

INNOVATION,
COLLABORATION
and Intellectual Property

can they coexist?

INSPIRE TO ASPIRE

#ALLIANCES
@PETERSIMOONS

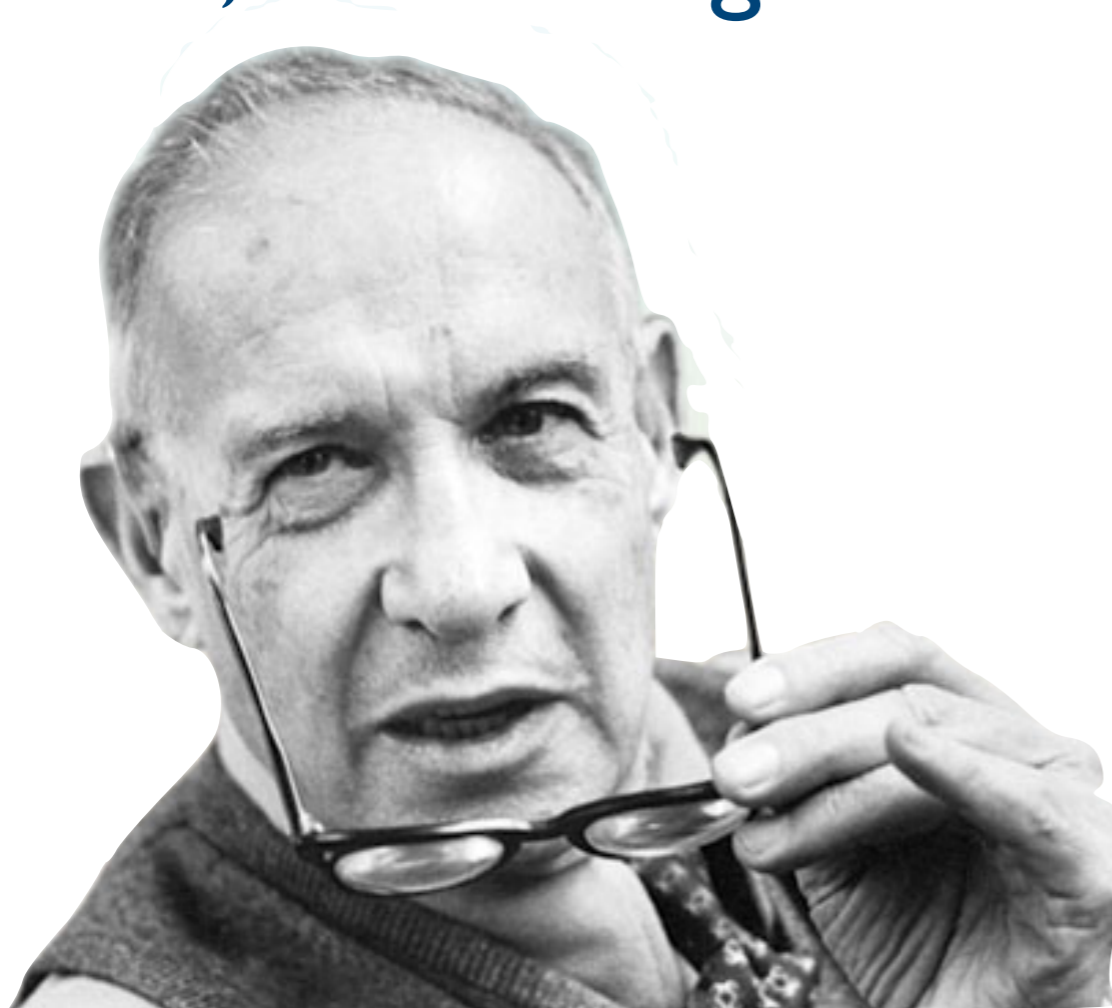


**Mirjam E. Ros,
Director Commercial, Contracts & Legal,
Airbus Defence and Space Netherlands**



**Peter J. Simoons,
Executive Coach,
Simoons & Company**

“Businesses once grew by one of two ways: grass roots up, or by acquisition. In both cases, the manager had control.



Today businesses grow through alliances, all kinds of dangerous liaisons and joint ventures, which, by the way, very few people understand”

Peter Drucker

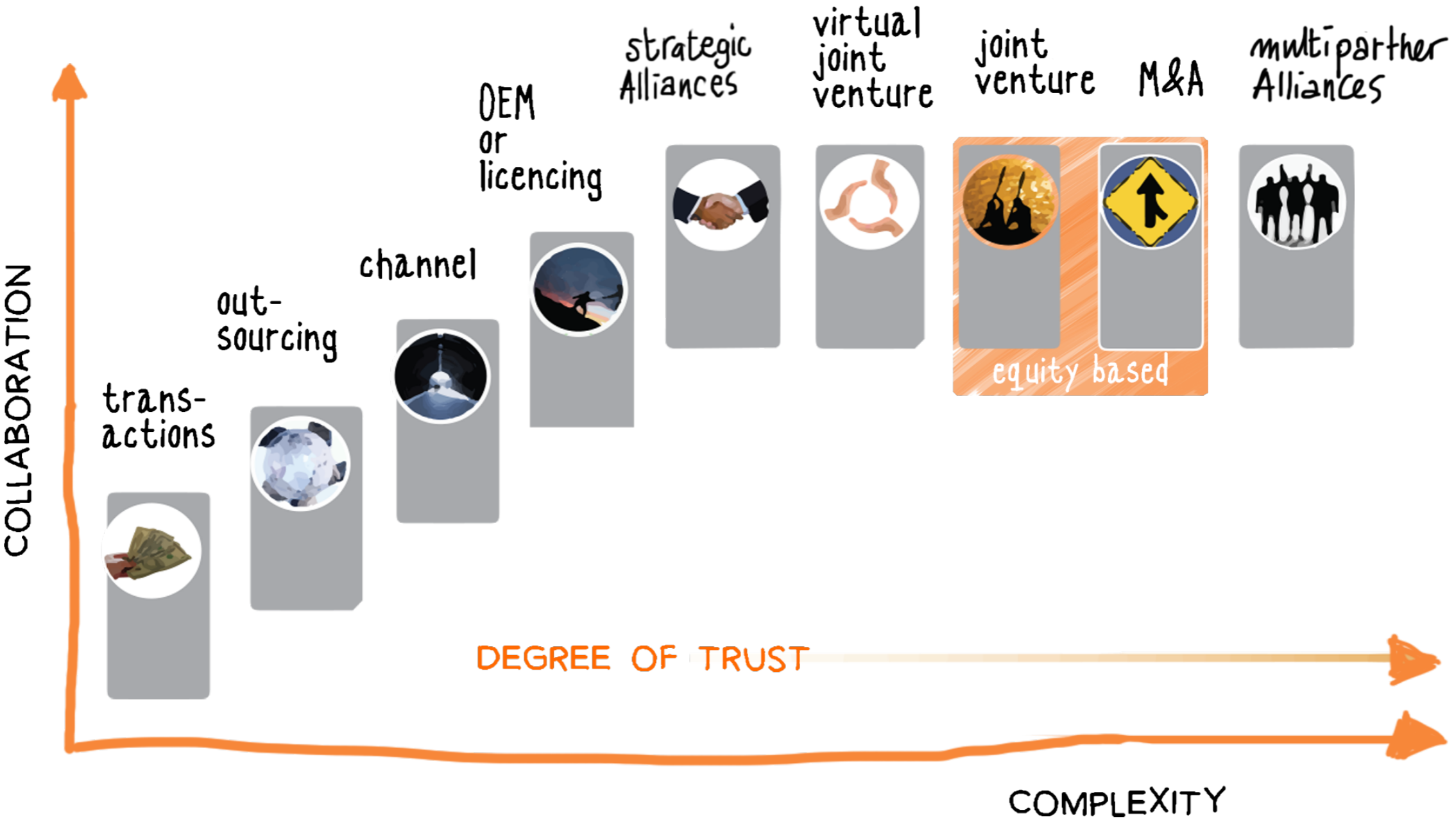
What is an alliance?

