

# Planning for a Profitable Future

John Orange  
FICPI Forum  
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# Overview

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- What do you want to be
- Reality Check
- Getting From A to B
  - Vision
  - Reality check
  - Preparing the plan
    - Succession plan

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# Types of firm

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- High volume filing
- Large corporation representation
- Domestic industry based
- SME/university
- Litigation
- Specialised technology
- Business counselling
- General law firm vs. IP boutique

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# Pros and Cons

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- e.g. Large corporate clientelle
- Pro
  - Steady work flow
  - Financially stable
  - Prestige
- Con
  - Conflict
  - Fickle
  - Commodity work

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# Vision Statement

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- “To be recognised as the leading IP firm in Canada for business focussed IP advice”
- Key words
  - Recognised
  - IP
  - Canada
  - Business

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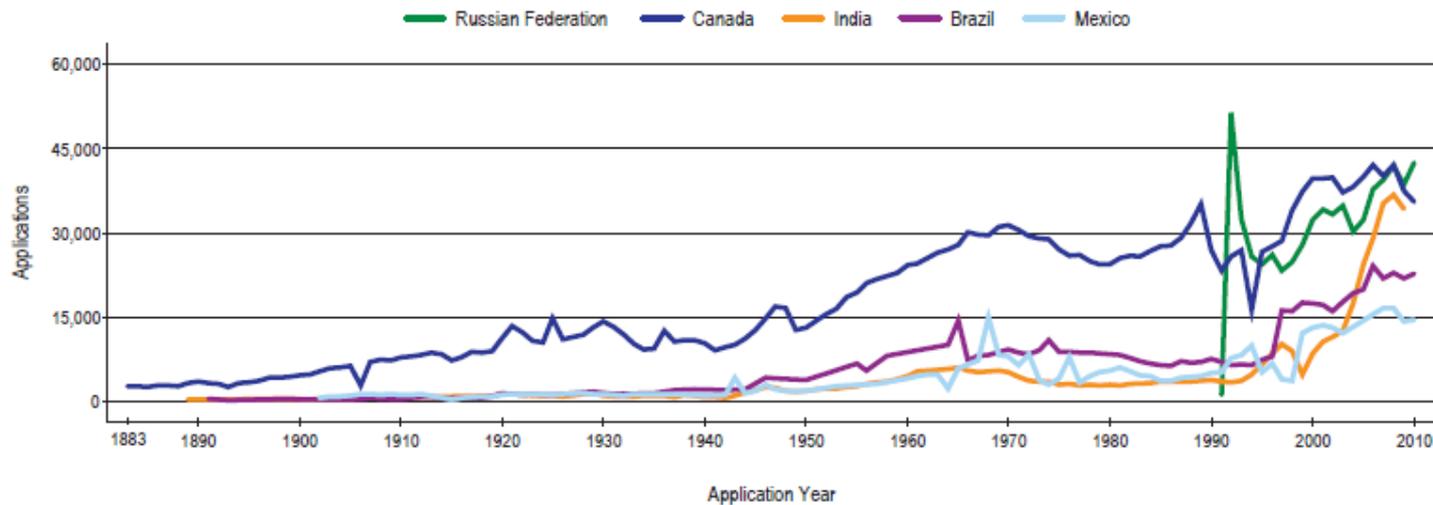
# Reality Check

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- Is vision consistent with other criteria
- Vested interests
- Conflicts
- Fact based
- Sustainability

