

## 1: Monetizing intellectual property

*An in-depth guide to monetizing intellectual property assets. The development of intellectual property assets is crucial to the innovation, competitiveness and sustained growth of an entity.*

Licensing First A History Lesson At its core, the term relates to what society recognizes as a unit of money “ or a unit of value. The system of creating currency and accounting for money has changed over time. Circa BC it also started with shells and grains image the conversation: Around BC societies used standardized coins, usually made with precious metals. Around the 11th century societies began using a combination of coins and paper money often exchangeable for precious metals at a fixed rate. In modern history, societies moved to fiat currencies, which are printed pieces of paper such as dollar bills. Money always needs a societally acceptable measurement system called currency or legal tender. Starting around the mids monetization referred to the process of converting specific financial instruments “ such as treasury notes, bills and bonds - into legal tender. This not-so-coincidentally occurred around the time that the U. Thus, as applied to the current system of creating money in the United States, it basically meant converting government-issued debt an asset to the holder into cash. They liked the word so much that they used it to refer to the legal process of commercializing components of traditionally non-cash generating assets into additional sources of revenue. The Term Nowadays Most people think of owning real estate as a physical thing that belongs to them “ usually the land, concrete foundation, studs, drywall, plumbing, roof, and other parts. But there is another way to look at owning real estate: If you own and live in your home, then you have the right to be in it the right to possess , to paint it a different color the right to control , invite some people over but not others the right to exclude , and of course to watch TV in the family room the right to enjoy. As a home owner, you can sell or rent away some or all of those rights. For example, you may rent out a spare bedroom. In which case, you have: Commercialized a component of the home by renting out a room i. So, I Get It. What Else Can Be Monetized? Just about everything can be monetized in theory. Other assets, like machinery, vehicles, intellectual property an intangible asset , or even a logical business unit can be monetized. One can sell or rent any divisible part of the bundle of rights. The more unique the item, the more one must be concerned about the implications. In the context of intellectual property, monetization means converting one or more rights to a copyright, patent, trademark, or trade secret into a source of revenue. However, missteps can cause the permanent loss of rights and revenue. For some entities, particularly those that rely on technological innovation, monetization of intellectual property is their primary source of revenue. It is carefully integrated into their business model and is crucial for their success. For other entities, monetization of intellectual property serves as a secondary stream of revenue to strengthen overall profits and diversify risk. Handled correctly, monetization of intellectual property can be a powerful and lucrative tool to facilitate the growth of an entity. Whether pursued as a primary or ancillary source of revenue, monetizing intellectual property hinges on a proper strategy. The Devil is in the Details Successfully and sustainably monetizing a copyright, trademark, patent or trade secret requires careful consideration. Converting intellectual property into maximum revenue requires a deep understanding of the many, many factors. Monetization requires careful planning to develop a successful, overarching strategy that is specifically tailored to your business sector s. Though the concept of monetization is simple, the successful conversion of one or more asset rights into revenue requires the calculated employment of the precise tools at the appropriate time. Proper understanding of the utility, strength and scope of each type of IP, and how each or all can be incorporated into your businesses overall IP strategy is key. The attorneys at Nexio Law Firm are committed to helping our clients achieve their objectives.

### 2: Monetizing content which contains characters with trademark : PartneredYoutube

*EXECUTIVE SUMMARY. Companies can improve their financial performance by monetizing patents and other intellectual property (IP). The goal is to increase the assets and revenues that derive from technology and innovation, while decreasing liabilities and expenses.*

