchers: Post-deal

Maybe …

…involved in a start-up

…involved in licence/technology transfer

…involved in further research sponsored by the licensee/start-up

…just sit back and collect royalties
Why Commercialise?

<table>
<thead>
<tr>
<th>Not for the money (at an institutional level anyway!)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research translation to the community</td>
</tr>
<tr>
<td>Leverage government’s investment in research</td>
</tr>
<tr>
<td>Development of a knowledge driven economy where end use is key motivation for the enterprise of knowledge discovery</td>
</tr>
<tr>
<td>Alternative research funding</td>
</tr>
<tr>
<td>Connection to users that can drive research ideas</td>
</tr>
<tr>
<td>An important part of the Wider Impact Agenda</td>
</tr>
</tbody>
</table>
## Benefits of the Commercialisation Process

<table>
<thead>
<tr>
<th>Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>At early stage --- funding opportunities for further research and development that isn’t available through the research funding bodies</td>
</tr>
<tr>
<td>Access to UniQuest’s team of technology analysts, commercialisation managers and MICDs, providing extensive technical, legal, marketing and financial advice</td>
</tr>
<tr>
<td>Opportunities to develop your research and career portfolio to include successful patenting and/or licensing agreements and royalties</td>
</tr>
<tr>
<td>Opportunity to develop your professional network for future industry-related research projects</td>
</tr>
<tr>
<td>A protected environment for you to disclose early ideas for nurturing</td>
</tr>
<tr>
<td>Reputations are enhanced through successful commercialisation - You, your Faculty and the University</td>
</tr>
</tbody>
</table>
It all starts with a chat....

Martin Lloyd
Manager of Innovation & Commercial Development

e: martin.lloyd@uts.edu.au
e: m.lloyd@uniquest.com.au
t: ext 2370
m: 0439 653 880