"AN ALLIANCE IS A STRATEGIC COOPERATION BETWEEN TWO OR MORE ORGANIZATIONS, WITH THE AIM TO ACHIEVE A RESULT ONE OF THE PARTIES CANNOT ACHIEVE ALONE"

$$1 + 1 = 3!$$

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COLLABORATIVE BUSINESS SPECTRUM





51%

OF CEO'S WILL ENTER
INTO NEW ALLIANCES
IN THE COMING
12 MONTHS

53%

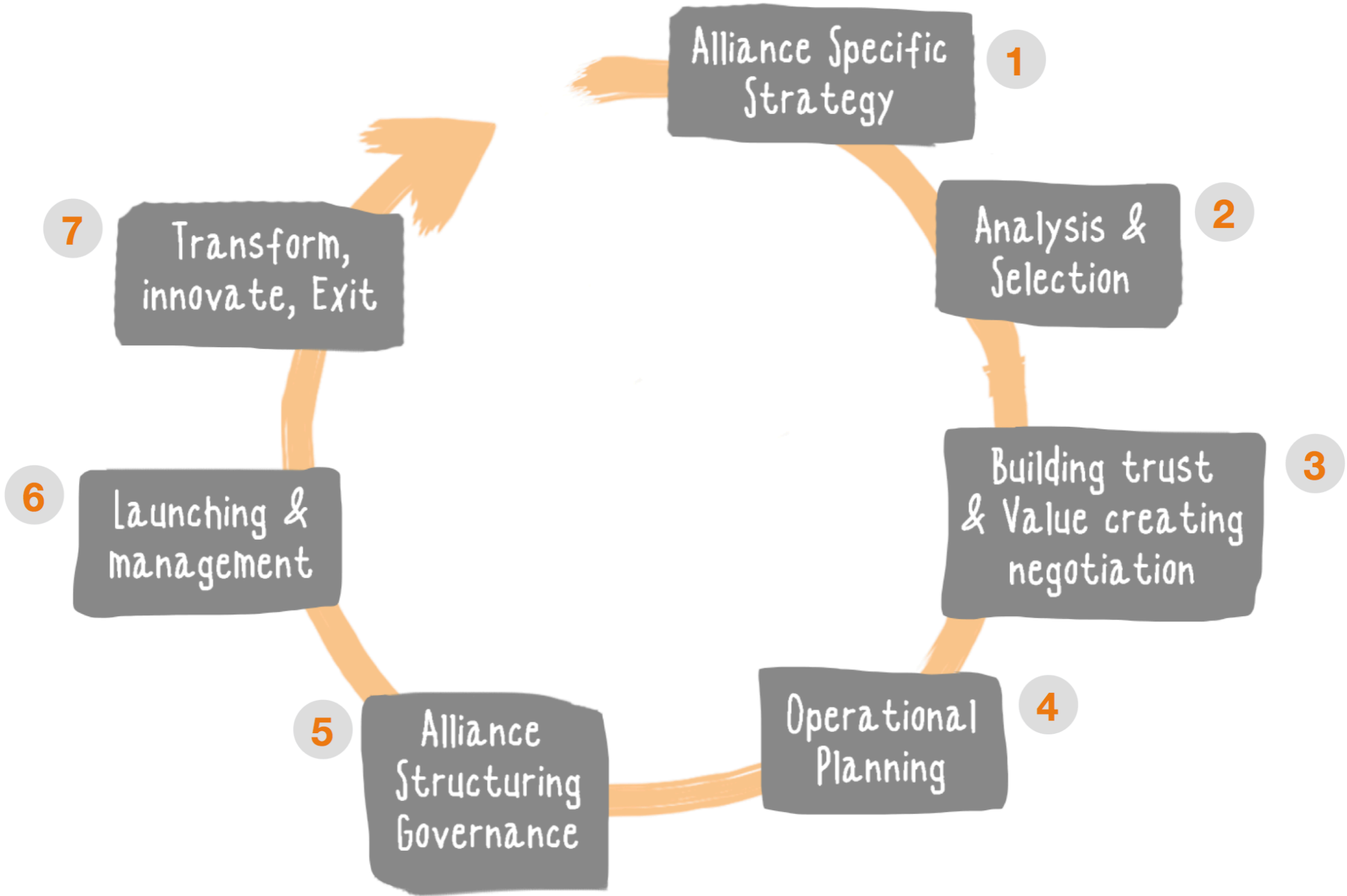
80%
Success

80%
Failure

THE COMPANIES THAT FOLLOW
A STRUCTURED ALLIANCE PROCESS
CONSISTENTLY REPORT A BETTER SUCCESS RATE
WITH THEIR ALLIANCES THAN AVERAGE - UP TO 80%.