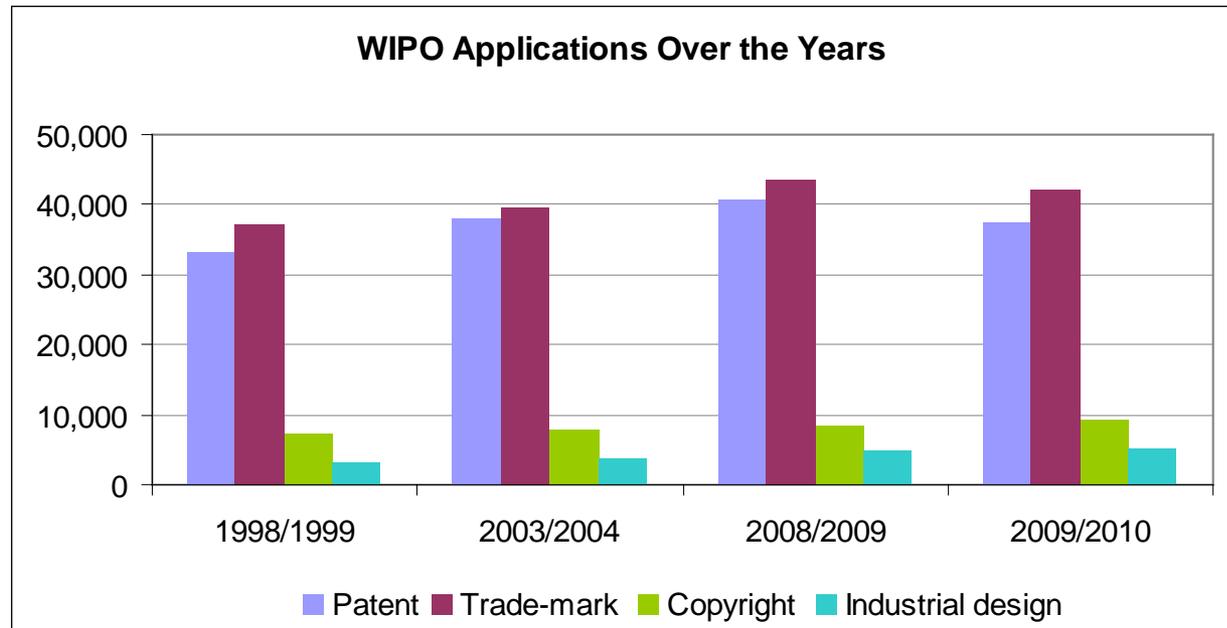
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# Selected Patent Office Filing Trends<sup>1</sup>



1. WIPO *World Intellectual Property Indicators 2011*

# Canadian IP Filing Trends<sup>1</sup>



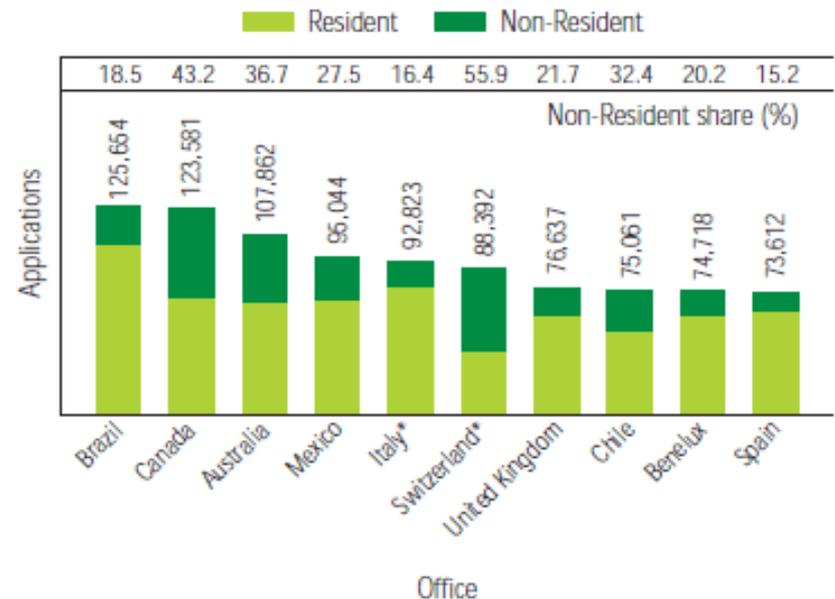
- Patent: 13% growth
- Trade-mark: 13% growth
- Copyright: 27% growth
- Industrial design: 61% growth

