

HEWITSONS

TECHNOLOGY LICENSING



First question: "What is your commercial aim?"

Second question: "What is the technology?" Patented inventions maybe – but what are those inventions? Secret know-how – but who needs it and why? Software – but what is it used for, by whom and how? Clever designs – but how are they or could they be protected?

Other questions inevitably follow – questions about ownership, intellectual property rights (the foundation of any licence), infringement risks, licence scope, exclusivity, improvements to the technology, financial terms, warranties, liability, circumstances in which the licence should terminate – and others.

Most licences do not fit templates. Licences range from simple single-sentence permissions to complex patent and know-how licences (maybe involving other elements, e.g. software, development work or branding) with a myriad of permutations in between. So you have to ask questions.

The starting point for drafting, advising upon and negotiating any commercial contract is to ask the right questions. But technology licences throw up a particular range of issues the right approach to which varies enormously depending on the circumstances.

We have extensive experience and expertise in advising on technology licences – we know what questions to ask and will advise on appropriate solutions, with your commercial aim in view.



Bill Thatcher



Partner
Cambridge
01223 461155
billthatcher@hewitsons.com



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This document is written as an outline guide only and any action should not be based solely on the information given here. Appropriate professional advice should always be taken in specific instances.

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