Index

A
AccuMed International (Al), 89
Acer Laboratories, 101
Additive Control and Measurement Systems, Inc. (court-awarded royalty rate), 164
Advanced Oxygen Technologies (AOT), 87
After-tax income saved, discounting, 160
Ajinomoto ruling, district court writings, 38
Alfimeprase, rights (sale), 21
Allied Energy, 71
Altria Group, advertising spending, 11e
Alza, Johnson & Johnson purchase, 21–22
Alzheimer’s diagnostic test, license deals, 95e
American Express, megabrand ranking, 12e
American Innovations (AI), 86
American Water Star (AWS), 113
Ampersand Medical, 89
Analysis Group, study, 54–55
Andretti™, royalty statistics, 111
AOT. See Advanced Oxygen Technologies
Apparel, royalty statistics, 107–109
Apple operating system (Apple OS), technology royalty statistics, 80–81
Applied Nanotech (AN), 85
Arm’s length intercompany transactions, requirement, 182
Arm’s length negotiation, 62
Artwork, royalty statistics, 109–112
Asphalt roofing debris recycling, technology royalty statistics, 103
AT&T, patent number, 5e
AT&T Wireless, megabrand ranking, 12e
Auditor selection, 191–192
Audits. See Desk audits; Royalty audits
Automotive industry, technology royalty statistics, 67–70
Automotive manufacturing industry, technology royalty statistics, 69–70
AWG, license agreement, 111

B
Bard, C.R. (court-awarded royalty rate), 164e
Battery terminals, technology royalty statistics, 68
Bayer AG, patent number, 6e
Benazepril, generic drug savings, 129e
Benihana Japanese restaurants, royalty statistics, 118
Berkman, Mark, 42
Best Buy, megabrand ranking, 12e
Biacore AB, court-awarded royalty rate, 164e
*Biacore v. Thermo Bioanalysis*, 172
Big League Chew, royalty statistics, 111
Biotechnology
license deals, fees, 95e
patent transfers, royalty rates, 97
royalty rates, 58–60
technology
royalty statistics, 92–97
transfers, royalty rates, 97
Bloomberg database, 46
BMS. See Bristol-Myers Squibb
Book publishers, conglomerate ownership, 114–115
*Bose v. JBL*, 171
Breast cancer detection, technology royalty statistics, 88–89
Bristol–Myers Squibb (BMS) acquisition, 22
Business enterprise
equation, 119
framework, 119–128
illustration, 122e
value
equation, 120
example, 147e
Business groups, identification, 22–23
*Business Week*, reports, 129–130
Buy-in payments, determination, 183

