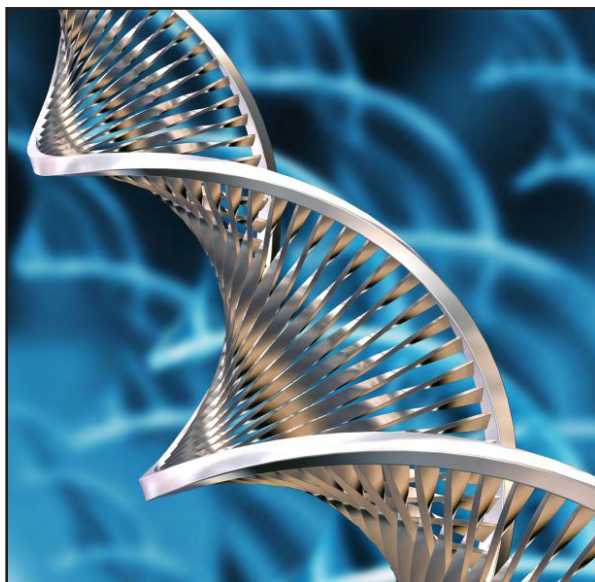


Biotechnology Licensing Strategy Case Study

EverEdge IP assisted a major New Zealand tertiary Technology Transfer Office (TTO) on a bio-technology licensing case against a tight deadline. Providing valuable advice on the intellectual property position of the niche technology and advising on critical terms for the license, the TTO is one step ahead of the licensee and poised to negotiate a better deal as a result.



About Client

The client is a Technology Transfer Office (TTO) of one of New Zealand's largest Universities. Its role is to commercialise and generate revenue from the research and development efforts of the University.

The Business Problem

The TTO was approached by an offshore nutraceutical company interested in licensing one of its bio-tech patents. Uncertain of the potential market and what the commercial terms of the license should be, the TTO needed more information before entering negotiations and

turned to EverEdge Intellectual Property for help. The TTO needed accurate information and clear strategic advice and the project had to be delivered against a tight time frame.

EverEdge IP Solution

EverEdge IP prepared a comprehensive brief outlining exactly the information required and the outputs that needed to be reached. After gathering key facts from the TTO, we rapidly conducted research in the relevant fields; examining the market potential, the intellectual property landscape of the technology and the universe of analogous deals that had recently been completed. The goal was to determine critical values for the terms of the negotiation, the likely set of settlement ranges for the deal

and from this develop a clear strategy to guide the TTO in the license negotiations. EverEdge IP used its knowledge network to contact experts in New Zealand and the United States, as well as its own extensive knowledge base to deliver a comprehensive and accurate set of recommendations, data points and guide points within the deadline.

The Result: EverEdge IP enabled the client to enter licensing negotiations in a strong and well informed position.

Innovation in Aviation Project Case Study

EverEdge IP assisted a national airline to determine the best commercialisation strategy for a creative new technology offering.



About Client

The client is well known in the aviation industry for its creative marketing strategies and its emphasis on innovation to compete against larger airlines.

The Business Problem

The carrier developed an innovative product that would set it apart from other airlines in a time of intense competition for premium economy class passengers. However the deployment of the product would be costly and complex and the carrier needed to understand what the options to commercialise the technology were

and the benefits and risks of each. EverEdge IP was approached to provide pragmatic and practical advice in advance of a key executive management meeting that would define the carrier's strategy around the technology.

EverEdge IP Solution

EverEdge IP worked closely with the carrier's key personnel to understand the technology and the bigger industry picture. A key aspect of the engagement was researching and assembling a comprehensive picture of the intellectual property universe in which the new technology operated and defining the strategic intellectual property leverage the new technology could command. EverEdge IP's in-house aviation expertise enabled us to quickly determine the most critical pieces of the puzzle and provide in-depth industry

specific advice that was unavailable from conventional sources. A comprehensive set of commercialisation options was drafted and presented to the senior management before the key executive meeting. The options took into account a wide range of issues and contingent scenarios to determine the carrier's best strategy to maximise return from the investment in the technology.