THE COMPANIES THAT APPROACH ALLIANCES IN AN AD
HOC FASHION REPORT ONLY A SUCCESS RATE OF 20%.

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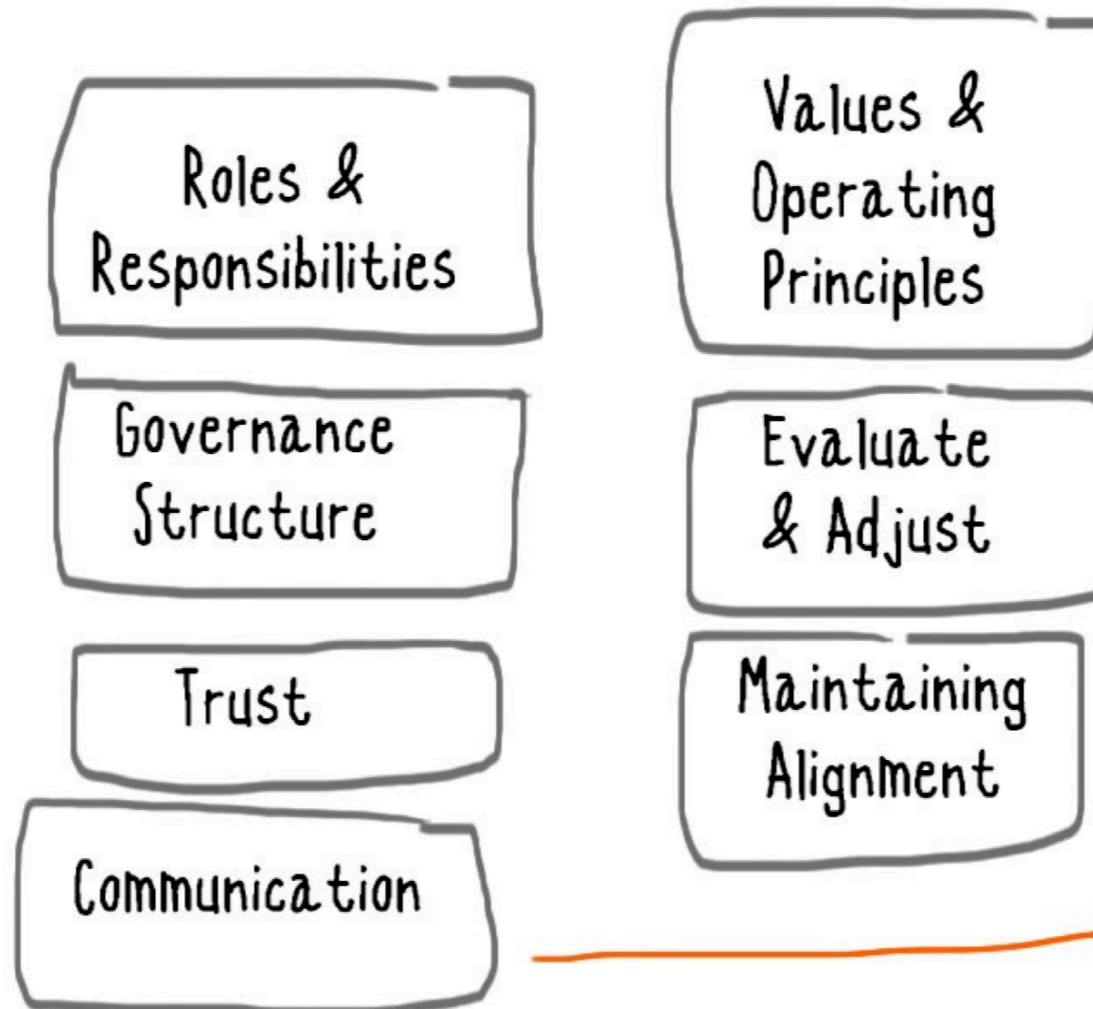


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KEY ALLIANCE SUCCESS ELEMENTS