C
Cancer screening, technology royalty statistics, 89
Canon Kabushiki Kaisha, patent number, 5e
Capital expenditure investments, timing/amount, 143
Capital Grille Steakhouse, royalty statistics, 117–118
CAS. See Computer Automation Systems
Catheter, technology royalty statistics, 89–90
CDMA. See Code Division Multiple Access
Cell Robotics International (CRI), 90
Centocor, biotech acquisition, 21
Chemical companies, royalty rate guidelines, 54e
Chemical industry, technology royalty statistics, 70–72
Chemical manufacturers, focus, 70
*Chemical Marketing Reporter*, 130
Chevrolet, megabrand ranking, 12e
Chrysler. See DaimlerChrysler megabrand ranking, 12e
Cingular, megabrand ranking, 12e
Citibank, megabrand ranking, 12e
Clark, Marcia (royalty statistics), 115
Clearly Canadian Beverage Corporation, 86–87
Clinical phases, approval success rates, 154e
Clinical trial data/information, 121
Clinton, Bill (royalty statistics), 115
Clinton, Hillary Rodham (royalty statistics), 115–116
Coca-Cola Company, trade secrets, 14–15
Cochran, Johnnie (royalty statistics), 116
Code Division Multiple Access (CDMA) technology, royalty statistics, 75
Co-marketing agreements, 122
3Com Corporation, 78–79
Commercialization
  expenses, 124
  FDA approval, phases, 152–153
  time-frame requirements, 124
Commercial relationship, 28
Commodity
  corporate value. See Generic commodity corporate value;
  Mature commodity corporate value
  earnings, 122–123
Communications equipment/services,
  technology royalty statistics, 72–76
Company patents, number, 5e–6e
Comparative analysis, summary, 65–66
Competitive advantage, creation, 23
Complementary assets, benefits, 124
Computer
  architecture, technology royalty statistics, 77
  hardware, technology royalty statistics, 76–80
  manufacturing, royalty rates (litigation/non-litigation comparison), 178e
  software, technology royalty statistics, 80–82
  technology royalty statistics. See PS/2 computers
Computer Automation Systems (CAS), 77–78
Condiment names, royalty statistics, 112
Construction industry, technology royalty statistics, 82–83
Consumer reactions, 124
  change, 125
Contraceptive regime alternative, license deals, 95e
Convoyed sales, 28
Copyright Act (1976), 10–11
Copyrights, 10–13
  royalty rates, 57–58
  royalty statistics, 107
Corporate royalty rate, 149
Corporate value, 1. See also Generic commodity corporate value
Cost savings, impact, 123
Cost-sharing arrangements, usage, 183
Cough medicine, license deals, 95e
Court-awarded royalty rates, 163
  ranking, 163–165
Cox, Richard, 97
C.R. Bard v. Boston Scientific, 171
Cypress stem cells research, license deals, 95e
D
Dabek, Rose Ann, 97
DaimlerChrysler
  advertising spending, 11e
  profit share, 67
Dannon, royalty statistics, 111–112
Data mining, technology royalty statistics, 81–82
Daubert v. Merrill Dow Pharmaceuticals, 42
Davis, Albert S., 33
DCF. See Discounted cash flow
DeCecco, Dave, 15
Decision technology, royalty statistics, 81–82
Dell Computers, 77
  megabrand ranking, 12e
Dermatology products, license deals, 95e
Design patents, 3
Desk audits, 193
Detection monitoring, technology royalty statistics, 85
Diabetes treatment, license deals, 95e
Digital Information Communications and Electronics (DICE) companies, IP development reasons, 23
licensing
income, generation, 24
insights, 23
payments, minimization, 24
out-licensing, 24
patents, importance, 23
Digital scanner, technology royalty statistics, 90
Discounted cash flow (DCF), 31
analysis, 155
performing, 40
royalty rates, relationship, 143
example. See Success rates
Discount rate, determination, 157, 159
Disney, royalty statistics, 108
DNA binding invention, license deals, 95e
Dodge, megabrand ranking, 12e
Drug. See Patented drugs
development stages, value, 155e
discovery, difficulty, 19, 92
introduction, cost, 19
inventions, dominance, 6
market share, worth, 96
DSL modems, demand, 72
DVD/video players, technology royalty statistics, 84

Eastman Kodak, patent number, 5e
Eating-and-drinking establishments characteristic, 117
small business, frequency, 117
Economic benefits
competitor efforts, impact, 124
derivation. See Technology
duration, 125
receiving, risk, 125
time period, 143
Economic factors, identification, 124–125
Economic life, remainder. See Property
Economic returns, receiving (risk), 124
Economic risk, 125
Eggs, technology royalty statistics, 87–88
E.I. DuPont De Nemours, patent number, 6e
Electronic Billboard Technology (EBT), 85
Electronic Data Gathering Analysis and Retrieval (EDGAR), 185
archives. See Securities and Exchange Commission
Electronics
product manufacturing, royalty rates
(litigation/non-litigation comparison), 178e
royalty rate guidelines, 54r
technology royalty statistics, 84–86
Eli Lilly, 114
Enalapril, generic drug savings, 129e
Entire market value rule, 170–171
Environmental Solution Agency (ESA), 104–105
Equity positions, 181
Ericsson, 76
Ernst and Young, report, 20
Established trademarks, 121
Everlast™, royalty statistics, 108
Excess earnings, revenue percentage, 136e
Exclusive licenses, 122
Exclusivity, 64–65. See also Licensing aspects, comparison, 66
Expected profits
focus, 34
margin, equation, 125
Expert testimony, importance, 169–170

