Norman Latker

From: Balakrishnan, Krishna (NIH/OD) [BalakriK@OD.NIH.GOV]
Sent: Friday, March 04, 2005 9:49 AM
To: techno-l@lists.uventures.com
Cc: 'James Heitner'; 'Phyl Speser'
Subject: RE: [techno-l] Web based access to inventions

Patent mgmt. org.

Phyl, Jim and others at techno-l:

I believe this note refers to one of the two posters that we presented at AUTM, from the NIH Office of Technology Transfer. I was told by AUTM that the attendees would get a CD-ROM of the conference proceedings in a few weeks. It would contain all the posters as well. However, if anyone cannot wait for their copy of the AUTM Proceedings CD, and is interested in an electronic version of the posters, please feel free to e-mail me directly at balki@nih.gov, with "AUTM Poster Copy" as the subject line.

Going back to the discussion, we found from our research that about one-third of the licensees came to us directly because of our marketing efforts, while roughly one-third came as a result of Inventor Contact and the last one-third could be attributed to Public Domain Information (publications, patents, Medline Search etc.). We then analyzed Marketing's contribution to the licensing efforts, and as expected there were several contributing factors. Of these, we determined that our own office website (http://ott.od.nih.gov) brought in a substantial number of leads, next only to personal contacts. This, however, could be somewhat of a simplistic interpretation, because we don't expect our website to be effective on its own. We promote our website itself in a very conscientious manner. I believe the a website cannot stand by itself, and all the other collateral marketing efforts act synergistically and if done right they can increase traffic to your website.

I am also convinced that there is a huge "Brand Equity" factor that plays a role in Technology Transfer-- why else would someone visit one website over another. Content does play a role but it is the Name and Brand of the Institution that initially attracts the visitor to your technologies, so I believe that one has to make "Branding" to be a central component of your marketing strategy.

I do not mean to disappoint the readers, but there is no easy or simple solution to finding licensees. Our second poster attempts to answer this question, by doing a cost/benefit analysis of the different marketing activities. Based on that analysis, our top three choices for investment in marketing would be: targeted marketing, personal contacts and a dynamic website. With the caveat, that it is critical to employ multiple marketing methods.

Please feel free to contact me off-line if you wish to discuss this.

Balki

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-----Original Message-----

From: Phyl Speser [mailto:phyl.speser@seeport.com]
Sent: Thursday, March 03, 2005 6:40 PM
To: 'James Heitner'; techno-l@lists.uventures.com
Subject: RE: [techno-l] Web based access to inventions

Jim;

For another data point, take a look at the poster sessions from the last AUTM meeting. There was one which addressed the efficacy of various approaches to marketing. Not surprisingly target one-on-one marketing was most effective. As the old adage goes, tech transfer is a contact sport. On the other hand, when integrated into a systematic targeted marketing approach, web based advertising of technologies had utility. I believe the poster was not directly on your point as my recollection is it addressed university run websites not portal services, but accessing the meeting posters would clarify that. Also when you figure running your own web site is almost free, why not. (There is a labor cost, but it is very low if the site is done by undergrad student aid recipients.)

Tootles.

Phyllis Speser, J.D., Ph.D.
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"If opportunity doesn't knock, build a door"
Milton Berle

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Norman Latker

From: Ed Suominen [ed@eepatents.com]
Sent: Monday, March 07, 2005 2:41 PM
To: techno-l@lists.uventures.com; wjacques@emanus.com
Subject: Re: [techno-l] Fw: [techno-l] Web based access to inventions

I wanted to comment, a bit belatedly, that I thought Wil's comment last week seemed like a well written and balanced summary of considerations for hiring what might be called tech transfer "subcontractors."

Not too long ago, Wil provided some invaluable professional assistance to me in completing the sale of a patent of mine, one that I wrote pro se back in 1997 before even becoming registered to practice before the PTO. I've come to know and like Wil quite well from that experience, and pay particular attention to what he has to say nowadays, as you might imagine.

--
Ed Suominen * Registered Patent Agent
Web Site: http://www.eepatents.com
+ Nothing above to be construed as legal advice
+ or the opinion of my firm or any client.

On Friday 04 March 2005 08:40 am, Wil Jacques wrote:
> In general, I would agree that the "expected services" provided by
> such companies may be deemed useless in the absence of a broader
> consideration. I contend that the much of the "services", if the
> nature of which is truly understood, would provide for a different
> point of view. Below is a brief list of those considerations:
>
> 1. Evaluation of the Technology - these companies generally profit
> only if the university profits (i.e., the Technology is eventually
> commercialized), so it spends (or should spend) a fair amount of
> resources determining the probability of commercialization and
> potential returns of the Technology prior to actual marketing. This
> can be an expensive undertaking and would not be fully performed in
> the absence of an agreement/contract to market. As a potential
> client, you should insist on this analysis and a report to the same
> in order to assure you are not wasting your time with a Technology
> that is DOA.
>
> 2. Speed of Execution- the course of business may require many
> meetings, documents, agreements, analysis, etc. be executed prior to
> substantive selling activity. Services provided in this realm are
> especially important for universities that are somewhat "impaired" in
> certain TTO functions including available resources, expertise, etc.
> In this regard one uses the services of such companies to bring
> additional capacity to the TTO.
>
> 3. Market Familiarity/Access - Very important, but not a show
> stopper. If your commercialization agent is dedicated to specific
> markets, vetting of your Technology may go quicker. However, such
> access should not be so heavily weighted to the point that one
> ignores other important aspects of commercialization, e.g. valuation
> and negotiation.
>
> 4. Negotiations - ever looked at the profile of many leading
> negotiators/litigators? You will find that their strength is in
> knowing the process and being able to quickly understand the intent
> and interests of all of the parties. They don't necessarily have an
> overall grasp of the Technology or market, but gain enough
> information in these areas to forge a "good" deal. I will pass on a
> couple of references in this regard: "The New Companion to Licensing