Smart Business spoke with Speiss about how to capitalize on cease and desist letters. What is a trademark cease and desist letter? Rather than filing suit, which should be a last resort, a well-crafted letter with your position statement and a clear articulation of your rights to the mark may be all you need. Are certain elements necessary for the letter to hold legal significance? The best offense is a well-planned defense. First, you must be able to confirm receipt of the letter. If you later file suit, you will have proof that your competitor received the letter, giving you a better opportunity to claim damages, especially if willful infringement can be proven. Second, the message in the letter needs to be clear. It should state that you have superior rights to the mark, what those specific rights are, and it should include the trademark registration number. How can you ensure the letter has the intended effect? Make sure you are well within your rights before asserting a claim. Once the alleged infringer receives the letter they will likely conduct their own investigation about your company, so be prepared. Then order a trademark search report. The report will give you a more complete picture including: Patent and Trademark Office, a list of abandoned and pending marks, state registered marks, business and domain names, and Web use. You will want to have a solid case for your claims before you draft the letter. How could it be used as a marketing opportunity? We all have one chance to make a first impression. This is a terrific opportunity to demonstrate your industry prowess and position your company as a viable suitor or partner. Perhaps you are a prime acquisition target. Or, maybe your strategy includes growth by strategic acquisition. Whatever the case may be, if the recipient of your letter sees you as a clean and professional organization, this could be one way to start the conversation toward something much greater. How would you advise companies considering this strategy? Think with the end in mind. Before you write the letter, think about your desired outcome and talk about it internally. You will want to make sure the letter is accurate and viable so you can continue to pursue your desired opportunities in the marketplace. Then, put your best foot forward. Keep in mind, your letter may be read by unintended recipients such as news media or your main customers. If you write a strident and aggressive letter, your competitor may find a way to use it against you in the marketplace. When done right, you could turn your competitor into an ally.

## 3: How To Protect Your Intellectual Property Rights

*Abstract. Attention to the asset value of intellectual property (IP) has traditionally concentrated on high-value patent sales and licenses. This narrow focus neglects non-patent assets held by a broader set of economic agents, such as trademarks, and overlooks the evolving ways owners are employing and monetizing their intangible assets.*

Owning the rights in a patent, however, does not equal actual cash flow unless you take additional steps to monetize those rights. Monetizing changes your intangible asset -- the patent -- into a stream of revenue. Patent monetization has become increasingly important as companies realize that a properly managed patent portfolio in this technological and Internet-driven age can sometimes generate more income than ordinary operations.

**Outright Sale** The quickest way to monetize patent rights is to sell the patent to an interested buyer. Selling it to another company that has the infrastructure to make use of the patent immediately can be the easiest way to put cash in your pocket.

**Licensing** Your rights in a patent are actually a bundle of rights that allow you the first crack at profiting from your invention. You can sell a portion of those rights, rather than selling the entire patent outright. Licensing the patent to another party allows that party to make use of your invention in exchange for paying you a royalty. Licensing agreements can include many different types of permissions and restrictions on use, but the bottom line is that they turn your patent rights into cash flow.

**Enforcement** Patent enforcement monetizes your patent rights by defending the patent against infringement in court. Successful protection of your patent in court against infringement can result in awards of damages and settlement agreements. In both instances, your patent rights generate money for your pockets.

**Patent Pools** Placing your patent in a patent pool can generate cash. A patent pool is a grouping of related patents centrally managed for the benefit of all of the patent holders. Pooling makes it easier for interested parties to license the patents, because disputes between owners regarding infringement are not an issue. The pool also establishes reasonable licensing rates, making it easier for licensees to access the patents.

**Release Strategy** Patents can also be monetized through a partial release strategy. This strategy releases some part of the patent for free public use, knowing that use of the free part will result in an increase in income elsewhere. For example, a software company with a program patent can release a part of the program code as open source. This allows anyone to use that part of the code. Meanwhile, the company retains rights to the full version of the program, which more advanced users will buy. The company benefits from the increase in the user base from the open-source program and can generate additional income by designing support services that help people using both the open-source and advanced programs.

## 4: Using Competitive Intelligence to Enable IP Monetization - [www.enganchecubano.com](http://www.enganchecubano.com) | Patents & Paten

*Monetization of Patent and Other IP Trademarks to distinguish goods A patent troll's only business is IP monetization—it cannot be deterred by the.*