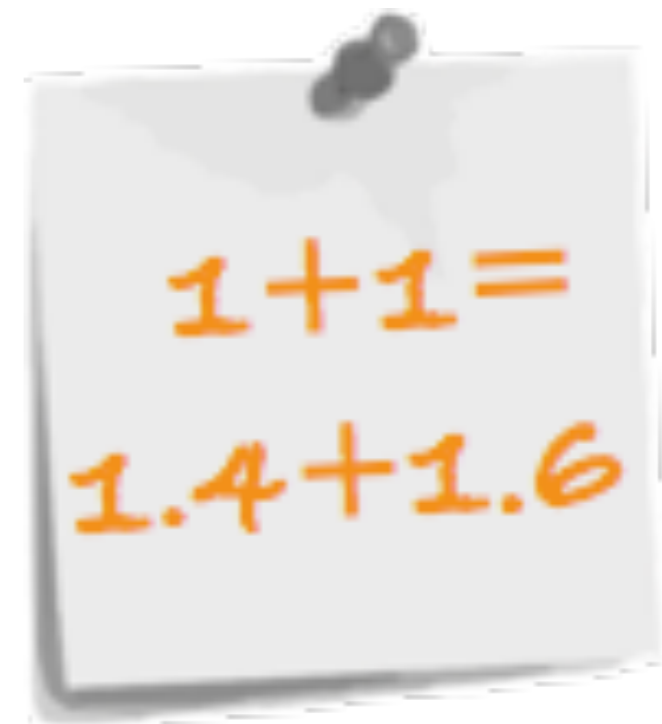
Three alliance laws



$1+1=3$



$1+1=1$



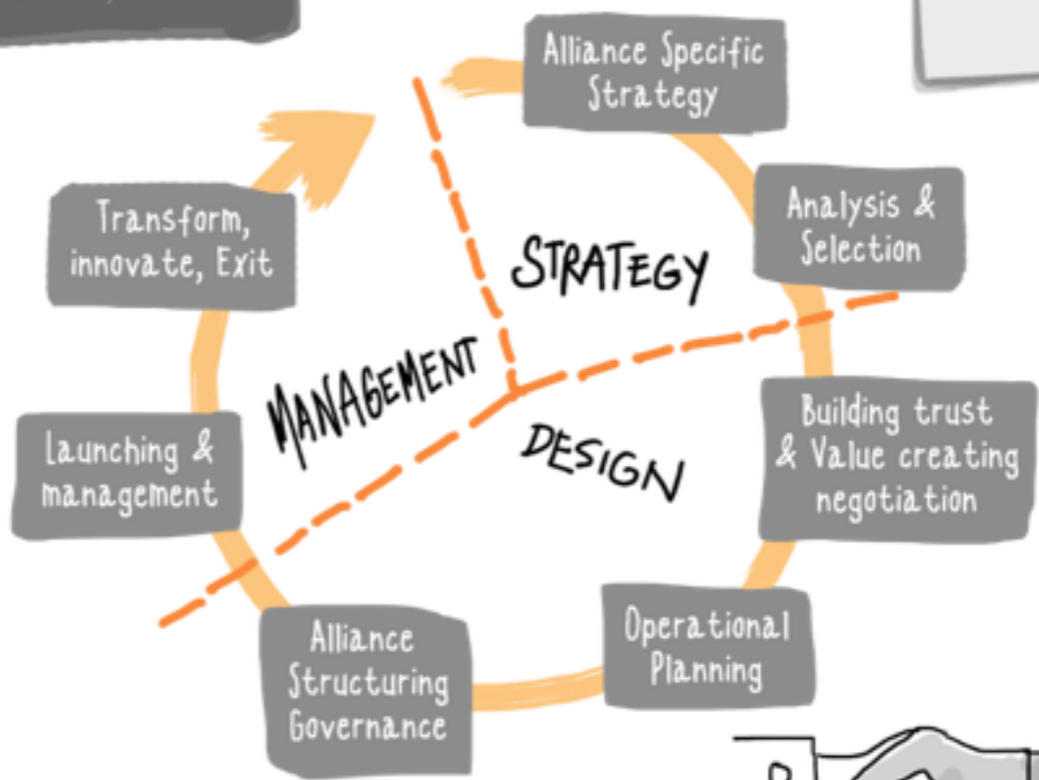
$1+1=$
 $1.4+1.6$

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ALLIANCES & PARTNERSHIPS

"AN ALLIANCE IS A STRATEGIC COOPERATION BETWEEN TWO OR MORE ORGANIZATIONS, WITH THE AIM TO ACHIEVE A RESULT ONE OF THE PARTIES CANNOT ACHIEVE ALONE"

1 + 1 = 3!

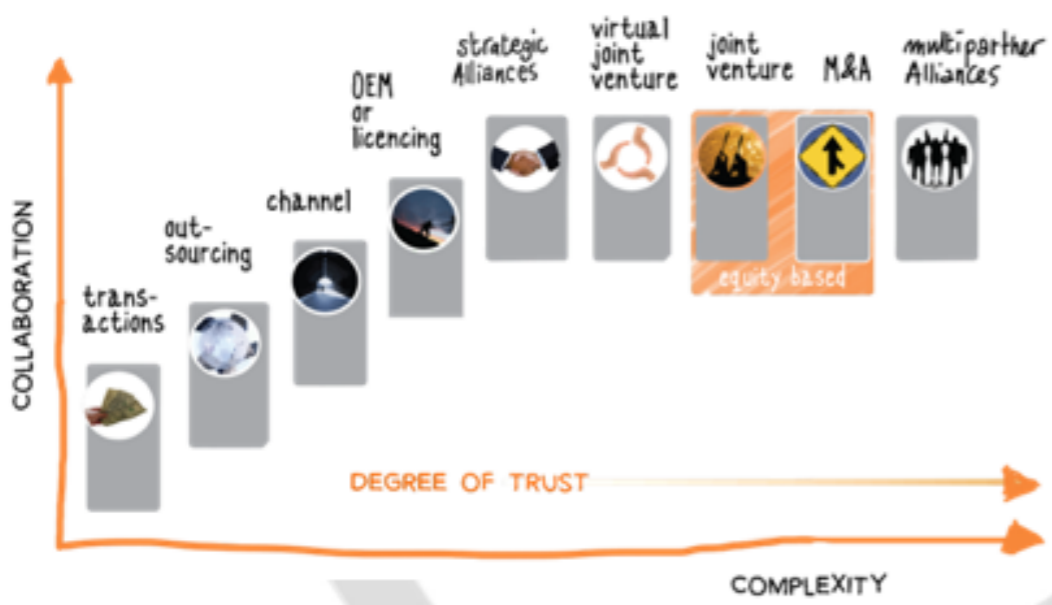


1+1=3

1+1=1

1+1=1.4+1.6

COLLABORATIVE BUSINESS SPECTRUM



KEY ALLIANCE SUCCESS ELEMENTS

- Roles & Responsibilities
- Governance Structure
- Trust
- Communication
- Values & Operating Principles
- Evaluate & Adjust
- Maintaining Alignment

53%

THE COMPANIES THAT FOLLOW A STRUCTURED ALLIANCE PROCESS CONSISTENTLY REPORT A BETTER SUCCESS RATE WITH THEIR ALLIANCES THAN AVERAGE - UP TO 80%.

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INNOVATION,

COLLABORATION

and Intellectual Property

can they coexist?



Open Innovation, Collaboration and
Intellectual Property: can they coexist?
Thoughts on how to prepare for a transition

IACCM Webinar, 25 August 2016
Mirjam E. Ros - Director Commercial, Contracts & Legal
Airbus Defence and Space Netherlands

Shifting landscapes: Open Innovation and Alliances



The increasing importance of Open Innovation and flexible Alliances



Paradox of Openness
Development of which IP together and which individually?



IP as a Building Block or Stumbling Block?

IP exploitation in an open setting requires strong protection

How to reach your goal in a negotiation?



How to reach your goal in a negotiation?



Are your current OI & IP strategies future proof?



What's your Innovation strategy?

What's your IP position and why?

**Standard protective
terms & conditions or
customization?**

Stumbling Blocks or Building Blocks?