1. CIPO

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# Canadian Trade-mark Profile<sup>1</sup>

- Among the top 20 countries for trade-mark applications internationally
- About 43% of trade-marks are filed by non-residents (2010 figures)



1. WIPO *World Intellectual Property Indicators 2011*

# The Facilitator

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- Experienced
- Knowledgeable
- Neutral
- Respected
- Flexible

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# KeyAreas

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- Marketing
- Geographic Growth
- People Growth
- Technology and Infrastructure

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# Marketing

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- Internal
  - break down the silos
- External
  - formalise and rationalise
  - data based from statistical research

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# Manufacturing<sup>1</sup>

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- Aerospace
  - 5<sup>th</sup> largest manufacturer in the world
  - 78% of output is non-military
  - Supplies one-third of global demand for small gas-turbine engines and enjoys a 70% share of the global market for visual simulators
  - Supplies 25% of the market for civil helicopters and one-third of the market for landing gear
  - Industry statistics (2009):
    - Workforce – 83,000
    - Revenues – \$22.2 billion

1. Invest in Canada, Government of Canada

# Manufacturing<sup>1</sup>

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- Automotive and components
  - 3<sup>rd</sup> largest manufacturer in the world with installed capacity of 2.5 million units/year and accounts for 17% of North America's vehicle production
  - Accounts for 12% of manufacturing sector GDP in Canada
  - The U.S. and Canadian automobile industries are virtually integrated across the Canada-U.S. border.
  - Automotive industry statistics (2010):
    - Workforce – 109,345
    - Revenues – \$68.6 billion
    - Exports – \$49.7 billion

1. Invest in Canada, Government of Canada

# Manufacturing<sup>1</sup>

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- Chemicals and Plastics
  - 3<sup>rd</sup> largest manufacturing sector in Canada
  - Output doubled in past decade
  - Chemicals industry statistics (2010):
    - Workforce – 70,710
    - Shipments – \$44.9 billion
    - Exports – \$28 billion
  - Plastics industry statistics (2010):
    - Workforce – 17,550
    - Shipments – \$17.5 billion
    - Exports – \$6.7 billion
  - Key clusters: petroleum refining, petrochemical, fertilizers, inorganic chemicals, specialty chemicals, consumer products

1. Invest in Canada, Government of Canada

# Technology and Infrastructure

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- Investment for competitive advantage
  - E-filing
  - Search tools
  - Client portal