The Result: EverEdge IP enabled the client to objectively assess and select the best commercialisation option for its new technology.

Licensing Strategy for Dairy Giant Case Study

EverEdge IP assisted a dairy manufacturing giant in the formulation of a licensing negotiation strategy to acquire a critical new piece of technology that would significantly increase the manufacturer's competitive advantage.



Case Study

About Client

The client is a large New Zealand dairy cooperative and exporter. Its revenue accounts for significant proportion of New Zealand's total GDP.

The Business Problem

The dairy manufacturer developed a new technology which provides a significant competitive advantage against its offshore rivals and enables it to deliver product more effectively and flexibly. However to make the technology work the challenge lay in acquiring equipment and technology from multiple overseas suppliers. Negotiations to

access the technology needed to be swift, exclusive, and discrete so as not to alert competitors and ensure a good price was met. With little direct experience of licensing, the dairy manufacturer approached EverEdge IP to help it formulate a licensing and negotiation strategy that would enable it to achieve these goals.

EverEdge IP Solution

EverEdge IP worked closely with key client staff to fully understand the drivers for the client and the bigger market picture. EverEdge IP then completed a comprehensive review of the intellectual property behind the various target technologies. In depth research was also conducted around the dynamics of equipment market and the suppliers in the industry. From here a detailed outline of the dairy manufacturer's commercial and negotiation options emerged – it was determined that licensing, not corporate acquisition or mere supply would be the

most effective path to follow. The next step was to develop a comprehensive, stage-by-stage negotiation blueprint to acquire each piece of technology (some in parallel, some in isolation), including a detailed outline of the “must haves” and “nice to haves” for each technology from a licensing perspective. EverEdge IP advised on the formation of a strong negotiation team within the manufacturer and helped to coach them on the license negotiation plan which would be executed out over a 12 month period.

The Result: the client has a clear plan moving forward to secure its competitive advantage and the internal team has the capability to deliver against the plan.

Benchmark Study for Leading NZ Manufacturer

EverEdge IP assisted a leading New Zealand appliance manufacturer in a study to reduce the cost of managing and maintaining its intellectual property portfolio by driving better cost structures, service and efficiency from its existing patent attorneys.



About Client

The client is an iconic New Zealand company and one of the world's most innovative appliance manufacturers.

The Business Problem

The appliance manufacturer had built a significant portfolio of patents and trademarks crossing multiple technologies, filed in many offshore jurisdictions. The appliance industry is very competitive and relies heavily on research and innovation to stay ahead so being able to protect the intellectual property produced from its R&D program was critical to the client. However the cost of protection had grown exponentially and the client felt that its

existing patent attorneys were driving an intellectual property strategy that was both expensive and did not always address the client's commercial interests. Service levels had dropped, costs were escalating, competitive intelligence visibility was decreasing and the value the client's intellectual property function should have been providing was falling. EverEdge IP was approached to help.

EverEdge IP Solution

EverEdge IP worked closely with the client's Intellectual Property Manager to understand the situation and the client's needs. EverEdge IP then conducted an in-depth benchmark of the major patent attorney firms in New Zealand and Australia, comparing capability, costs and services provision across multiple service lines and engagement models. At the conclusion of the study, EverEdge IP was able to present the client with a comprehensive review of the provider options available, the strengths and weaknesses of each and the key points that the client should require in a future

service agreement. EverEdge IP then helped the manufacturer to select a new provider and ensure the relationship would provide the intellectual property protection services that the client needed both in the present and would require in the future. In addition, as a direct consequence of the engagement the manufacturer's selected patent attorneys reduced their rates by 7%, resulting in a six figure reduction in the client's intellectual property protection costs.

The Result: the client has reduced its costs dramatically and now has its patent attorney providing the services that the client needs.