Clusters of technologies, application areas Market assessment Overlap all companies in a technology Competitive assessment Overlap all competitors in a market Acquisition analysis Overlap of buyer and acquisition portfolio EoU candidates Prioritize which patents to read first Harvest taxonomy Extract a taxonomy from the patents themselves Model a taxonomy Automate the taxonomy using classifiers Crowded space white space Identify high and low density of patents Document analysis Analyze patents and other documents together Analytic evaluation of negotiation potential Evaluating negotiation potential is a combination of objective and subjective factors; you can use analytical tools for this evaluation as long as you are applying those tools specifically to the opportunity at hand. Some pointers that will help include: Some patents are written differently than others because of their related technology; patents relating to semiconductor processes, integrated circuits schematics, systems operation, and software are typically written differently and may require a different analytical model. Ensure the words in the claims are supported in the disclosure. If they are not, the patent value is reduced. Measure validity based on different word structures in the claim. Instead of measuring word count, you may want to examine how many unique words a claim includes, or how many unique concepts or action words are included in a claim. A broader scope within a claim, or a claim that is covered globally increases its value. Get an accurate picture of provable use. Analytical tools can only help so much, and in order to determine the provable use of a claim it should be reviewed by a subject matter expert. Analytic evaluation of economic impact In evaluating economic impact, we are really looking for foundational patents; patents that enable new technologies and applications, rather than patents that refine these technologies. A popular patent attribute to reflect this is forward references, on the assumption that patents with more forward references tend to be older and can be considered foundational. Alternatively, landscaping tools can help identify foundational patents in bulk, comparing attributes of a large cluster of patents that together enable a technology. Landscaping tools help identify foundational patents Figure 3 shows the patent portfolios of several companies mapped to identify technology clusters. The older patents in each cluster would typically be foundational patents, and would generally have a higher economic impact. Make well-informed decisions about enforcing, buying or selling, and abandoning your patents Decisions to enforce Typically, the upper management of a company provides direction on how the patent portfolio should be used. This direction, combined with the question: There are several ways enforcement can support your business: It can give you greater freedom to operate — analyze: For example, in areas of crowded space, meaning where you have an oversupply of assets in one area, there may be the opportunity to sell. It will be helpful to define the criteria by which your organization will determine whether to buy or sell. Areas of over-patented art Patents that are expensive to detect The innovation is worthwhile, but the addressable market is small Patents that are nearly expired Patents in areas of legal uncertainty Patents outside of the core areas of business that are unlikely to be used in counter-assertion efforts Decisions to abandon The criteria to determine which patents to abandon are simpler to identify and assess: The claim is undetectable The innovation was not accepted by the market, and is not expected to be Maintenance fees are imminent and the evidence of use is difficult to detect There are quality issues — poor claim construction, unsupported words, claim limitations, or the claim is too narrow Significant cost savings can be realized by abandoning patents that meet the above criteria. Make adequate preparations for negotiation Preparation for negotiation The steps you take to prepare will need to be adjusted to suit the specific negotiation at hand. Generally, you will need to compile similar types of information whether you are preparing to assert, defend, buy, or sell: If the negotiation will involve asserting your patent rights: First, know your opponent. Otherwise, you may find yourself in a position where you go to assert, and get hit hard by your opponent in response. Identify the major sources of revenue for the potential licensee or defendant in terms of the products generating this revenue and geographic distribution of the sales or manufacturing of these products. Select exemplary products that

represent a large proportion of each revenue segment, and that are representative of the features of many of the products in the segment. Determine which of your patents have the potential to develop evidence of use regarding the exemplary products. Gather information to understand the technology platforms in these exemplary products such as product literature, regulatory filings, or existing reverse engineering material. Sort your portfolio by technology, use analytics regarding existing evidence to prioritize your patents, and have subject matter experts identify candidate pairs of your patents and target exemplary products. This is followed by a set of investigations to find evidence of use, include further reverse engineering. The number of evidence of use documents you might prepare depends on your negotiating strategy and the target. Ultimately, to maximize license, you will need to show infringement of innovations in as many of the target revenue segments as possible. Scale the amount of material needed for such a negotiation based on the potential for your patents may be weakened by prior art or IPR filings and the anticipated leverage the defendant may have in a counter assertion. Analytical tools and subject matter experts can help you determine portfolio valuation, and the data these sources provide will inform your overall monetization approach for each opportunity. About the Author Martin Bijman is Director, Intellectual Property Products at TechInsights where he is responsible for ensuring customers find and receive the highest value products and services to help achieve their intellectual property goals.