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# Geographic Growth

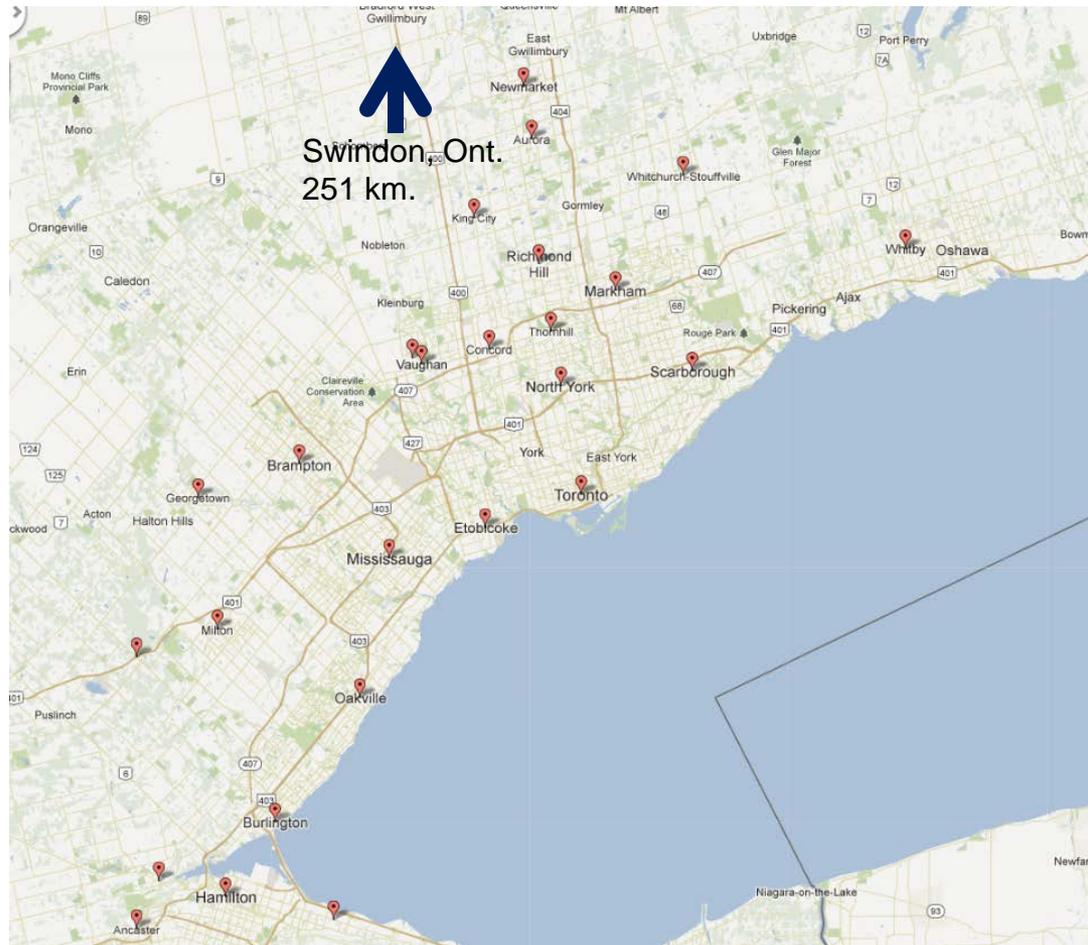
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- Where to grow?

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# Sample Mapping of Patent Assignees by Region

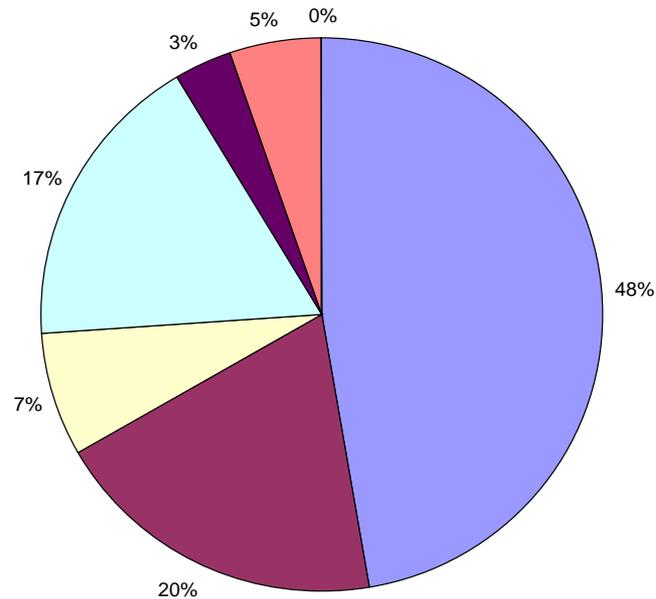
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# R&D Spending in Canada<sup>1</sup>

R&D Spending in Canada (2011, CAD millions)



