



**Maastricht University**

**Institute for Globalisation and  
International Regulation/IGIR**

**Intellectual Property Law and  
Knowledge Management/IPKM**

IP and Entrepreneurship for Scientists  
and Their Lawyers

## IP and Entrepreneurship for Scientists and Their Lawyers

### Introduction

For modern day scientists it is essential to become conversant in matters of Intellectual Property with the view of interacting with legal experts, identifying the legal landscape of relevant research and potential inventions in one's own work, and how to proceed to patenting. Especially in the context of Public Private Partnerships (PPPs) a basic understanding of handling of IP, confidentiality, freedom to operate and value extraction is required to mitigate risks in complex collaborations. This course lays the foundation for a basic understanding of Intellectual Property in the context of innovative science.

### Goal of this training

The “**IP and Entrepreneurship for Scientists and Their Lawyers**” course lays the foundation for a basic understanding of Intellectual Property in the context of innovative science.

### Assessment

One take home assignment exam, which is built in an integrated way. The exam will focus on a patent landscaping exercise and it concludes the sessions.

## IP and Entrepreneurship for Scientists and Their Lawyers

### Date, timing and location of the training courses

*Location for all course modules:*

#### *IP and Entrepreneurship for Scientists and Their Lawyers*

Day 1: March 24, 2017;

Day 2: March 25, 2017;

### Contact:

For questions, registration and cancellations please contact .....

Contact details of trainers:

- Prof. Anselm Kamperman Sanders professor of intellectual property law, UM:  
[a.kampermansanders@maastrichtuniversity.nl](mailto:a.kampermansanders@maastrichtuniversity.nl) ;
- Dr. Cees Mulder – associate professor Intellectual Property Law, UM, and European Patent Attorney: [cees.mulder@maastrichtuniversity.nl](mailto:cees.mulder@maastrichtuniversity.nl) ;

## IP and Entrepreneurship for Scientists and Their Lawyers

### Literature

#### General

- **Brinkhof/Kamperman Sanders**, “Patent Enforcement in the Netherlands”, in Heath, (ed.), *Patent Enforcement Worldwide* (2015, Hart)
- **WIPO**, *WIPO Intellectual Property Handbook: Policy, Law and Use* (2004, WIPO, Geneva) available at <http://www.wipo.int/about-ip/en/iprm/>
- **WIPO**, SME Guides and Manuals, available at <http://www.wipo.int/sme/en/documents/guides/>
  - o WIPO, “Making a Mark – An Introduction to Trademarks for Small and Medium-sized Enterprises
  - o WIPO, “Inventing the Future - An Introduction to Patents for Small and Medium-sized Enterprises
  - o WIPO, “Creative Expressions - An Introduction to Copyright and Related Rights for Small and Medium-sized Enterprises”
  - o WIPO and UNCTAD/WTO, “Secrets of Intellectual Property – A Guide for Small and Medium-Sized exporters”
  - o WIPO and ITC, “Marketing crafts and visual arts: the role of intellectual property. A practical guide”
  - o WIPO, “Looking good: an introduction to industrial designs for small and medium-sized enterprises”
  - o WIPO and ITC, “Exchanging Value – Negotiating Technology Licensing Agreements”
  - o WIPO, “In Good Company – Managing Intellectual Property Issues in Franchising”

#### IP Management

- **Drucker**, *Innovation and Entrepreneurship* (Routledge, latest edition) –
- [https://books.google.co.il/books?hl=en&lr=&id=NyqDBAAQBAJ&oi=fnd&pg=PP1&dq=entrepreneurship+economist&ots=BKnvrsDc1d&sig=88J9Pive2wfIR8NSJO9UJ-z41Gk&redir\\_esc=y#v=onepage&q=entrepreneurship%20economist&f=false](https://books.google.co.il/books?hl=en&lr=&id=NyqDBAAQBAJ&oi=fnd&pg=PP1&dq=entrepreneurship+economist&ots=BKnvrsDc1d&sig=88J9Pive2wfIR8NSJO9UJ-z41Gk&redir_esc=y#v=onepage&q=entrepreneurship%20economist&f=false)

#### YouTube Lectures

- Lecture 1 - <http://www.youtube.com/watch?v=ljLBkAmGZuo&feature=youtu.be> and
- Lecture 2 - <http://www.youtube.com/watch?v=PXpMpmSxrDg&feature=youtu.be>

## IP and Entrepreneurship for Scientists and Their Lawyers

### MODULE 1 – INTRODUCTION TO IP

#### Learning objectives

Upon completion of this module, students should be able to:

- ✓ Have a basic knowledge of the main characteristics of different intellectual property rights (IPR), particularly in what concerns subject matter of protection and rights available to creators of different types of IP
- ✓ Recognise the relevant IPR applicable to concrete creations and/or aspects thereof
- ✓ Know how to obtain IP protection

#### Description of the module

Format: interactive workshop with mix of lectures, discussions and exercises.