## 5: How To Monetize Intellectual Property - Heer Law

*Cease and desist letters can be used for more than stopping trademark infringements – they can be invaluable marketing opportunities. "There are a lot of ways to turn a possible negative into a real business positive," says Tom Speiss, shareholder and trademark attorney at Stradling Yocca.*

This article offers a step approach for creating a business strategy to monetize your intellectual property. Wondering why you should do this exercise? By completing this exercise, you might find untapped resources right under your nose. Start by critically assessing i the strengths, ii the weaknesses and iii the opportunities within your business. This should include a review of the strengths, weaknesses, and opportunities presented by: Quantitative and qualitative methods of evaluation can be helpful here. Quantitative valuations rely on measurable data to produce an estimate of asset value. Qualitative valuations provide a non-monetary estimate of value through intangible metrics e. These two types of valuation should not be treated as mutually exclusive. You can read more on the methods of quantitative and qualitative valuations, as well as how to conduct them, in this IP valuation primer. You can then assess various monetization strategies to determine which one yields the greatest short and long-term profits. There are a number of common monetization strategies that can be explored, including commercialization within the business, co-development, licensing, securitization, and spin-out. You will also want to consider some of the less tangible benefits of each monetization strategy e. Set Short and Long-Term IP goals Unlike your broader strategy, your IP goals need to be precise, quantifiable and sensible to be actionable and easily assigned for achievement. Specific; Measurable; Actionable; Rational; and Timely. If as a result of completing the first 5 steps of this exercise your mission or vision has changed or needs to be reconsidered you may want to think about the following to help you reformulate it: What do we do better than our competitors? How can we secure and monetize our competitive advantage? What value do we bring to our consumers? Set Timelines Without SMART goals with a definite foreseeable outcome, it is difficult to create a fully functional monetization strategy. It is also important to setup a timeline by which your strategic objectives are to be accomplished. Communicate Strategy Only to Relevant Parties Remember that your monetization strategy itself is an intangible asset, and as such should be kept confidential from competitors and other entities not involved in your business. Reveal to others only as much as they need to know to be effective in their role. Implement Performance Tracking Systems Tracking key performance indicators in your day-to-day operations will allow you to catch when you are off course in moving towards your goals and give you the opportunity to make corrections. Performance measurement should involve tracking milestones i. Relevant metrics can include profitability, market share, month-by-month and annual growth of revenues for the commercial goods backed by the IP asset, and in some cases growth of royalty payments from licensees involved in commercializing the asset. Adopt an IP Review Process to Maintain Value and Identify New Opportunities For your intellectual property to continue to bring value to your business, it must be constantly reviewed and maintained. This includes not only administrative items like timely paying maintenance fees, but also seeking and seizing opportunities to file new applications for IP rights and subsequently monetizing those IP assets. Christopher Heer is the owner and founder of Heer Law. He is an intellectual property lawyer, registered patent agent, registered trademark agent, and is also certified as a specialist in intellectual property law patent by the Law Society of Ontario. He believes that intellectual property rights add tremendous value to businesses by enabling them to raise capital, build asset value, and grow faster under the protection that these exclusive rights give them. Toba Cooper is an associate lawyer and registered trademark agent at Heer Law. She has a blended intellectual property prosecution and litigation practice in trademark and copyright law. She frequently provides advice on IP clearance and availability and brand development and enjoys working with her clients to integrate IP monetization strategies into their businesses.

## 6: MONETIZE IT! Trademark of Asarnow, David Serial Number: :: Trademarkia Trademarks

*patents, trademarks, copyrights and trade secrets, along with other intangible assets if desired, in suitable categories - with at least a rough valuation of each asset.*

