

Intellectual Property in Communication Technology – Make your strategy pay

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Communication technology is an area where the importance and financial value of intellectual property is relatively visible; there have been recent well publicised disputes involving Nokia and Qualcomm and RIM (Blackberry) and EU and other high level discussions of issues surrounding standardisation and IP.

Thus few players in the field are ignorant of the potential importance of IP to a venture.

It is sometimes less clear, particularly to newer or smaller entrants to the field, how they might get to the position of having the upper hand, or at least a fighting chance, in an IP skirmish with a bigger or more established competitor.

It is worth noting that such skirmishes can be overt, such as an outright clash of rights, or hidden, such as a competitive tender against a party claiming to have rights making him a more attractive bidder. An answer is not simply to spend more money on building up an Intellectual Property portfolio, but to spend a proportionate budget strategically.

With almost all applied communication technology, by its very nature, there are multiple as-



pects involved, clients, servers, hardware, software, handsets, base stations, routers, switches,

protocols, packets, network management, customer interfaces.

Often a technical innovation will, on the face of it, reside primarily in one component of a net-

in association with



work. This may not necessarily be the area where the revenue lies. It may not be a component which is of interest to competitors or customers.

The engineer making the original innovation may not fully appreciate the scope of additional services which the innovation may facilitate.

A conventional, reactive, approach to identifying and protecting IP can fail to capture fully the commercial opportunities made possible by the innovation. The problem is exacerbated by some recent developments in approaches of patent offices in the UK, Europe and the US.

The detail of these is outside the scope of this overview but in brief the effect is to make it potentially both more expensive and more difficult to obtain adequate protection for an invention in the field of communication technology.

What is required is for IP and

technology to be viewed always in the bigger context of the business opportunities. This can be driven both by a top-down approach to looking for technology to support IP to protect business innovations and by applying greater strategic analysis to innovations arising. In this way, effort and protection can be targeted where there is greatest potential yield and much greater value can be obtained from a given IP budget.

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