Topics covered:

- ✓ Definition, characteristics and justification of IP
- ✓ Overview of the different IPR: patents, trademarks, copyright, design, trade secrets
- ✓ Subject matter of protection of each right
- ✓ Overview of rights available to creators and inventors
- ✓ Obtaining protection and defending IP rights
- ✓ Ownership issues (employer/employee; transactions involving IP)

### MODULE 2 – IPR FOR INNOVATIVE SCIENCE

#### Learning objectives

Upon completion of this module, students should be able to:

- ✓ Outline the different protected elements of a patent in Europe and elsewhere
- ✓ Identify the aspects of a patent that can be protected
- ✓ List the different options and routes for protection of a patent
- ✓ Recognize situations of infringement of a patent and identify ways of dealing with such infringement

#### Description of the module

Format: interactive workshop with mix of lectures, discussions and exercises.

Topics covered:

- ✓ The function of trade secrets, patents and their protection
- ✓ Requirements for patent protection in Europe and elsewhere
- ✓ Requirements for protection and protectable subject matter of patents in Europe as compared to the USA
- ✓ Routes for obtaining patent protection worldwide, including costs
- ✓ Scope of protection of patents and the doctrine of equivalents
- ✓ Limitations to patent protection

## IP and Entrepreneurship for Scientists and Their Lawyers

- ✓ Cumulative protection of patents and other IP rights
- ✓ Patent infringement, freedom to operate, and options for dealing with it

### MODULE 3 – IP IN PRACTICE AND NEW TRENDS

#### Learning objectives

Upon completion of this module, students should be able to:

- ✓ Understand the workings and limitations of IP in life sciences, biotechnology, and materials
- ✓ Contextualize IP in the framework of life sciences, materials and forms of exploitation

#### Description of the module

Format: interactive workshop with mix of lectures, discussions and exercises.

Topics covered:

- ✓ International and EU responses to challenges posed by disruptive technologies
- ✓ Digital content, the Internet, and new dimensions of IP infringements
- ✓ Specific challenges: 3D printing, and Internet of Things

#### Assignment

#### A patent landscaping exercise

In this landscaping exercise you are asked to identify key patenting trends and discuss their implications on innovation.

The two resources that you are asked to use are

Joint OECD-European Commission 2015 report re The World Corporate Top RD Investors Innovation and IP Bundles,  
[http://www.oecd.org/sti/inno/World\\_Corporate\\_Top\\_RD\\_Investors\\_Innovation\\_and\\_IP\\_bundles.pdf](http://www.oecd.org/sti/inno/World_Corporate_Top_RD_Investors_Innovation_and_IP_bundles.pdf)

EPO annual reports database <https://www.epo.org/about-us/annual-reports-statistics/annual-report/2014/statistics.html>

In this task you should answer the following questions

1. Which technological fields are the most patent-intensive in terms of applications?
2. Which entities are the heaviest users of the patents system?
3. Which countries are used as a base/host for the most patent intensive applicants?
4. To what extent there is a gap in Europe as far as patenting is concerned?
5. Is there a difference in the patenting trends of the US/EU/Japan?
6. Which other trends can you identify?

Some additional questions of a broader context

## IP and Entrepreneurship for Scientists and Their Lawyers

1. Can it be argued that the ICT field is more innovative than other field since most patents are ICT related? Can you, for example, compare patenting trends between ICT and biotech and decide which filed is more innovative?
2. To what extent patenting activities are indicative of innovative activities by the different entities?
3. Do you feel that the patent system may be disadvantageous to so entities or regions?

### Landscape exercise part II

You should use the Espacenet database in your analysis in order to obtain a better understanding of the current state of patenting in the field of Alzheimer's disease.

