

In-house workshops

by Philip Mendes

Improving your staff's
commercialisation skills

Improving your organisation's
commercialisation success

About Philip Mendes

Philip, who is now retired, personally presents all of Opteon's workshops.

Philip is an experienced licensing professional who has negotiated intellectual property licenses and other technology transactions for over 25 years with parties in over 25 countries.

Philip has negotiated some of the largest intellectual property transactions arising from Australian research, measured in a number of respects including deal value, export earnings generated, and number of lives saved from new therapeutic drugs and vaccines.

Licensing transactions have been undertaken in all fields of science, including pharmaceutical, biotechnology, information technology, medical devices, diagnostics, defence, engineering and materials technologies etc.

He has negotiated with all the world's largest pharmaceutical companies, and multinational companies in other fields.

He is an Adjunct Professor at the Queensland University of Technology, where since 2010 he has taught Management and Commercialisation of Intellectual Property in the WIPO/QUT Masters Program.

Since 2001 he has presented in excess of 200 practical licensing and intellectual property related workshops throughout Asia and Australia.



About our workshops

Skills Building

You need excellent technology to successfully commercialise. But it doesn't commercialise itself. You also need skilled staff to successfully commercialise it, and you need to build your staffs' skills so that they can.

Philip has been skilling up tech transfer professionals with his skills building workshops since 2001. His workshops are low on theory, and high on developing pragmatic skills, based on Philip's insights from 25 years of experience.

Public Workshops

Our workshops have been conducted as public workshops throughout Asia, where any person can register and attend.

In-house workshops

All our workshops have also been conducted as in-house workshops, where an organisation engages us to present a workshop to its staff. This enables workshop discussions to be candid and confidential, enabling participants to freely discuss their IP and transaction experiences, which can be used during the in-house workshop as case studies. Sometimes we are engaged by two or three similar organisations jointly to undertake an in-house workshop for all their staff together.

Government and industry sponsored workshops

Some of our workshops have been conducted where they have been sponsored by Government or a Government agency or an industry association, where as a result participants attend free of charge, or pay a very modest registration fee to the organiser. This has occurred when Government or an industry association seeks to skill up a sector, such as universities and research institutes, or SMEs, or a particular industry sector.

Customised workshops

We can also customise a workshop so that its content focuses specifically on the skills that you want your staff to build.

Our Programs - Advanced

Licensing Master Class: Mastering the IP License – Terms and Strategies

Level: Advanced
Duration: 2 days

This Master Class will:

- help your staff recognise licensing terms and issues that may disadvantage you
- help them effectively deal with those issues
- expand your staffs' toolbox of solutions to controversial and complex licensing issues
- help your staff achieve better licensing outcomes
- improve your staffs' licensing skills.

Every part of a license is examined in detail, particularly the controversial and complex aspects of a license that can sometimes result in impasse or anxious negotiations.

A major focus of the workshop is to give your staff an expanded toolbox of solutions to call upon when they encounter these controversial and complex licensing issues.

The workshop is suitable for novice licensing professionals wanting to accelerate their skills building. The workshop is also suitable for experienced licensing professionals wanting to hone their licensing skills

Formulating Royalty Rates and Other Financial Terms

Level: Advanced
Duration: 2 days

A licensor does not want to settle for a 5% royalty when the technology deserves 10%. A licensee does not want to pay a 12% royalty when the technology deserves no more than 8%.

When your staff negotiate a license of technology they need to know what royalty rate and other financial terms they should seek (as a licensor) or agree to pay (as a licensee).

This intense skills development workshop will teach your staff how to make that determination. It will show them the methodologies they should employ, and those they should not, and why. It will show them the sources of public domain information that they need to help them make that determination.

It will teach them the skills that they need, to reliably make that determination.

The aim of this workshop is to give your staff royalty formulation tools and skills that they need to get better financial outcomes in license negotiations.

Our Programs - Advanced

Negotiating Wisely - Strategies for Better Outcomes in IP Transactions

Level: Advanced
Duration: 2 days

There's more to negotiating a license or other IP transaction than formulating the deal terms that you aspire to secure. You also need to formulate negotiation strategies that you will employ to secure them.

It is the strategies that you employ that will influence the outcomes of the negotiation. The better your strategies, the better the deal terms you will be able to secure.

Should you make the first offer in a royalty negotiation, or should you wait for the other party to do so? Which strategy does the experienced negotiator employ, and why?

Are there steps you can take to make your proposals more persuasive to the other party? How do you package and deliver your proposals to make them more compelling?

There is more to a negotiation than simply stating what you want. That often results in adversarial positions and impasse.

This workshop presents tried and tested negotiation strategies to achieve the best outcomes when negotiating IP transactions.

