Planning for a Profitable Future

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FICPI Forum
Sorrento, 2013
Overview

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

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

• e.g. Large corporate clientelle

• Pro
  – Steady work flow
  – Financially stable
  – Prestige

• Con
  – Conflict
  – Fickle
  – Commodity work
Vision Statement

• “To be recognised as the leading IP firm in Canada for business focussed IP advice”

• Key words
  – Recognised
  – IP
  – Canada
  – Business
Reality Check

- Is vision consistent with other criteria
- Vested interests
- Conflicts
- Fact based
- Sustainability
Selected Patent Office Filing Trends

1. WIPO World Intellectual Property Indicators 2011
Canadian IP Filing Trends

1. CIPO

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

- 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

• Experienced
• Knowledgeable
• Neutral
• Respected
• Flexible
Key Areas

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

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

- Aerospace
  - 5th 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

- Automotive and components
  - 3rd 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

• Chemicals and Plastics
  – 3rd 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

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

• Where to grow?
Sample Mapping of Patent Assignees by Region

Swindon, Ont. 251 km.
R&D Spending in Canada

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

- Business enterprise sector: 48%
- Federal government sector: 20%
- Foreign sector: 7%
- Higher education sector: 5%
- Provincial governments sector: 3%
- Provincial research organizations sector: 0%
- Private non-profit sector: 0%

1. Statistics Canada, 2011 Intentions
Corporate R&D Spending by Industry Sector

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

- Pharmaceuticals/Biotechnology (26%)
- Communications/Telecom Equipment (12%)
- 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.
Government and Higher Education Spending in Canada

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

- 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

<table>
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<tr>
<th>Company</th>
<th>Business conflict</th>
<th>Core Interest</th>
<th>Skills</th>
<th>Office</th>
<th>IP Filer</th>
<th>Firm Client</th>
<th>IP Client</th>
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# People Matrix

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<th>Patents</th>
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<th>Litigation</th>
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<tr>
<td></td>
<td>Chemist</td>
<td>Mechanic</td>
<td>Electrical</td>
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<tr>
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<tr>
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<tr>
<td>Junior Partner</td>
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<tr>
<td>Sen. Assoc.</td>
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<tr>
<td>Junior Associate</td>
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<tr>
<td>Paralegal</td>
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</tr>
</tbody>
</table>

*Blakes*
Succession

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

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