Using the Espacenet database and narrowing your search to the EP classification, please answer the following questions:

1. How many patents did you retrieve?
2. From which entity most patents originate (companies, hospitals, universities, etc)
3. Isolate the ten most recent patents by priority date (in descending order) and determine the country of origin of most of the inventors included in this sample.
4. Also in this sample can you allocate patents to the one of the following groups: pharmaceutical treatments, devices, imaging and diagnostic kits.
5. For patent EP2911664 (A1) can you try and identify its most important claim/s

Approximately 493 results found in the EP database for:  
Alzheimer in the title

Sort by: Upload date Sort order: Descending Sort

1. COMBINATION THERAPIES FOR THE TREATMENT OF ALZHEIMER'S DISEASE AND RELATED DISORDERS
<p>★ Inventor: ELMALEH DAVID R [US] Applicant: GEN HOSPITAL CORP [US] CPC: IPC: A61K31/4162 A61K31/70 A61P25/00 (+5) Publication info: EP2911664 (A1) 2015-09-02 Priority date: 2013-10-22</p>
2. METHOD FOR SELECTIVELY INHIBITING THE ACTIVITY OF ACAT1 IN THE TREATMENT OF ALZHEIMER'S DISEASE
<p>★ Inventor: BRYLEVA ELENA [US] Applicant: DARTMOUTH COLLEGE [US] CPC: IPC: A61K31/7088 A61P25/28 C07H21/02 Publication info: EP2892618 (A1) 2015-07-15 Priority date: 2013-06-21</p>
3. IMIDAZO[2,1-THIAZOL-3-ONE DERIVATIVES USEFUL AS DIAGNOSTIC AGENTS FOR ALZHEIMER'S DISEASE
<p>★ Inventor: GOBBI LUCA [CH] Applicant: HOFFMANN LA ROCHE [CH] CPC: IPC: A61K31/429 A61P25/28 C07D513/04 Publication info: EP2885306 (A1) 2015-06-24 Priority date: 2013-08-06</p>
4. ALZHEIMER'S DISEASE ASSAY IN A LIVING PATIENT
<p>★ Inventor: BARBIER LINDSAY BURNS [US] Applicant: PAIN THERAPEUTICS INC [US] CPC: IPC: G01N33/48 G01N33/53 G01N33/68 Publication info: EP2872899 (A1) 2015-05-20 Priority date: 2013-07-12</p>
5. OLIGOMERIC A IN THE DIAGNOSIS, PROGNOSIS, AND MONITORING OF ALZHEIMER'S DISEASE
<p>★ Inventor: KIDD DANIEL [US] Applicant: JANSSEN ALZHEIMER STREFFER JOHANNES ROLF [BE] CPC: IPC: C12P21/04 G01N33/53 Publication info: EP285884 (A1) 2015-01-21 Priority date: 2013-03-13</p>
6. METHODS FOR TREATING, DIAGNOSING AND MONITORING ALZHEIMER'S DISEASE
<p>★ Inventor: BEHRENS TIMOTHY W [US] Applicant: GENENTECH INC [US] CPC: IPC: C12Q1/68 Publication info: EP2776582 (A2) 2014-09-17 Priority date: 2012-11-09</p>



**Maastricht University**

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## Advanced Masters Intellectual Property and Knowledge Management (LLM/MSc)

**Redesign yourself as a master of inventions and creativity**

The Masters Intellectual Property Law and Knowledge Management (IPKM) integrate IP law with portfolio management, entrepreneurship and valorization.

In its common programme, lawyers, economists, scientists and engineers jointly deal with real-life problems in multidisciplinary teams, covering copyright, trade mark, patents and design law. Intensive modules offered at Maastricht University and abroad expose all students to EU, US and Asian IP law and practice. In the MSc-track, specialized IP modules are offered on life and computer sciences, claim drafting and interpretation, and EPC procedure and opposition. The LLM track offers specialized courses focusing on comparative litigation practice, author's and neighbouring rights, Community trade mark and design law, competition law and taxation.



### IPKM participates in international networks

Students benefit from:

- access to the European IP Institutes Network (EIPIN) congresses and activities and to the Institute for Globalisation and International Regulation (IGIR) as part of our honours programme;
- access to the Pan-European Seal of the Office for Harmonization in the Internal Market (OHIM) and the European Patent Office (EPO);
- a six-month remission of the period of professional training for the European Qualifying Examination (EQE).

In addition, the IPKM also offers a separate EQE exam training, designed to increase the knowledge and skills of candidates who already have a basic understanding of European patent law, to the level required for passing the exam.

*The IPKM is accredited by the Dutch-Flemish Accreditation Organization (NVAO) and by the Examination Board of the EPO.*



**For more information see [www.maastrichtuniversity.nl/ipkm](http://www.maastrichtuniversity.nl/ipkm)**