

Welcome

It is a pleasure to welcome you to *IP in the life sciences industries 2008: Key issues for senior executives* a special supplement of *Intellectual Asset Management* magazine.

Undoubtedly, intellectual property is one of the most important assets owned by companies operating in the life sciences industries today. Whether a multinational pharmaceutical company or an early-stage university spin-out, knowing how best to build, manage and protect your IP is essential to a successful corporate strategy. You need only look at the share movements that can be triggered by the announcement of a licensing deal, or by a court decision in major patent-related litigation, to see that this is so. Indeed, it would be fair to say that without the protection that IP rights provide, the huge investment necessary to the drug discovery process could not be justified.

A company's recognition of the importance of intellectual property needs to start from day one. The new products or treatments that R&D investment yields can and should be protected by intellectual property. Collaboration between companies is an increasingly popular method of undertaking expensive R&D, but it will succeed only if careful and detailed licensing agreements are put in place – agreements that ensure that each partner knows what it can expect to get back for its part in the R&D process.

However, accruing patents is not the only way a life sciences company can benefit from its intellectual property. A thorough understanding of IP can help a company to ensure that its R&D expenditure is not wasted on areas already saturated with patent clusters and aid it in identifying potential avenues of research that are less crowded.

Furthermore, while the acquisition of intellectual property is often one of the main motivating forces behind M&A in the life sciences sector, the IP-savvy will dig deeper into a target's portfolio to unearth major flaws and potential bargaining tools. In the same way, a strong patent portfolio makes a company less vulnerable to crippling litigation by presenting the opportunity of settling a dispute through a cross-licensing deal. Yet sometimes litigation is unavoidable, and in these cases a thorough understanding of the dispute process is crucial, as a wrong decision can potentially cost hundreds of millions of dollars.

It is with all this in mind, and more, that we have put together *IP in the life sciences industries*. This unique publication is designed to highlight, in a practical and business-focused way, some of the major IP issues facing life sciences executives and the people – such as venture capitalists and other investors – with whom they deal.

To ensure the quality of the product, those contributing to *IP in the life sciences industries* were invited to participate because of their acknowledged expertise in the field. This expert team of private practice lawyers identify and then explain some of the key legal issues parties in the life sciences industries will face as they move through the commercialisation process. I hope you agree that, with the help of all of our contributors, we have produced something that provides concise, relevant information that will be of constant value.

Sara-Jayne Adams,
IAM magazine

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