> Negotiations", Robert Goldscheider, and "the Power of Nice: How to
> Negotiate So Everyone Wins - Especially You!", Ronald Shapiro and
> Mark Jankowski.
>
> Considering the above, my experience tells me that the basis of your
> conclusion of "useless" may stem from the fact that few universities
> want to pay for the above services, or offer the "cream of the crop"
> of their technologies. As such, the old adages apply - "you get what
> you pay for" and "what you reap is what you sow". It is therefore
> understandable why a profit driven company may not perform as
> expected.
>
> Lastly, I always inform my clients that I cannot guarantee results;
> however I do guarantee performance and appropriate activity (e.g.,
> evaluation, presentation, establishing "bona fide" handshakes, so on
> and so forth). As the owner of the Technology, I recommend that
> universities employ performance measurement measures in their
> contracts with such companies. Still, you may not get to the holy
> grail of "commercialized" Technology, but all parties will be
> comfortable with the effort and know when to "abandon ship".
>
> Wil Jacques, Registered Patent Agent
> President
> Emanus, LLC
> Technology Commercialization & Marketing Services- Find It, Know It,
> Sell It!
> 172 Waterville Road
> Avon, Connecticut 06001
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> voice: 860-677-0640
> mobile: 860-214-6043
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>
> -----Original Message-----
> From: Brockbank, Brad [mailto:BrockbankB@NJC.ORG]
> Sent: Friday, March 04, 2005 10:07 AM
> To: RJRILEY rjriley; techno-l@lists.uventures.com
> Subject: RE: [techno-l] Fw: [techno-l] Web based access to inventions
>
> I would caution against painting these services with too broad a
> brush. They differ in their business models, who subscribes, etc.
> We've actually had a decent number of tire kickers contact us after
> seeing our technologies listed on Pharmalicensing. I give that site
> enough credit in a couple of deals we've done that I justified paying
> another year's fees (even though they just raised them to levels I
> think are harder to justify). There are free ones (for posting,
> anyway), but in our experience we have yet to see much value from
> them. Many of them are not associated with allegedly shady invention
> promotion firms -- Ron's perhaps justified paranoia not withstanding
> -- and are trying to address a real need that is not easily met.
>
>
> Brad Brockbank
> Manager, Intellectual Property and
> Technology Commercialization

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> Denver, CO 80206
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>
> -----Original Message-----
> From: RJRILEY rjriley [mailto:rjriley@rjriley.com]
> Sent: Thursday, March 03, 2005 8:15 PM
> To: techno-l@lists.uventures.com
> Subject: [techno-l] Fw: [techno-l] Web based access to inventions
>
> ----- Original Message -----
> From: "James Heitner" <jmh237@cornell.edu>
> To: <techno-l@lists.uventures.com>
> Sent: Thursday, March 03, 2005 3:32 PM
> Subject: [techno-l] Web based access to inventions
>
>
> I am interested in some feed back from some of the university
> licensing professionals (and un-professionals) here as to how they
> perceive these various offerings and business models. Do the
> services work well, and/or meet expectations? And what are the
> expectations exactly? Has the interaction been proactive? By both
> parties?
>
> === Reply ===
>
> I the absence of actual sales effort by someone which specifically
> targets he appropriate industry these services are in my opinion
> useless.
>
> Also, the invention promotion fraud industry has added such services
> as part of their pitch.
>
> Ronald J. Riley
> www.InventorEd.org
>
>

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Norman Latker

From: RJRILEY rjriley [rjriley@rjriley.com]
Sent: Friday, March 04, 2005 12:54 PM
To: techno-l@lists.uventures.com
Subject: Re: [techno-l] Web based access to inventions

----- Original Message -----
From: "Brockbank, Brad" <BrockbankB@NJC.ORG>
To: "RJRILEY rjriley" <rjriley@rjriley.com>; <techno-l@lists.uventures.com>
Sent: Friday, March 04, 2005 9:07 AM
Subject: RE: [techno-l] Fw: [techno-l] Web based access to inventions

Many of them are
not associated with allegedly shady invention promotion firms -- Ron's perhaps justified paranoia not withstanding -- and are trying to address a real need that is not easily met.

=== Reply ===

1) Most of the web sites posting inventions are not associated with invention promotion fraud.

2) My experience in marketing and my opinion based on feedback from other independent inventors is that these services are ineffective unless they are complimented with an active marketing campaign.

3) InventorEd's mission brings us into contact with many victims of invention promotion fraud. The average loss is $10,000-$15,000 and I have seen a few cases in the $30,000-$40,000 range. This industry now exceeds $300 million a year.

4) We now have about sixty volunteers, including over a dozen with law enforcement or investigative backgrounds. We compile massive amounts of data on the fraud problem and feed that data to journalists and governmental enforcement agencies. We actively help facilitate enforcement. We have an inside view which few organizations have on this issue.

5) We have infiltrated a number of these fraudulent companies. Based on feedback from current or ex employees we know that two of those companies are actively attempting to break into the university tech transfer arena to create a facade of legitimacy for their operation.

6) See our caution lists to get a feel for the scope of this problem.
www.InventorEd.org/caution/

Ronald J. Riley
www.InventorEd.org

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