

IP Monetization: Some Questions

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FORDHAM UNIVERSITY SCHOOL OF LAW

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- **Impact of Government Involvement (...Interference?) In IP Monetization?**
 - Direct Market Participation:
 - French Government's Hand-Wringing Over Alcatel-Lucent's Patent-Collateralized Loan from Credit Suisse/Goldman Sachs
 - The rise of Government-Backed Asian Patent Funds
 - Potential for Privateering Activity...?
 - Legislative/Enforcement Activity:
 - AIA, Proposed SHIELD Act and Other Legislative Efforts
 - Rising antitrust/competition authority interest in IP monetization
 - US Ban on Chinese Telecommunications Equipment
 - While Chinese telecomm equipment companies apply for and obtaining thousands of US patents and patent applications

- **More...and Less...Complexity in IP Transactions...?**
 - Growing Desire for Simplification of IP Monetization Transactions
 - Trend Toward Greater Complexity...?
 - Increasing Capital Inflows / Increasing Number of IP assets for Sale / Broader Awareness of IP Monetization
 - Analytical context growing more complex
 - Internationalization / Complex Legal Environment / Etc.
 - Growing need for larger, sophisticated IP investment programs
 - Some relief on complexity...?
 - Greater experience and greater number of transaction “data points” increase proficiency
 - Complexity migrates up the chain

- **Greater Transparency on Patent Quality...?**
 - What do we mean by Patent Quality
 - PTO Efforts to Achieve Greater Patent Quality
 - FTC 2003 Report

- **Is all of this a good thing...?**

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