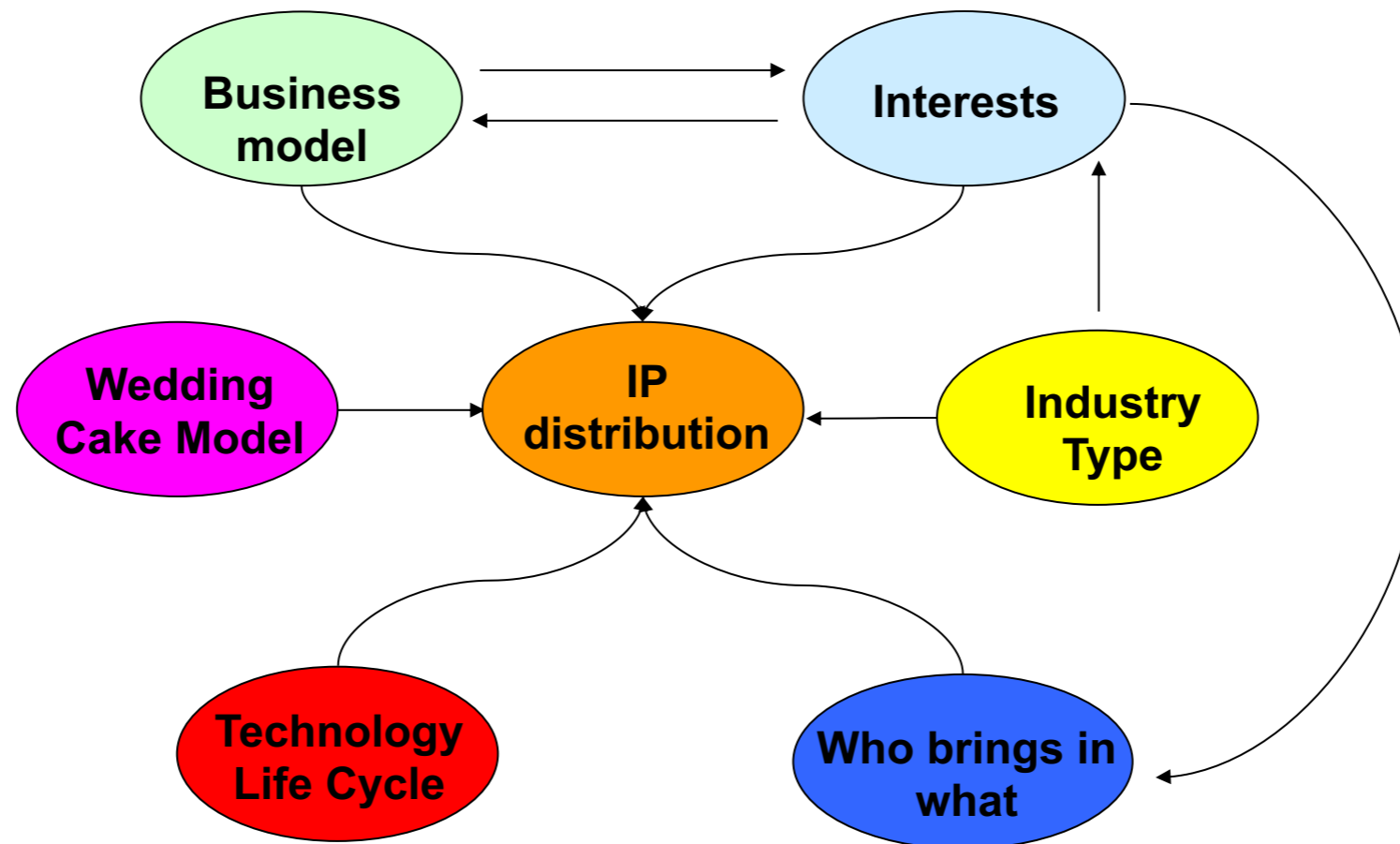


Commercial Behaviour

Legal Response

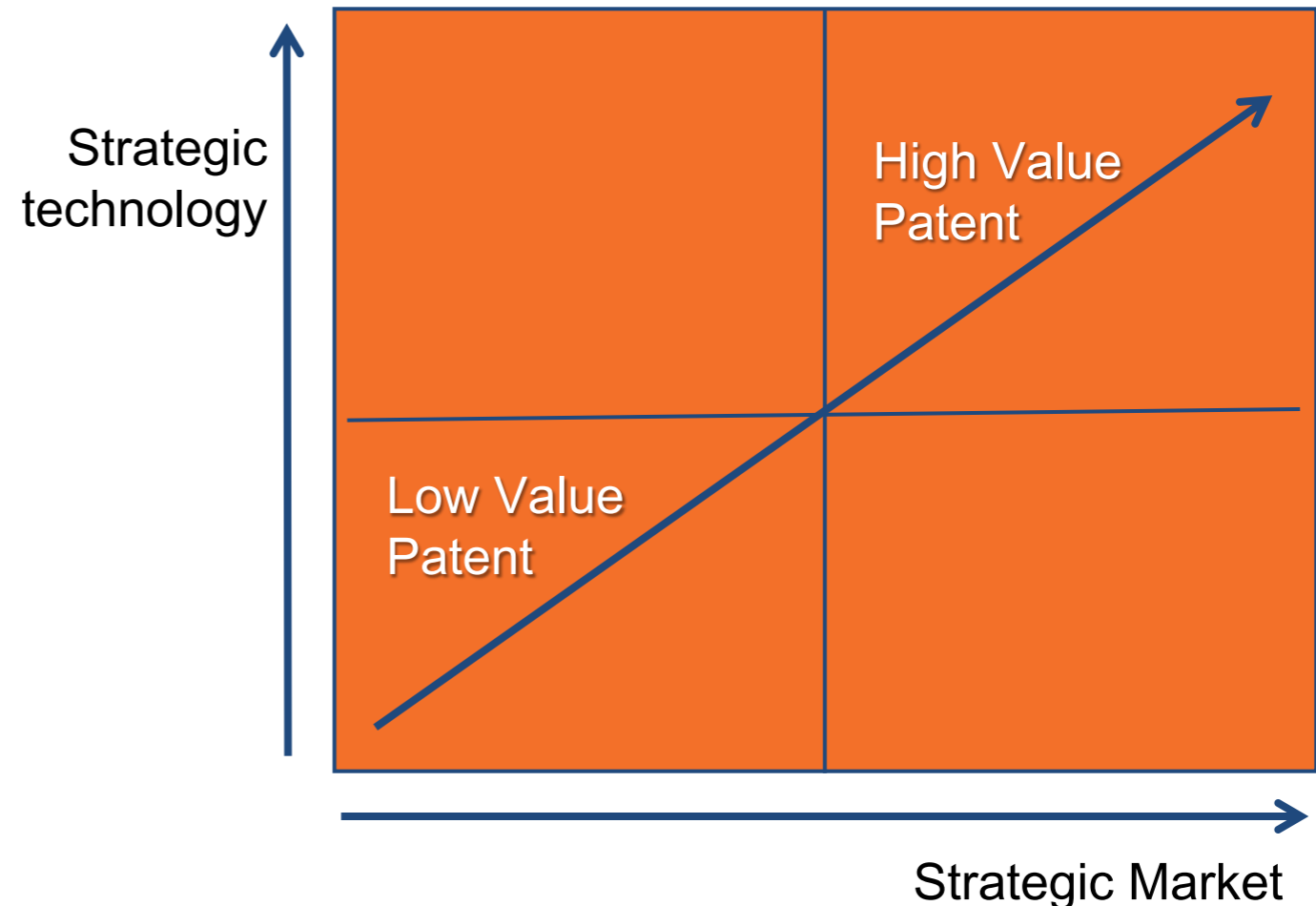
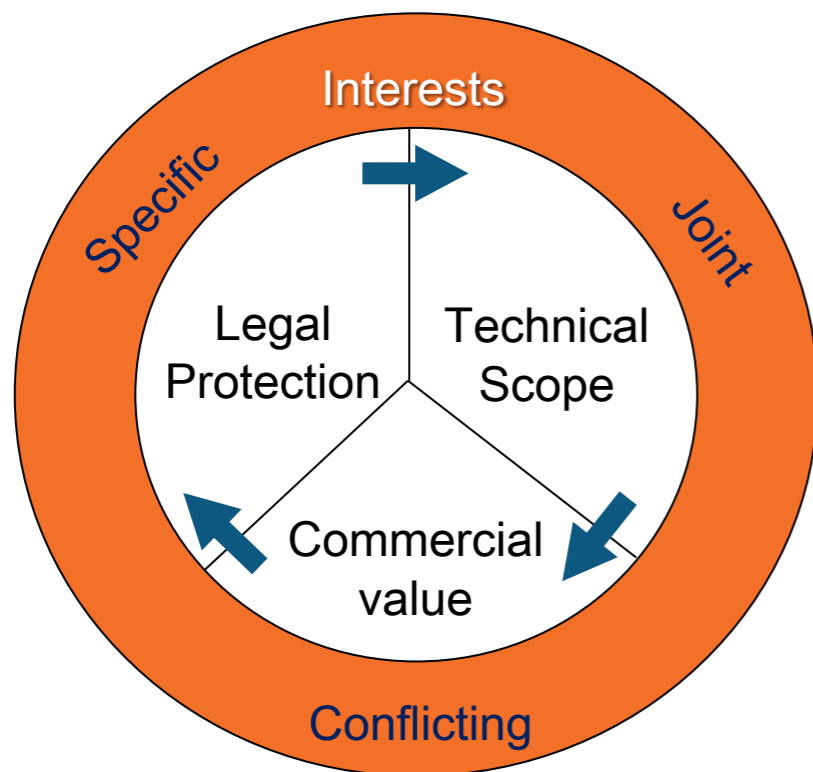
Changing our attitudes and approach to build a strong, mutually beneficial strategy