The goal is to increase the assets and revenues that derive from technology and innovation, while decreasing liabilities and expenses. A good beginning is to prepare an IP financial report, adapted from conventional financial statements. Such a report includes: Managers can use an IP financial report to track return on IP investments and to improve performance over time. They can find practical strategies for increasing assets and income and reducing liability and costs by placing a value on each asset. For operational purposes, IP assets should be valued along two axes: Core assets with high market value merit the most intense level of IP protection, through acquisition and in-licensing. Core assets with low market value should be maintained at moderate cost. Non-core assets with high market value should be sold or licensed out, and non-core assets with low market value should be abandoned to reduce costs. Managers who know the value of their assets can do a better job. Dealmakers can negotiate harder for core assets, and be more flexible with non-core assets. It may be worth fighting over core assets, while quitting or settling may be the best approach for non-core assets. These general guidelines hold true in most situations, but will lead to very different results depending on the business goals of a company and the value of its various assets. Monetizing IP requires skillful management, bringing together business leadership with the legal and creative teams. Companies who follow this approach can achieve improved performance. By now, all companies should be considering how they, too, can increase the assets and revenues that derive from their IP, while decreasing the associated liabilities and expenses. Intangible assets include the basic IP rights that are legally recognized as property: Intangible assets also include loosely defined but extremely valuable internal attributes like human capital, know-how and operating systems, as well as reputation and external relationships, and the resulting expectation of growth known as goodwill. These assets are not usually listed on conventional balance sheets, because the accounting standards and practices for intangible assets are erratic, uneven and not much help in managing IP. Therefore, intangible assets may seem disembodied and disconnected from money, existing in some kind of shadow economy. As an IP attorney, working in tough economic times, I have become convinced that management decisions relating to IP and other intangible assets can be improved substantially by tying them more closely to money, and by considering basic accounting principles. Most companies can monetize their IP, and the triggers for doing so are many. These include buying, selling or starting up a business or product line; forming a new strategic partnership; or making strategic investment decisions. Technology companies can monetize their patents and trade secrets in new drugs, consumer products or e-commerce services. Media companies can monetize copyright in their holdings. And any company with strong brands and a presence on the Internet should be looking at monetization via trademark protection and licensing. Even nonprofits can monetize their IP to help meet their charitable goals, through brand recognition, new revenue sources and creating bargaining chips for partnerships. Whenever these companies make budget decisions about investing in their own innovations, or acquiring assets from others, they should try to monetize their IP. How can corporate leaders accomplish these goals? The answer will be different in each industry and for each company. Companies may protect their own IP assets or acquire them; they can out-license to others, litigate or avoid litigation. A good way to find the best path for each company is to consider what we may refer to as the basic arithmetic and geometry of IP monetization. IP financial reporting arithmetic Simply put, a successful business is one that has a strong financial position. It has more assets than liabilities, and more income than expenses. Generally speaking, these corporate characteristics are captured in a financial statement or financial report, including: Thus, there are four basic categories of data in a financial report – assets, liabilities, income and expenses – with two ultimate sums – equity and profit. The higher the equity and profit, the stronger the company. The lower they are, the weaker the company. In this light, managers should pursue IP monetization strategies if they can help demonstrate higher corporate equity and profits. The liabilities that relate to intellectual property are even more unevenly reported. IP-related risk and liability can include legal exposure for

infringement damages or the cost of injunction in litigation, out-licenses to other parties, government march-in rights due to federal funding, liens and other IP security interests. There are only a few ways to manage such risks – buy insurance if available, contract away the risk to someone else, or manage and bear the risk internally. Finally, although expenses for obtaining IP rights and income from licensing are sometimes accounted for as separate items in an income statement, this is rarely done in a systematic or consistent way that helps manage the assets to best effect. For example, when patents are acquired from others, they can be counted as capital assets, but the same patents developed through internal research are not. One good reason for finding a workable system for accounting for IP assets is that "what gets measured, gets done. The approach to IP financial reporting set forth borrows from the basic principles of accounting, but takes liberties where necessary for IP management. This approach may lack the rigor of accepted standards, but also avoids fallacies as noted above. Ultimately, along with organizations such as the Intangible Asset Finance Society, I hope that IP managers can take the lead in developing new accounting standards, and that accountants will then improve and apply them in the future. Setting up an IP-oriented financial statement can free up management to evaluate and use IP more directly for corporate benefit. The IP balance sheet can be based on a typical IP portfolio spreadsheet – an inventory of patents, trademarks, copyrights and trade secrets, along with other intangible assets if desired, in suitable categories – with at least a rough valuation of each asset. Valuation is a separate topic touched on briefly below. The IP balance sheet also shows IP liabilities – payments due for acquiring rights, the risk of infringement of IP rights of others, risk of being blocked from a lucrative market, etc. Assets minus liabilities gives a rough valuation of the IP equity of the company. The expense side includes all procurement costs for patent prosecution, trademark prosecution, in-house IP staff, outside counsel, litigation expenses, and royalties and payments attributable to avoiding the IP rights of others. The maturity of the product and the pipeline for improvements can be factored into projections. For example, costs of obtaining IP assets often precede revenues, and revenues that derive from selling products or services may be hard to attribute to specific IP assets. But on the whole, the sum of income and expenses can show roughly whether IP is a net gain or loss for the company. This IP management arithmetic allows a company to determine its performance in terms of whether it has more IP assets than IP liabilities, and whether it has more IP income than IP expenses. Performance can be compared year over year, and compared to competitors, and adjustments can be made in IP management to improve performance. As explained in the next section, IP management approaches can be explained by a sort of geometry. IP monetization geometry

