

A round-up of IP-related quotes, observations and opinions from the recent past ...

Certain developments in patent enforcement have really turned Germany into a dangerous location for business, a problem that other high-tech companies, such as Apple, are also experiencing. Standard-essential patents are lethal weapons, a fact that Motorola proudly highlighted to the Mannheim court by saying that such patents are like bullets in a gun: "it takes only one bullet to kill". Once a patented invention becomes a mandatory part of a standard, the patent can no longer be engineered around. A country in which such patents can be easily abused to win injunctions is not an advisable place for a European distribution operation.

Florian Mueller on the FOSS patents blog reacting to Microsoft's decision to relocate a logistics centre from Germany to the Netherlands because of worries over patent litigation, 2nd April

A highly placed source close to Google confirmed that Google did originally invest in IV as a member, but only once. There has since been a bitter parting of ways, that source says. "As soon as they started suing people," Google "wanted out" the source says ... Google initially joined because it wanted to have access to a broad number of patents, but it later decided not to associate with a company that turned out to be mostly about lawsuits, he says.

"Why tech vendors fund patent 'trolls'", published by *Computerworld*, 5th April

AOL Inc today announced that the Company has entered into a definitive agreement to sell over 800 of its patents and their related patent applications to Microsoft Corporation and to grant Microsoft a non-exclusive license to its retained patent portfolio for aggregate proceeds of \$1.056 billion in cash. Following the sale, AOL will continue to hold a significant patent portfolio of over 300 patents and patent applications spanning core and strategic technologies.

Press release issued by AOL, 9th April

IP intensive industries directly accounted for 27.1 million American jobs, or 18.8 percent of all employment in the economy, in 2010 ... IP-intensive industries accounted for about \$5.06 trillion in value added, or 34.8 percent of US gross domestic product (GDP), in 2010.

Findings from *Intellectual Property and the US Economy*, produced by the US Patent and Trademark Office and the Economic Statistics Administration, published 11th April

I handle the sales and acquisitions of patents for Rockstar Consortium Inc, the company formed out of the purchase of the former Nortel IP assets by RIM, Apple, Sony, Ericsson and Microsoft. We are currently intending to sell two single-family patent portfolios, one dealing with social networking and the other with LCD backlighting. My colleague suggested sending the information on to you as you might be looking to acquire new assets for licensing purposes.

Excerpt from a letter sent by a representative of Rockstar Consortium Inc to an unnamed NPE and leaked to the *IAM* blog, 13th April

Microsoft Corp and Facebook announced today a definitive agreement under which Microsoft will assign to Facebook the right to purchase a portion of the patent portfolio it recently agreed to acquire from AOL Inc. Facebook has agreed to purchase this portion for \$550 million in cash ... Facebook will obtain ownership of approximately 650 AOL patents and patent applications, plus a license to the AOL patents and applications

that Microsoft will purchase and own.

Press release issued by Microsoft, 23rd April

In order to build a healthy global intellectual property rights ecosystem that drives technological and social progress, it is vital that we adopt cooperative and collaborative approaches that respect and protect IPR ... We appeal to global organizations, be they governmental bodies, industry associations, or enterprises, to expand their capabilities for IPR collaboration and create viable mechanisms that enable greater IPR access, protection, and paid use. Adopting such approaches will mitigate and help to resolve disputes, while also encouraging innovation and technological progress.

Huawei Vice President **Deng Tao**, speaking in Beijing, 19th April

Negative fringe stories about multi-billion dollar patent wars and anti-counterfeiting treaties are tainting the image of IP.

Microsoft Chief Operating Officer for EU Affairs **Ron Zink**, speaking at the official launch of the Ideas Matter campaign, Brussels, 26th April

We want to draw attention to and celebrate the 99.9% of good stuff that IP does ... The IP system isn't perfect ... But the advantages of IP get lost in discussions about whether the system works or not. The general view of IP at the moment just doesn't correlate with the truth about the typical uses of IP.

Ruud Peters, chief IP officer of Philips, also speaking at the Ideas Matter launch, 26th April

We conclude that overall the draft agreement on the Unified Patent Court is likely to hinder, rather than help, the enforcement of patents within the European Union. This will particularly be so for SMEs, the main intended beneficiaries.

Conclusion of a report, *The Unified Patent Court: help or hindrance*, published by the European Scrutiny Committee of the UK House of Commons, 3rd May

NVIDIA and Intellectual Ventures today announced that they have jointly acquired a set of patents developed and owned by IPWireless. The portfolio comprises approximately 500 patents granted and pending in the wireless communications area, including essential concepts in LTE, LTE-Advanced and 3G/4G technologies.

Intellectual Ventures press release, 14th May

First, the size of the IP market is huge and growing. According to Deloitte & Touche, licensing in the US has grown to about a \$500 billion industry from just \$15 billion 25 years ago. Second, public market investors are becoming more and more interested in this asset class. There have been examples of public companies unlocking value through their IP holdings - examples include Motorola Mobility, Nokia and most recently AOL. Investors have also had great returns over the last few years with the performance of some 'pure play' IP companies such as Acacia and VirnetX. So, public market investors are paying attention to IP as a value-driver. On the other hand, RPX is the only pure play IP company to have gone public in recent years. We think there is investor appetite for more high quality IP public companies.

Michael Rapp, chairman of Broadbank Capital Management, explaining why the investment bank is ready to commit US\$70 million plus to building an IP pure-play business, 21st May