What's next? Factors influencing IP distribution and accommodating customization



“You can afford to have no solution, however you can not afford to have no criteria” – Flip Vandendriessche

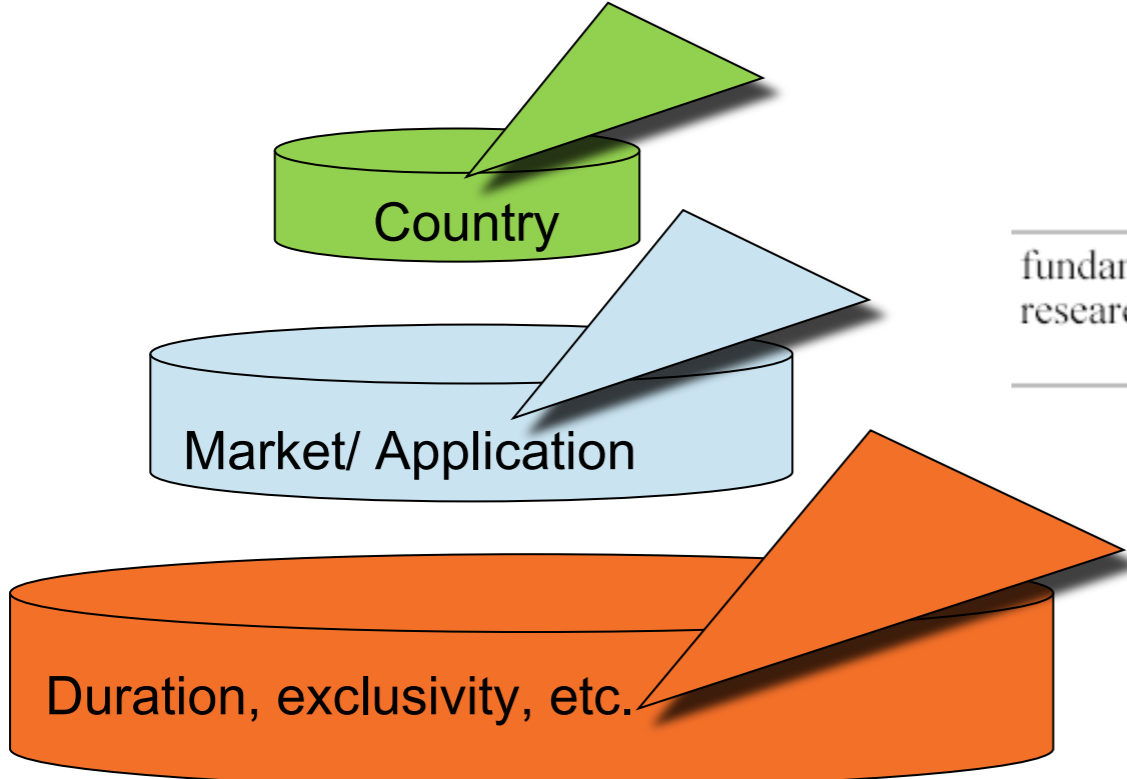
Different criteria and perspectives on IP



