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Lawyers say more clients warming to monetizing IP

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In this economy, companies are leaving no stone unturned when it comes to saving cash and discovering new ways to make it. One of the most obvious — but often overlooked — avenues for producing revenue is the monetization of intellectual property.

More companies are seeking to capitalize on their stashes of patents that may have been long forgotten about, either through licensing technology, selling patents or filing suits against other companies infringing on patents, according to lawyers specializing in intellectual property. To put all that value in perspective, intellectual property in the U.S. is worth over \$5 trillion, according to the U.S. Patent and Trademark Office.

“It’s the wise company that says, ‘Hey, what are we sitting on here?’” said Peter Lando, managing partner of [Lando & Anastasi LLP](#) in Cambridge, a law firm that specializes in intellectual property. “Now, we’re seeing that IP is a currency to make deals.”

Although the idea of monetizing IP has been growing in popularity for several years now, the economy has highlighted the idea for many technology companies, IP lawyers say.

“The business climate is getting tough and everyone is looking around to see what assets they have,” said Edmund J. Walsh, a shareholder at the IP law firm [Wolf, Greenfield & Sacks](#) in Boston. “I haven’t seen a great rush to the courts. But I would say that people are more interested in evaluating what they have because times are tight.”

Lando says that companies are thinking creatively about their patents — and not just ones that are of no use to them anymore. Some companies have made the decision to license out some of their core technologies to companies that are outside their field of competition.

Indeed, companies are scrutinizing their patent portfolios — which of course cost money to acquire and maintain — in order to take advantage of what they have and perhaps sell IP that is less strategic to the company’s future.

Companies “are asking for more ROI” on patent portfolios, said Gene T. Barton, a principal in the Boston office of [Fish & Richardson PC](#). “Companies are also trying to figure out new ways to derive revenue from IP. It’s fair to say that people are taking a harder, more strategic look at what they have.”

Moreover, this economy has also seen several IP sales by investors that were prompted by company closures. Earlier this year [Circuit City Stores Inc.](#) tapped Needham-based [Streambank](#) LLC to sell its trademark and IP assets. Also, when [SiCortex Inc.](#), the maker of high-efficiency supercomputers, closed last week, the company’s investors announced they would also be selling the IP.