The central point in strategic management of IP is to categorize each item or asset according to two types of value – internal and external. Second, how valuable is the technology or asset in the marketplace? With the answers to these two questions, we can place each IP right or intangible asset in one of four quadrants, and manage them accordingly. The first quadrant, in the upper right, includes core assets of high importance to the company, with high market value. For a pharmaceutical company, this would include the chemical structure of a drug. A razor blade design would be a core high-value asset for a consumer product company. For an e-commerce company, this quadrant would include a software application for managing internal and external communications. Companies should aim to acquire and protect assets in this category, to build their IP portfolio. The second quadrant, in the lower right, contains assets that are valuable within the company, but have lower value in the marketplace. The pharmaceutical company would place most methods for manufacturing its drugs here; the consumer products company might include the network of suppliers and specifications for its razor parts; and the e-commerce company might view personnel performance evaluation software in this category. These assets should be protected from loss or erosion, but at a lower level than core assets in the first quadrant. Trade secret protection is appropriate, some patenting is possible, and there are other lower cost approaches. The third quadrant, in the upper left, offers the greatest opportunity for generating income from IP assets that have no intrinsic value to a company. For example, these assets may relate to an older technology that has been transcended by recent developments. But they still have high value to others, and are prime candidates for spinning out via licensing or assignment. For example, in , Toyota licensed hybrid technology to Ford, amid reports Toyota was moving on to a new generation of hybrid technology. Ford and Toyota just announced a broader alliance to apply hybrid technology to pickup trucks.

But the project faces challenges because many of the patents have already been licensed for certain uses. Revenue-generating methods for this quadrant include IP securitization<sup>2</sup> and many other approaches,<sup>3</sup> some of which have already been patented. Such lost assets may also be donated to charity for a tax deduction, although the valuation rules are quite strict and the valuation may be minimal. Psychologically, it is very difficult for companies to kill off IP assets, but using the geometric quadrant approach described here, the case for abandoning those obsolete assets becomes quite compelling, as does the need to invest resources in the more valuable assets. Several general lessons can be drawn from this four-way categorization. Companies should aim for having many assets in the first category high internal and market value, with some assets in the second category high internal and low market value. As internal strategies change, assets that were in these core value quadrants may shift over to the low internal value quadrants – the third with high market value and fourth with low market value. If so, the management approach should change toward divesting or abandoning these assets. Also, as market forces change, assets that were once in the first and third category with high market value may drop down into the second and fourth quadrants with low market value, reducing the recommended intensity of protection. Assume assets can be monetized. Larger companies face challenges in deciding which assets are core and which are noncore, but at least that decision is an internal one. It is harder to determine whether a technology or asset has high or low market value. Trial and error may be required to obtain enough evidence for a reasoned decision about market value. A proactive approach to monetizing IP assets can begin with the hypothesis that an asset has high market value. Try to license it if it is a core asset or sell if it is a non-core asset. If diligent efforts to sell the asset fail, then this supports re-categorizing the asset as one having low market value. That is, assets in the first and third quadrants would fall to the second and fourth quadrants. In short, to maximize financial returns, assume high market value, test that assumption and reject it if no market can be found. The same system of mapping the value of internal corporate activities into quadrants can help decide how to respond to the threat of enforcement of IP rights belonging to others. For core activities in the upper and lower right hand quadrants the first and second, quitting is not an option, and the company must decide whether to acquire the right to practice the technology, design around to avoid the IP right or litigate to win. If the market value of the asset is high, as in the first quadrant, expect a tougher battle and more expensive resolution than if the market value is low, as in the second quadrant. Non-core corporate activities, on the low internal value quadrants, present a simpler situation.