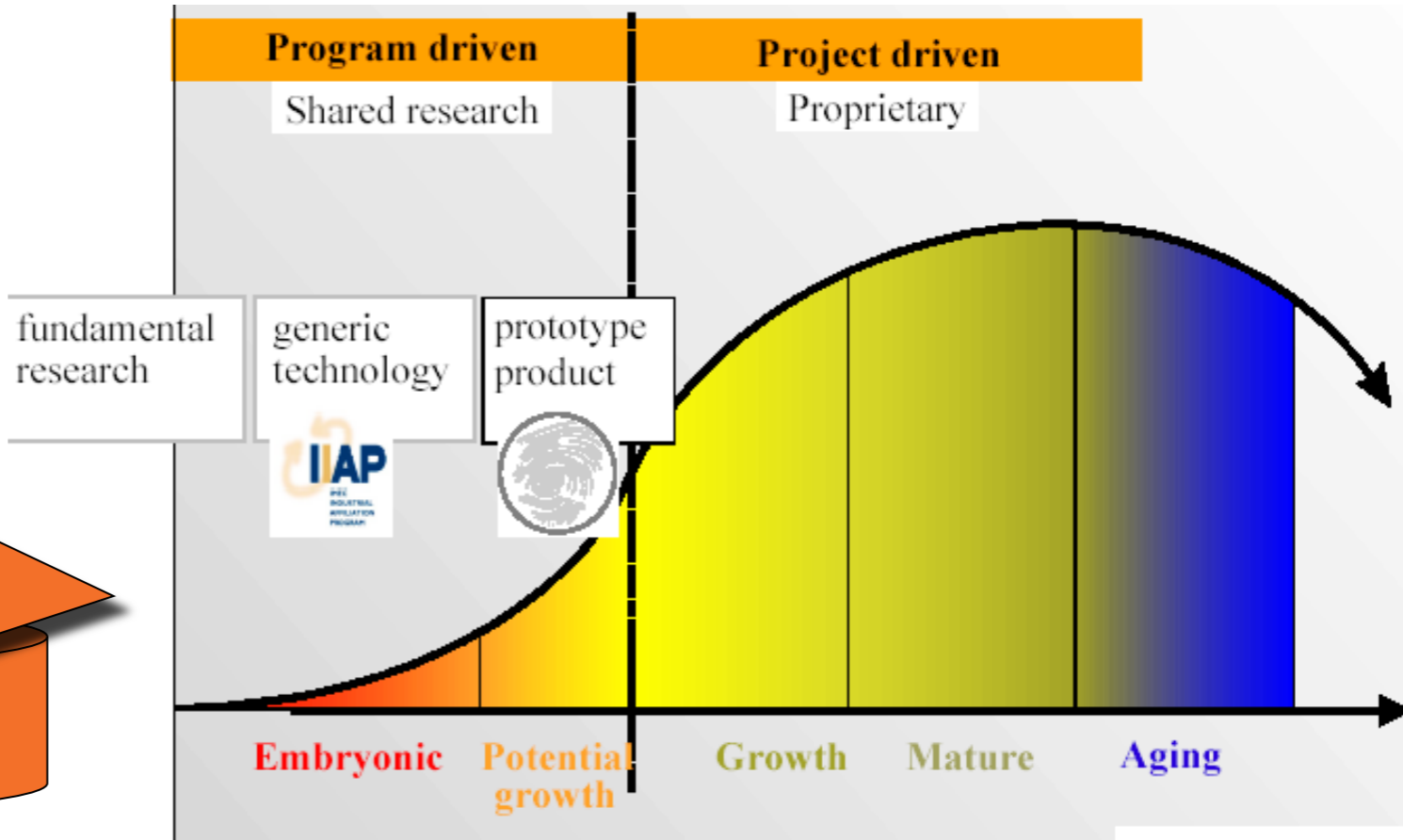
Interests & Multi-Disciplinary Contractual Approach

"It's not just the technology; it's the business model" --- Cathy Lasser, IBM Research