■ Business enterprise sector

■ Federal government sector

■ Foreign sector

■ Higher education sector

■ Private non-profit sector

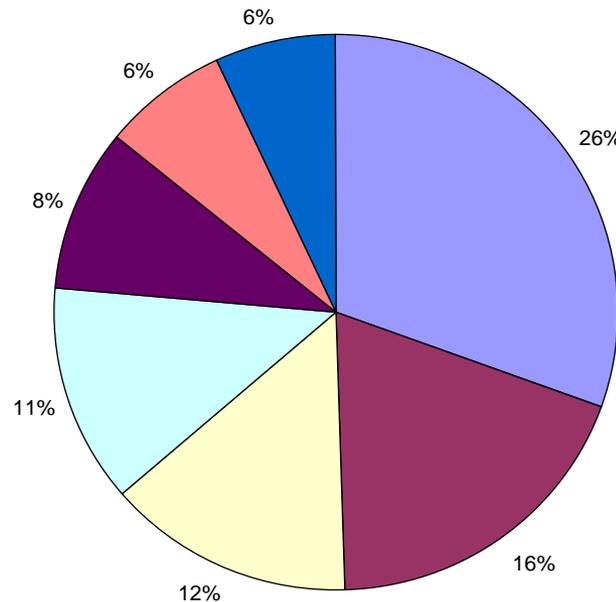
■ Provincial governments sector

■ Provincial research organizations sector

1. Statistics Canada, 2011 Intentions

# Corporate R&D Spending by Industry Sector<sup>1</sup>

Leading Industries by R&D Spending (Accounts for 85% of the total spending)



■ Communications/Telecom Equipment (12) ■ Pharmaceuticals/Biotechnology (26) ■ Telecommunications Services (4)  
■ Software & Computer Services (11) ■ Aerospace (5) ■ Energy/Oil & Gas/Electric Power (10)  
■ Transportation (4)

1. Canada's Top 100 Corporate R&D Spenders 2011 by Research Infosource Inc.

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# Government and Higher Education Spending in Canada<sup>1</sup>

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- Key Clusters
  - Nutrisciences and Health – Charlottetown, Prince Edward Island
  - Nanotechnology Cluster – Edmonton, Alberta
  - Information Technology and e-Business Cluster – Fredericton and Moncton, New Brunswick
  - Life Sciences – Halifax, Nova Scotia
  - Photonics – Ottawa, Ontario
  - Sustainable Infrastructure – Regina, Saskatchewan
  - Aluminum transformation – Saguenay-Lac-St-Jean, Quebec
  - Plants for Health and Wellness – Saskatoon, Saskatchewan
  - Ocean Technology – St. John's, Newfoundland and Labrador
  - Fuel Cell and Hydrogen Technologies – Vancouver, British Columbia
  - Biotechnology/Biomedical – Winnipeg, Manitoba

1. National Research Council, Government of Canada

# Evaluation matrix

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- Create evaluation matrices – industry type, company, region
- Sample matrix (0-3 per category):
  - Nanobits – start-up company in Edmonton
  - Generic Pills – medium sized generic pharma in Montreal
  - Brock Oil – large oil services firm in Calgary

Company	Business conflict	Core Interest	Skills	Office	IP Filer	Firm Client	IP Client	Total
Nanobits	0	1	3	1	1	0	0	6
Generic Pills	-20	3	3	3	3	0	0	-8
Brock Oil	0	3	3	3	3	3	0	15

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# People Matrix

	Patents			Trademarks		Litigation
	Chemist	Mechanic	Electrical	Prosecution	Adversarial	
<b>Very Senior</b>		X			X	
<b>Senior Partner</b>	X			XX	X	XX
<b>Junior Partner</b>			X			
<b>Sen. Assoc.</b>	X				XX	
<b>Junior Associate</b>			X	X		X
<b>Trainee</b>	X	XX				
<b>Paralegal</b>	X	X	X		X	

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# Succession

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- An issue for junior professionals
- At 63, prepare succession plan
  - Clients and organisations
- Vet by partner and executive
- Firm to reward good planning practice

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# Hiring

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- Formal lawyer recruiting
- Non lawyer agents
  - University co-op students
  - Mentoring program via retired practitioner

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