



Capacity Building Activities relating to negotiating Licensing Agreements.

Experiences of the Licensing Executives
Society International (LESI)

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ABOUT LESI

(1/2)

- Licensing Executives Society International (LESI)
- Non-profit professional organization, founded in 1972
- Umbrella organization of national and regional associations for licensing executives (in-house professionals, lawyers, advisors, patent attorneys)
- Mission:
 - Creating and maintaining national LES Societies and supranational Committees
 - Setting and promoting consistent, high professional standards for licensing on a global basis
 - Facilitating professional networking between licensing professionals
 - Providing quality educational content to, and facilitating the sharing of educational content
 - Informing and interacting with global organizations and policy forums concerning the economic significance and importance of licensing, technology transfer and intellectual property rights.

ABOUT LESI

(2/2)

LESI

LES Societies

Andean Community, Arab Countries, Argentina, Australia & New Zealand
Austria, Benelux, Brazil, Britain & Ireland, Chile, China, Chinese Taipei,
Czech Republic & Slovakia, France, Germany, Hungary, India, Israel, Italy,
Japan, Korea, Malaysia, Mexico, Philippines, Poland, Russia, Scandinavia,
Singapore, South Africa, Spain & Portugal, Switzerland, Thailand, Turkey,
USA & Canada

Regional Groups

Americas, Asia Pacific, Europe

CAPACITY BUILDING ACTIVITIES

- Conferences
- Licensing Training Courses
- Publications
- Surveys

CAPACITY BUILDING BY CONFERENCES

- LESI Annual International Conferences
- Regional Groups Conferences
- LES national Societies Conferences
- LES Global Technology Impact Forum (GTIF)

CAPACITY BUILDING BY TRAINING COURSES (1/2)

LES100 Training Course

- LES100 Training Course: 1-day introductory course for those who are relatively new to licensing
- LES100 is specifically aimed at:
 - Those who are considering a career in licensing and technology transfer
 - Lawyers and Patent and Trade Mark Attorneys looking for greater familiarity with the business of IP licensing
 - SMEs who require an introduction to licensing
 - Students interested in learning the basics of Intellectual Property (IP) and how to commercialise IP through licensing
- LES100 is divided into 5 Modules:
 - Module 1: Introduction & IP Basics
 - Module 2: Basics of IP Commercialisation & Licensing
 - Module 3: Determining Reasonable Licence Fees & Royalty Rates
 - Module 4: Managing Risks
 - Module 5: Mock negotiation workshops replicate real world situations

CAPACITY BUILDING BY TRAINING COURSES

LESI | EPO Training Course

(2/2)

- Jointly developed by **LESI** and the **European Patent Office**
- 2-day training course for those with advanced knowledge
- Target groups: top level, coming from SMEs, start-ups, spin-outs, emerging enterprises, MNCs, technology transfer and research organizations
- The course gives a comprehensive, professional set of tools and techniques to implement and profit from IP in the business strategy
- The course provides a platform for networking among licensing and technology commercialisation professionals from Europe and overseas

CAPACITY BUILDING BY PUBLICATIONS

les Nouvelles



- Published quarterly
- Targets over 10,000 members of LESI
- International authors
- Designed to improve the knowledge in improving their skills, techniques and knowledge in licensing and protecting IP

CAPACITY BUILDING BY SURVEYS

Global Life Sciences Royalty Survey

Licensing Executives Society
(U.S.A. and Canada), Inc.



Global “Life Sciences” Royalty Rates
& Deal Terms Survey
- 2016 -

LES USA/Canada
-In coordination with -
*Licensing Executives Society
International (LESI)*

February 2017

- The 2016 survey builds on surveys completed in 2008, 2010, 2012 and 2014
- Conducted globally by the LES (USA & Canada) Life Sciences Sector in coordination with LESI
- 117 completed surveys were incorporated
- 19% of the deals from pharmaceutical companies, 12% from biotech companies, 22% from academic institutions, 11% from government, and 36% from other organizations
- Approximately 64% of the deals were “global”
- Covering assets at all stages of development (pre-clinical, clinical, marketing)

CHALLENGES AND EXPERIENCES

- Complexity of the subject and scope
 - to understand the underlying facts requires profound scientific knowledge
 - to identify economic opportunities and risks requires profound experience regarding target markets, administrative rules (regulation) and IP-related issues
- Complexity of the legal questions/issues
 - Cross-border situation
 - Long-term arrangements
 - Many legal topics need to be addressed (regulatory, IP etc.)
- Different legal systems and cultures involved
 - Countries with different levels of legal certainty
 - Reliability of the courts and authorities not always given
 - Experience and professionalism of the the courts and authorities not always given
 - **Choice of applicable law and jurisdiction usually in favor of countries with developed legal systems**

CAPACITY BUILDING ACTIVITIES

Combination of Elements is Indispensable

1. Profound legal education
2. Professional experience/training in
 - legal/IP departments of multinational corporations
 - technology transfer organizations
 - international law firms
3. Ongoing further education/training (e.g. by participating in LES events)

VISCHER



Thank you.

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