Case Study

Viticultural Innovation Commercialisation Case

EverEdge IP assisted a viticulture enterprise with the commercialisation of its vine pruning technology; from assessing the strength of its intellectual property position to crafting an optimal commercialisation strategy. More importantly we provided critical on-going support throughout the implementation of the strategy which includes advising on the pitching and negotiation of the technology to major agricultural machinery manufacturers in North America and Europe.



About Client

The client has extensive experience in growing and managing vineyards. Such expertise resulted in the development of a new vine pruning mechanisation technology that solves important problems for vineyards and significantly reduces labour requirements and costs as well as improving the quality of vine growth.

The Business Problem

The client did not know the best approach to commercialise the technology. The client was not interested in exporting manufactured machines preferred to create an on-going income via licensing. Challenges lay firstly in the inherent industry-changing nature of the technology and secondly in successfully

negotiating deals to push the product into major offshore markets without having the intellectual property misappropriated by the larger players the client needed to work with. EverEdge IP was approached to assist the client with its entire commercialisation process.

EverEdge IP Solution

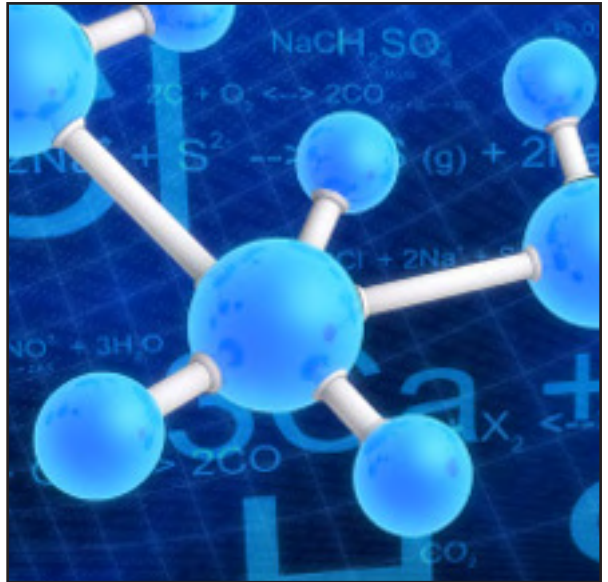
EverEdge IP worked with the client's management, technical personnel and Board to fully understand the technology and its industry-changing implications. By leveraging our international licensing expertise and experience, we quickly identified key problems the client would likely face. One such problem was the technology was so game-changing and powerful, that product demand may exceed the client's partners' ability to supply. We analysed the intellectual property position of the technology and determined that there were considerable incentives for competitors to enter the market with

copies and the Client's technology was at great risk of misappropriation if the supply could not keep up with industry demand. We crafted a set of strategies which took into account this problem and developed a comprehensive range of solutions that has ultimately positioned the client to maximise the return from their technology and avoid potential game losing strategic moves. EverEdge IP continues to work very closely with the client during its negotiation phase with large offshore players and at every step along the commercialisation path.

The Result: the client understands the scope of their intellectual property protection and is better prepared to negotiate and commercialise the technology to extract maximum value.

Nutraceutical Research Project Case Study

EverEdge IP was approached by a nutraceutical research company to undertake an Intellectual Property Position Review on its unique manufacturing technologies. Due to previous experiences with intellectual property the client had chosen not to file patents and the Intellectual Property Position Review conducted by EverEdge Intellectual Property was to determine if this current approach to intellectual property protection was the most commercially optimal strategy.



About Client

The client is a specialist in the nutrient extraction industry. This involves extracting valuable antioxidant compound polyphenolics from various fruits. The client employs an environmentally sustainable, water-only extraction system involving a number of proprietary technologies.

The Business Problem

The client had begun dialogue with a 31 billion Euro multinational cosmetic company for incorporating their nutrient extraction technologies into new cosmetic product lines. The client wanted to ensure their intellectual property strategy was robust enough to deal with such a large company and to ensure that they had the necessary information to strike the best possible deal. The client also wanted

to know if other aspects of its technologies could be exploited or leveraged for the pending negotiation. If protection was available, the client wanted to know the likely extent of such protection and whether commercially it would be worthwhile pursuing.