## 7: Monetize trademarks Archives | BananaIP Counsels

*Business management and consulting services regarding the planning, evaluation, use, acquisition and monetization of intellectual property. Strategic planning for aligning business objectives and market development to realize financial objectives.*

Last updated on October 29th, Until recently, companies primarily used intellectual property IP “-trademarks, copyright, patents, and other types of intangible assets protected by law”-defensively and followed the traditional sequence of inventing, developing, manufacturing, marketing, and selling an invention. Companies find themselves sitting on prodigious portfolios of IP, intangible assets of which they use only a small portion in their primary products and services. Rather than allowing these assets to remain inactive, many businesses have found a way to monetize their IP without ever actually producing it. Below, we explain how, by leveraging their IP in the following ways, companies have minimized risk, increased revenue, and encouraged capital formation.

**Trademark Licensing** When a licensor, or trademark owner, grants a licensee the right to use its trademark in commerce, the result is a contract known as a trademark license. While trademark licensing is old news in some industries think of celebrities licensing their names for perfumes or restaurant corporations creating franchise agreements , the practice has just begun to evolve in other industries.

**Collateralization** requires lenders instead of investors, with lenders extending credit in exchange for IP collateral. **Patent Donation** Image via Flickr by JD Hancock In addition to its value as a monetization tool, patent donation has highly attractive tax benefits.

**Patent Sales** Just like personal property, IP can be sold, conveyed, or transferred to generate revenue.

**Mergers and Acquisitions** The purchase or sale of corporations often involves an IP monetization analysis. During the due-diligence phase of acquisitions, companies typically examine their targets and relevant IP assets. After this analysis, managers must examine how they will exploit the assets they will gain. These assets are then divided according to whether they would generate more revenue through donation or licensing.

**Royalty Securitizations** Image via Flickr by dwhartwig Companies increasingly are taking creative approaches to financing IP assets. In , rock musician David Bowie issued asset-backed securities, or bonds, of present and future revenues of his first songs 25 albums recorded before The bonds have long since expired, and Bowie now owns the rights to all of his songs.

**Trademark Securitizations** Another massive and relatively untapped source of revenue, trademark securitizations involve the sale of rights to use a trademark in exchange for royalties from the licensees of the IP rights. The strength of its brands enabled Dunkin to fully repay its debt through the monetization of its IP. In the current economy, whether you use IP in the traditional sense has very little bearing on its potential value to your bottom line. With monetization techniques like patent sales and third-party licensing, you can derive systematic value from your IP without having to produce anything. Do you have questions or concerns about how to monetize and protect your intellectual property? Morales founded his trademark law practice in January with the goal of providing intellectual property expertise to entrepreneurs and businesses around the country.

### 8: How to monetize your trademark cease and desist letters - Smart Business Magazine

*IP Monetization for Bankruptcy and Distressed Assets Identify, group and execute the sale of IP assets owned by reorganizing companies. In IP monetization assignments, we have been able to achieve substantial sums beyond the expectations of creditors and trustees.*

My channel is a modest one but is gaining traction, this made me happy. I received a message from Google suggesting that I can start monetizing my stuff because of views going up, but im scared because some of the characters are not original and have trademarks. I would probably jump off a building since I have spent tons of time crafting my animations. I see tons of people using characters that have trademark, and nothing happens to them. Be it flash animations, hand draw, or Minecraft skins. This guy, uses Goku, Vegeta, and bunch of Marvel DC characters, and he even rips off sounds from the series: All those guys are using characters with trademarks to create their content, and nothing seems to happen, they have been creating other videos, they have gotten millions of views, so their channel never got copyright strikes, or if they got, they are somehow doing fine. Im just trying to understand how this works. Im not part of any network. The storyline is original, the graphic are original, the music copyright free, the rest of sfx are copyright free etc. It has some sort of comedy feel to it, so maybe I could get away with claiming parody if that moment ever comes, but im still stressed. So please help me with this. I want to know, those guys are doing it and nothing happens to them, I want to be like them, because I put so much effort into my stuff, I want to be able to monetize my work. For example look at this guy: Do you think he can have problems to monetize it? This is a small Youtuber, so im worried, im on a similar situation. This guy is also not part of any network, as we can see here: How can networks save your ass as opposed to you being alone? At the end of the day the negotiation options in case there is a problem should be the same, network or not. Please sorry for a bunch of questions, im very stressed out, I spent a ton of time crafting an animation series which include some Dragon Ball characters, im finally gaining traction in youtube, and then I learned about the trademark stuff which killed my inspiration to continue, and im paranoid af about everything now.