Different criteria and perspectives on IP

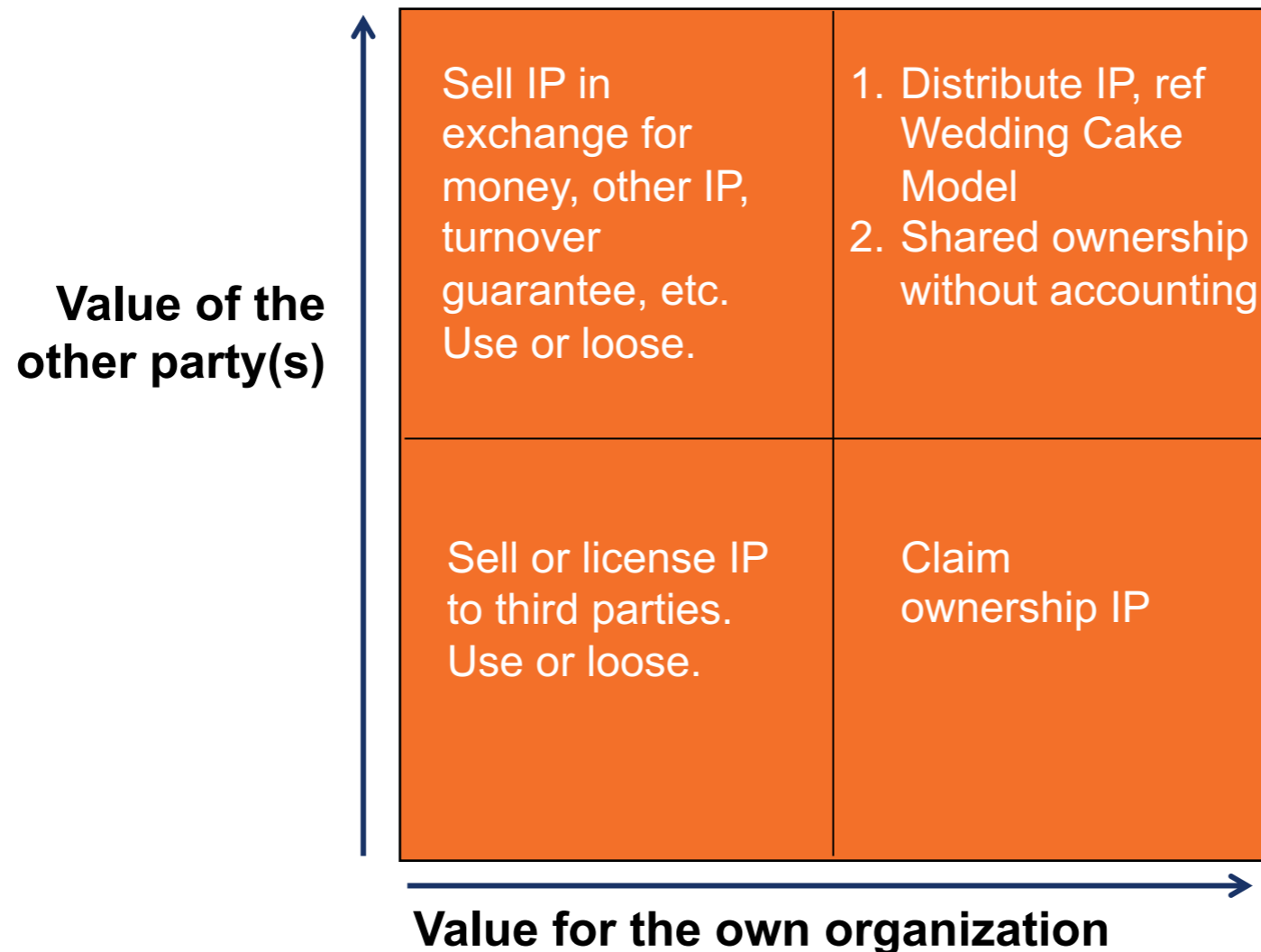


Wedding Cake Model



Technology Life Cycle

IP in an Open and Innovation-Driven Business Scenario



Differential & Value Based IP Model to Accommodate Customization

Are your current IP strategies and clauses future proof?



Inspiring Business Examples

Lindt & Sprungli

- Selective Sharing suppliers

Pharmacy and Semicon

- Technology development with competitors

Tesla

- Share IP openly

Lego Ideas

- Lego Ideas with fans

LEGO as Inspiring Business Example

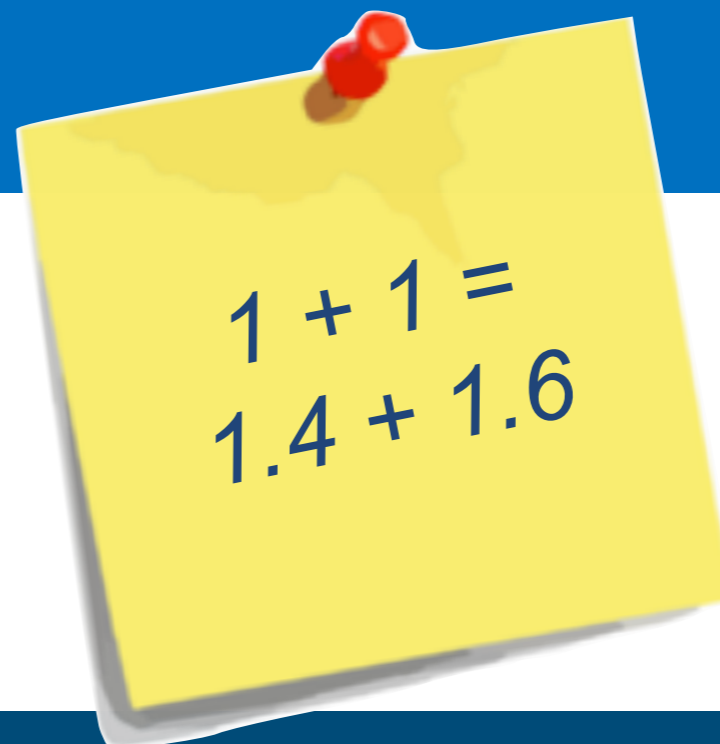


OI: Inside the box within Lego Business Model & with partners and fans
IP Lego Ideas: Credit as set creator, 1% total net sales, no compensation follow-up products

OI & IP: A Business Model should both create and capture value

Conclusions and take-away

1. A Structured Alliance Process leads to more successful alliances
2. Open Innovation, Alliances and Intellectual Property do co-exist: there is a growing need for innovation-driven and flexible Alliances in which creative IP solutions are realised.
3. If you are creative and find ways to use a more Differential & Value Based IP Model in Alliances, then IP will become a valuable Building Block instead of a Stumbling Block



INNOVATION, COLLABORATION and Intellectual Property

can they coexist?



SHIFTING LANDSCAPES

- OPEN INNOVATION & ALLIANCES
⇒ MUCH MORE IMPORTANT
- I.P. PROTECTION = CRUCIAL

- 1 Capitalize on the knowledge
- 2 Recover investments in development

THOUGHTS ON HOW TO PREPARE FOR A TRANSITION

WHAT'S NEXT

paradox of OPENNESS

INTELLECTUAL PROPERTY IN AN OPEN SETTING REQUIRES STRONGER PROTECTION




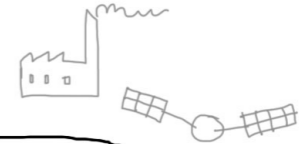
STANDARD PROTECTIVE TERMS AND CONDITIONS

OR CUSTOMIZATION


BUILDING BLOCKS OR STUMBLING BLOCKS?

to accommodate customization:
IP distribution model incl. criteria

FACTORS INFLUENCING I.P. DISTRIBUTION:

- INTERESTS 
- BUSINESS MODEL = VALUE = €
- APPLICATION WEDDING CAKE MODEL 
- TECHNOLOGY LIFE CYCLE 
- INDUSTRY 

conclusions:

- 1 STRUCTURED ALLIANCES  MORE SUCCESS
- 2 OPEN INNOVATION, ALLIANCES & INTELLECTUAL PROPERTY DO COEXIST
- 3 USE CUSTOMIZED AND CREATIVE DIFFERENTIAL INTELLECTUAL PROPERTY MODELS

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Questions? Comments!