Spinning out Companies and Negotiating with Investors and Venture Capitalists

Level: Advanced
Duration: 1 day

Venture capital investment into start-up companies has its own unique processes and language. What is a series? What is a tranche? What are information rights, pre-emption rights, conversion rights, preference rights, winding up preferences, tag-along and drag-along rights, liquidity events, and matters for consensus?

What are the governance arrangements for a start-up company that a venture capitalist has invested in? Does the venture capitalist control the company? What strategies are there to protect the founders in governance arrangements?

What is a shareholders' agreement? What unique things will a venture capitalist seek that it provide for?

What criteria does a venture capitalist employ to judge an investment opportunity? What does a venture capitalist look for when considering investing in a start-up company?

Our intensive one day workshop is designed to demystify the process and language of venture capital investment, and equip you to negotiate with a venture capitalist the terms of its investment.

Our Programs - Intermediate

Solving IP Ownership Controversies

Level: Intermediate
Duration: 1 day

The ownership of intellectual property is often a controversial issue when negotiating IP transactions.

Should IP be owned by one party, or the other? Can IP rights to one party be negotiated instead of ownership? If so, what types of IP rights might be an acceptable substitute?

How should ownership of IP be allocated in collaborative research relationships?

What models are there to resolve IP ownership controversies, and what are their advantages and disadvantages?

Sometimes parties agree on joint ownership, in the expectation that joint ownership gives them equal and mutual rights. They are then surprised to learn that that is not necessarily so. Joint ownership laws often operates to the disadvantage of one joint owner, or even to the disadvantage of all the joint owners.

What are these joint ownership laws? How do they impact negatively on the joint owners? How should they be taken into account in negotiating the ownership of IP?

Lurking Legal Traps Awaiting the Tech Transfer Negotiator and How to Deal with Them

Level: Intermediate
Duration: 1 day

This workshop was developed in collaboration with a TTO which decided that its staff engaged in negotiating tech transfer transactions were better equipped when they had knowledge of aspects of the legal environment in which the negotiation was conducted.

A tech transfer negotiator must have many skills. One skill often overlooked is knowledge of those laws which impact upon what and how the negotiator will negotiate. This workshop is about those laws.

Legal implications and potential liabilities do not start with the drafting of a tech transfer agreement. They start when the negotiation starts, and sometimes earlier, when seeking potential commercial partners.

In this workshop we look at numerous tech transfer case studies, and at the laws impacting upon tech transfer negotiators in Singapore, Malaysia and Hong Kong (all of whose legal systems are derived from the UK). We also look at US laws, since we negotiate with US parties. We refer to EU and Chinese laws as well.

Our Programs - Basic

Tech Transfer Bootcamp

Level: Basic
Duration: 2 days

This intense and comprehensive skills development workshop has been designed for tech transfer professionals that need to accelerate learning the essential skills they need.

It is also a useful refresher for more experienced tech transfer professionals.

The unique needs and perspective of universities and research institutes in the tech transfer process are kept in focus, as well as the needs of industry partners.

Common points of tension in university / research institute / industry partner relationships are covered, as well as ways to overcome these points of tension, while still meeting the needs of each.

After this skills development workshop, participants will have an excellent all round appreciation of the tech transfer process, as well as have the skills and knowledge to work on tech transfer projects confidently.

Entrepreneurship Bootcamp

Level: Basic
Duration: 1 day

This workshop has elements of the Tech Transfer Bootcamp described above, and is designed for start-up companies and entrepreneurs.

What Scientists Need to Know about IP and Commercialisation

Level: Basic
Duration: 1 day or ½ day

This workshop is designed for researchers and postgraduate students.

Its objective is to enthuse scientists to aspire to commercialise.

Along the way it give scientists an awareness of IP and commercialisation issues, including:

- patents and patenting processes,
- commercialisation processes,
- marrying the IP protection and the publication objectives without either hindering the other,
- dealing with commercial partners
- what to say, and what not to say to potential commercial partners
- working with the tech transfer office.

This workshop can be presented as a 1 day or ½ day program.

Who comes to our workshops?

Everyone involved in tech transfer transactions, including the staff of universities, research institutes, companies, the professions, and government:

- Tech transfer staff
- Licensing staff
- Business development staff
- Tech transfer associates
- Tech transfer analysts
- Start up companies
- Venture capital investors
- Lawyers
- Patent attorneys
- Business advisers

Contact Us

Do contact us to discuss your organisation's IP and tech transfer skills development needs and how we can help.

Philip Mendes
Mobile: +61 414 615 345
philip@opteon.com.au

Joanne
joanne@opteon.com.au

Visit us at www.opteon.com.au