## 9: Monetizing IP: The Executive's Challenge

*In light of the current marketplace, and against the (harsh) backdrop of corporate realities discussed above, IP monetization refers to the process of deriving value from patent, trademark.*

If government bonds that have come due are held by the central bank, the central bank will return any funds paid to it back to the treasury. Thus, the treasury may "borrow" money without needing to repay it. This process of financing government spending is called "monetizing the debt". Their debt purchases have to be from the secondary markets. Monetizing debt is thus a two-step process where the government issues debt Government bonds to cover its spending and the central bank purchases the debt, holding it until it comes due, and leaving the system with an increased supply of money. Debt monetization and inflation[ edit ] When government deficits are financed through debt monetization the outcome is an increase in the monetary base , shifting the aggregate-demand curve to the right leading to a rise in the price level unless the money supply is infinitely elastic. This does not reduce the value of floating or hard assets, and has an uncertain and potentially beneficial impact on some equities. It benefits debtors at the expense of creditors and will result in an increase in the nominal price of real estate. This wealth transfer is clearly not a Pareto improvement but can act as a stimulus to economic growth and employment in an economy overburdened by private debt. If the beneficiaries of this transfer are more likely to spend their gains due to lower income and asset levels this can stimulate demand and increase liquidity. It also decreases the value of the currency - potentially stimulating exports and decreasing imports - improving the balance of trade. Foreign owners of local currency and debt also lose money. Fixed income creditors experience decreased wealth due to a loss in spending power. This is known as " inflation tax " or "inflationary debt relief". Conversely, tight monetary policy which favors creditors over debtors even at the expense of reduced economic growth can also be considered a wealth transfer to holders of fixed assets from people with debt or with mostly human capital to trade a "deflation tax". A deficit can be the source of sustained inflation only if it is persistent rather than temporary, and if the government finances it by creating money through monetizing the debt , rather than leaving bonds in the hands of the public. Web sites and mobile apps that do generate revenue are often monetized via advertisements, subscription fees or in the case of mobile in-app purchases. In the music industry, monetization happens when a recording artist puts a video on the Internet and the platform where it appears shows advertisements before, during, or after the video. For each public viewing, the advertising revenue is shared with the artist or others who hold rights to the video content. Failure to monetize web sites due to an inadequate revenue model was a problem that caused many businesses to fold during the dot-com bust. Monetization of non-monetary benefits[ edit ] Monetization is also used to refer to the process of converting some benefit received in non-monetary form such as milk into a monetary payment. The term is used in social welfare reform when converting in-kind payments such as food stamps or other free benefits into some "equivalent" cash payment. From the point of view of economics and efficiency, it is usually considered better to give someone a monetary equivalent of some benefit than the benefit say, a liter of milk in kind. In many circumstances, this action may be illegal and considered fraudulent. For example, Moscow pensioners see below for details often give their personal cards that allow free usage of local transport to relatives who use public transport more frequently. Changes on the market: Russian social welfare monetization of [ edit ] In , Russia transformed most of its in-kind benefits into monetary compensation. Before this reform there were a large system of preferences: This system was a legacy of the Soviet Union, but it was heavily extended by populist laws passed by central and regional authorities during the s. By the law of 22 August , this system was converted into cash payments by various means: The main causes of friction in the reform were the following: The largest group " pensioners " was regional, and this caused most of the problems: In poor regions, financial pressure caused the local government to abolish these preferences with little or no compensation to the former recipients. Even if the preferences were retained, they would apply only to pensioners of the region in question. Thus, pensioners from the Moscow Oblast administrative region , for example, could not freely use the metro and buses in Moscow proper, because these are two different local governments. Later, most of these problems

would be solved by a series of bi-lateral agreements between neighboring regions. A wave of protests emerged in various parts of Russia in the beginning of as this law started to take effect. The long-term effects of the monetization reform varied for different groups. Some people received compensation in excess of the services they had previously received e. In some regions, more than half of the passengers formerly did not pay for municipal transport, but the government did not compensate the transport companies for the full fare of these passengers. Effects on the medical system are controversial. Doctors and nurses have to fill out many forms in order to receive compensation from the government for services provided to pensioners, thus reducing the time that they have to provide medical services. United States agricultural policy[ edit ] In United States agricultural policy, " monetization " is a P. Under section , private voluntary organizations or cooperatives are permitted to sell i. The currency generated by these sales can then be used:

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