

Cooperation & Commitment

Technological Startups and Universities IP Offices

Paulo Ferreira dos Santos

tomorrow.options@gmail.com



2004-06



Jan. 2007



Feb. 2007



April 2007



Nov. 2007



Jan. 2008



June 2008

Market

Feb. 2009

Researcher from FEUP

- other researcher
- 2 graduating students

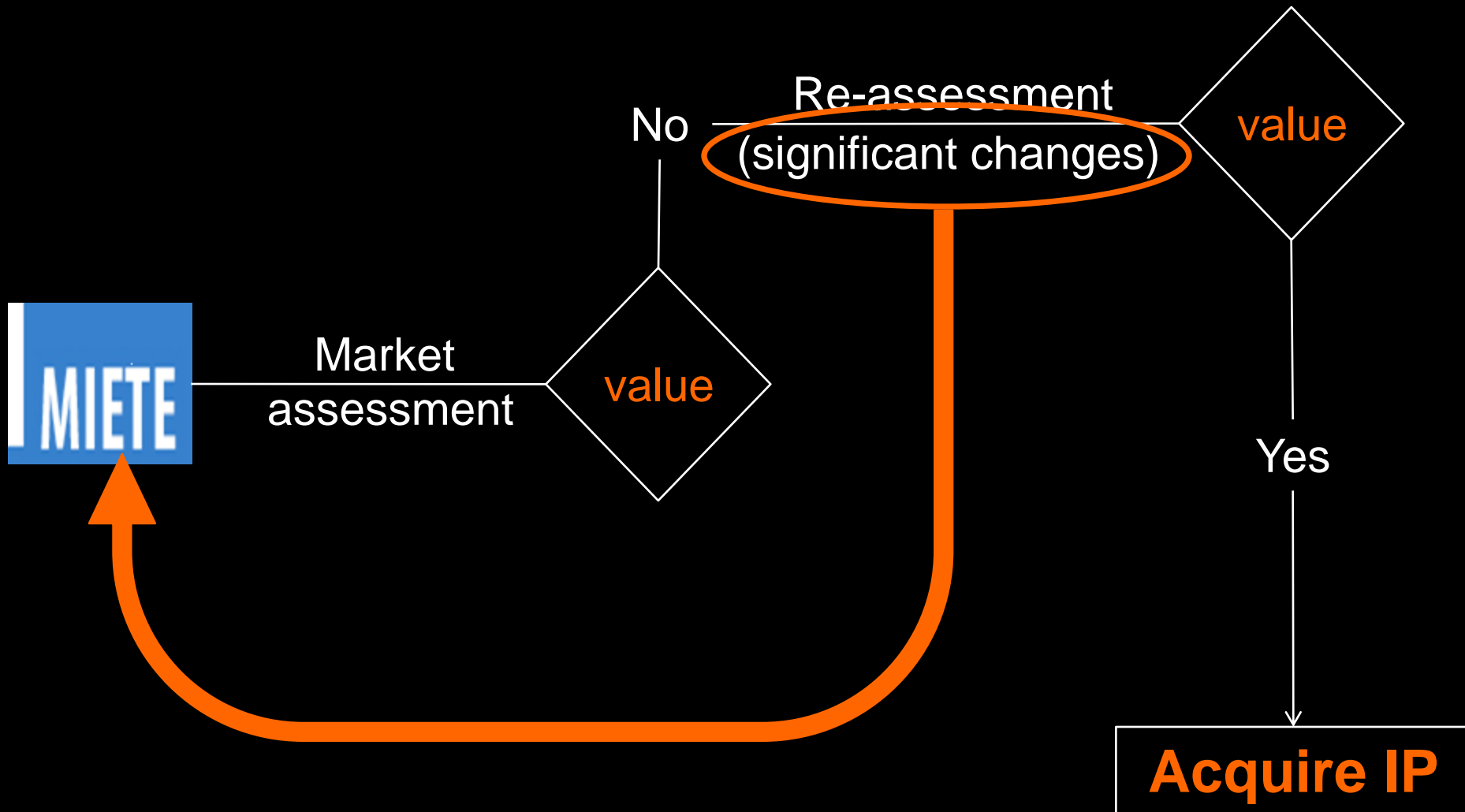
R&D Institute

Rehabilitation centre

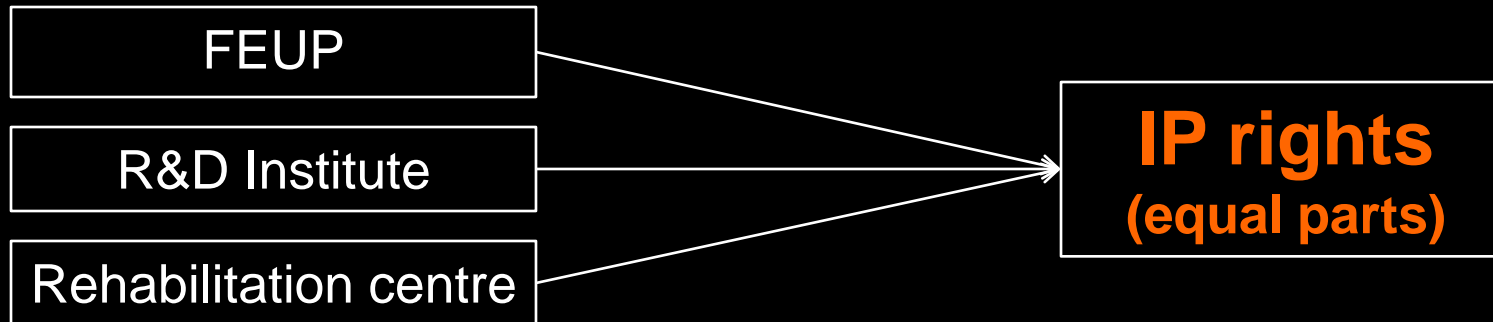
Prototype

Funds:

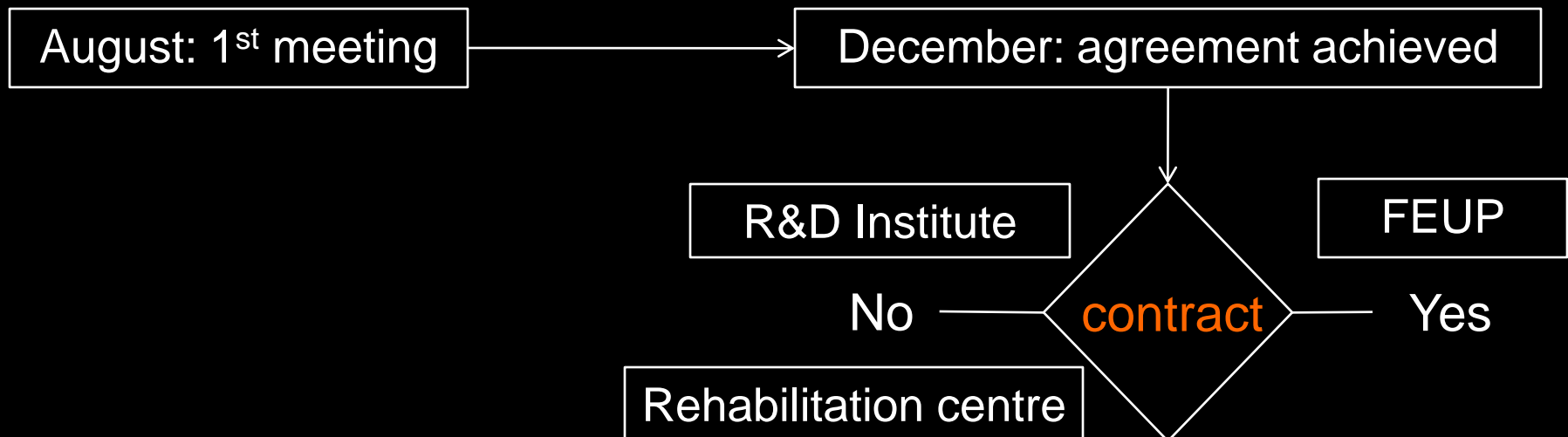
- **Grant from FCT**
- **Private foundation award**



September 2005 (each Faculty take care of their own IP)



2006 (University of Porto take care of the IP of all Faculties)



Prototype

- Doesn't include the promised features
- Proof of concept (new knowledge) wasn't achieved

2007



- Firm establishment
- Development of new prototype

U. PORTO

- Recognition of no knowledge in the technology from the R&D Institute and the Rehab Centre
- New negotiation with promoters and new agreement achieved... and signed

2008 (January)



**Patent filled
(equal parts)**

U. PORTO

- Short (or none) experience in IP transfer issues from all involved
- IP was considered an asset as itself. But, no one assessed the work done (or undone)
- Close relations (read personal) between FEUP and R&D Institute led to an “agreement of friends”
- A lot of ingenuity of all

- Product and services lifecycles are shorten. IP processes are the same for a long time
- Often is better to SMEs not to protect IP. Strategically, the balance is very difficult
- Today is almost possible to patent everything
- Rules are the same to large and SMEs
- SMEs lack resources to protect IP from the attacks of large companies
- It is difficult (and expensive) to deal with patent lawyers

- Tacit knowledge become more important. Researchers' collaboration must be “contracted” as condition to fill patents
- Some of the market assessment work must be done by universities IP offices, before patents are filled
- Relationships (SMEs and IP offices) must be managed as any other asset
- System must discriminate positively SMEs (PCT terms and intermediate litigation bodies)

- Tomorrow Options and University of Porto assumed their mistakes
- They learned with the process
- They have been trying to understand each other through a lot of formal and informal interaction
- Cooperation and commitment become a result of trust...even when we disagree
- After all UPIN (3 years old) and Tomorrow Options (2 years old) are very young entities

After a lot of sweat, time and resources
burned...

|walkin**sense**
Good Sense for Good Walk



Thank you

Some people see things as they are and say '*why?*'
I dream things that never were and say '*why not?*'

George Bernard Shaw