

Welcome

It is a pleasure to welcome you to *IP in the Life Sciences Industries 2009*, a special supplement of *Intellectual Asset Management* magazine.

Intellectual property is one of the most important assets owned by companies operating in the life sciences industries today. An appreciation of the importance of IP must begin at the company's inception, well before the R&D begins. Whether a multinational pharmaceutical manufacturer, a biotech business preparing for an IPO or an early-stage university spin-out, the company's IP portfolio is crucial to its future success. This is only too obvious when one looks at the share movements triggered by the rulings in some major patent-related lawsuits.

An understanding of how best to build, manage and protect your IP is essential to a successful corporate strategy, and something that every senior executive working in the life sciences industries should possess. Collaboration, and the large investments of time and money made by companies during the R&D process, leave them vulnerable to grave financial loss unless they have a coherent IP strategy. For example, without the protection that IP rights provide, the huge investment required for the drug discovery process could not be justified.

However, building a patent portfolio is not the only way that a company in the life sciences industry can seek to 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 less crowded potential avenues of research.

Furthermore, while the acquisition of

intellectual property is often one of the main motivating forces behind M&A deals in the life sciences sector, those with a sound appreciation of IP will dig deeper into a target company's portfolio to unearth any major flaws or weaknesses and potential bargaining tools. Equally, a strong roster of rights makes a company less vulnerable to litigation by affording an opportunity to settle disputes through cross-licensing. Sometimes, however, the courts are unavoidable. In these instances, a thorough understanding of the litigation process is crucial, as a wrong turn can end up costing hundreds of millions of dollars and prove crippling for a company.

It is with all this in mind, and more, that we have put together *IP in the Life Sciences Industries 2009*. 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 VCs and other investors – with whom they deal.

To ensure the quality of the product, those contributing to *IP in the Life Sciences Industries 2009* 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 that 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
Reporter, *IAM* magazine

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