EverEdge IP Solution

EverEdge IP worked with the chief engineer and marketing manager to conduct an Intellectual Property Position Review, which involved identifying and analysing the intellectual assets behind the client's innovative manufacturing processes, technologies and products. Extensive prior art searching by specialist U.S. firms recruited by EverEdge IP was employed to determine the strength and scope of the client's intellectual property. The client's intellectual property position

was analysed and conclusions generated around the best strategy to protect the client's innovative technologies and how to manage the intellectual property being generated from future R&D. Following the analysis an Intellectual Property Strategy was formed that outlined how the client could leverage their intellectual property to best negotiate a deal with the multinational cosmetic company.

The Result: The client understands the strength of its portfolio, has the correct Intellectual Property strategy going forward and is better prepared for future negotiations.

Intellectual Property Audit Case Study

EverEdge IP was approached by a major functional foods company to carry out an Intellectual Property Audit. The Audit was conducted specifically to assist the company to prepare for an international trade sale.



About Client

The client is a major functional foods manufacturer which processes fruit in a manner that it retains its natural goodness. The health giving compounds of these fruits are extracted and converted into a form which can be readily

consumed to enhance metabolic effects and general health. The client was a venture capital backed company and had a significant intellectual property portfolio.

The Business Problem

The client had carried out research without considering the market opportunity or the possible intellectual property protection that could be gained. Intellectual property strategy had been sporadic and costly resulting in a fragmented patent portfolio that had little commercial value and a large number of trademarks which

were of little value. EverEdge IP was engaged to assist the client by auditing its intellectual property portfolio, determine potential risks and opportunities and develop an intellectual property strategy to go forward with.

EverEdge IP Solution

EverEdge IP worked closely with researcher staff and the management team to conduct a comprehensive and detailed intellectual property audit. This involved reviewing multiple classes of intangible assets as well investigating company systems, contracts and policies, including specifically human resources. It was quickly realised that a large portion of the company's commercial value; lay not in registered intellectual property assets such as patents but in trade secrets and

technical know-how. EverEdge IP worked with the management team to develop methods for optimally protecting such assets and to leverage them for the anticipated trade sale. Systems were put in place to align R&D to market opportunity. This turned R&D from an ad-hoc approach which added very little value into intellectual property assets that are aligned to market opportunities and generated strong commercial value.

The Result: The Intellectual Property Audit highlighted important issues in the client's intellectual property portfolio, de-risked the venture for investors and helped align research and development with market opportunities.

Software Licensing Strategy Case Study

EverEdge IP assisted a New Zealand based multinational mobile services company on a software commercialisation project. EverEdge IP analysed the open source license and the laws surrounding open source software to advise on options and potential ramifications for the company. As a result the company is more confident in their Intellectual Property Position and is in a better position to execute any commercialisation strategies.



About Client

The client is a multinational mobile marketing and advertisement services provider with offices across the globe. They specialise in creating innovative software which help clients better market products over latest generation mobile

networks. Their products and services ranges from mobile image recognition systems to advertisement tracking and monitoring packages.

The Business Problem

The client had developed a marketing campaign management system. Parts of the product utilised open source code, which posed risk to the product's intellectual property position and hence potentially limited available commercialisation routes and consequently

returns on investment in the development of the product. Uncertain about how and the extent to which the open source code would affect the commercialisation of the product, the client needed more information.

EverEdge IP Solution

EverEdge IP conducted a thorough analysis of the open source license under which the open source code was distributed. Background analysis of the laws and regulations regarding open source code was conducted for the various jurisdictions where sizable markets existed for the client. Market dynamics and the approaches of the other companies to these issues, such as Google and Microsoft were also investigated.

These studies enabled EverEdge IP to provide a full picture not just of the potential legal positions of the client but more critically the overall commercial implications of the use of the code. Strategies were developed for the client to minimise the risk and limitation of the open source code while maximising returns from the development.

The Result: The client has a comprehensive view of the benefits and risks of using the open source code and understand the strategies that need to be implemented to maximise commercial returns from their development.