F
Fabrics, royalty statistics, 109
Fair market royalty
establishment, 65–66
negotiation, 65
Fiberchem, 85
Financial compliance
monitoring, 187–189
perceptions, 189
Fixed assets, 137–139
inclusion, 120
investment return, earning, 131
return, 137–139
Fixed capital, illustration, 122e
Flame-retardant products, technology
royalty statistics, 71
Flat panel display technology, royalty
statistics, 85
Fluoxetine, generic drug savings, 129e
Food, household expenditures, 117
Food and Drug Administration (FDA)
approval, 149, 153
phases. See Commercialization regulatory approvals, 122
Food/beverage industry
packaging, technology royalty
statistics, 87
technology royalty statistics, 86–88
Forbes, Naprosyn patent protection report, 130
Ford Motor Co.
advertising spending, 11e
megabrand ranking, 12e
profit share, 67
Forecast revenue, 157, 158
Frank A. Calabrese v. Square D., 170
Fuel reactor technology, technology
royalty statistics, 71–72
Fuel technology, technology royalty
statistics, 72
Fuji Photo Film, patent number, 6e
Fujitsu, patent number, 6e
Fully-loaded profits, 34–35
Furosemide, generic drug savings, 129e

G
GAAP. See Generally accepted accounting principles
GE-Harris Railway Electronics, LLC
court-awarded royalty rate, 164e
GEM Edwards, 90–91
General Electric Co.
advertising spending, 11e
patent number, 5e
Generally accepted accounting principles (GAAP), 190
General Motors Corp.
advertising spending, 10, 11e
megabrand ranking, 12e
profit share, 67
General profit margins, 128
Generic commodity corporate value, 146–149
Generic drugs
companies, operating profit margins, 127e
savings, 129e
Generic pricing, 128–131
Genetic research, license deals, 95e
Georgia-Pacific v. U.S. Plywood, 40, 170
Gift wrap, royalty statistics, 109
Gingrich, Newt (royalty statistics), 116
GlaxoSmithKline, advertising spending, 11e
Glenayre Electronics v. Philip Jackson et al., 168
Glyburide, generic drug savings, 129e
GNB Battery Technologies, 68
Goldscheider, Robert, 31–33
Greeting cards, royalty statistics, 109
Gross cash flow, calculation, 145

H
Hawaiian Tropic®, royalty statistics, 113
Hayes Microcomputer Products, 79–80
Healthcare, licensing insights, 23
Health Technologies International (HTI), 88–89
Hepatitis A vaccine, license deals, 95e
Hewlett-Packard, megabrand ranking, 12e
High-bandwidth chip connection technology, royalty statistics, 98–99
Hitachi, patent number, 5e
HIV/AIDS medicines, price comparisons, 130–131
Home Depot
advertising spending, 11e
megabrand ranking, 12e
Honda, megabrand ranking, 12e
Honeywell International, Inc. (court-awarded royalty rate), 164e
Honeywell International et al. v. Universal Avionics, Inc., 165
Household items, royalty statistics, 109
Hughes Danbury Optical Systems (HDOS), 99
Hydro Environmental Resources (HER), ECHFR system, 71
Hypoix tumor cell radiosensitizer, license deals, 95e

I
IBM, patent number, 5e
Illinois Trade Secrets Act, 13
Income taxes, 145
calculation, 160
Incremental savings, 38
Independent publishers/bookstores, competition, 115
INDS, first filing, 154e
Industrial companies, licensing insights, 23
Industriy categorization, 56
Industry litigated royalties, 179e
Industry profits, 46
rates, 47e
Industry transactions, relevance, 63–64
Inflationary risk, 125
Influenza drug, license deals, 95e
Information
knowledge, 14
secrecy, guarding, 14
source, 182
value, 14
Infringement damages analysis, 125–128
analytical approach, 125–126
example, 126–127
Intangible assets
growth (1975–2005), 2e
illustration, 122e
required return, example, 137e
return, 139
Intangible property
licensing, royalty rates (finding), 182
valuation, 183
Integrated Paving Concepts, 83
Integrated Process Equipment Corporation (IPEC), 99
Intellectual Property Association (IPA), 73
Intellectual property (IP), 1
contribution, operating profit level (accuracy), 35
disputes, damages (establishment), 183
dominance, 2
illustration, 122e
investment, timing/amount, 143
involvement, 65, 66
licensing, 17, 24
out-licensing, 24
required return, example, 137e
return, 139
valuation, Twenty-Five Percent Rule (usage), 31
value, primary forces, 124–125
Intellectual Property Research Associates (IPRA), 183
Interactive Pictures v. Infinite Pictures, 170
Inter-company licenses, 62
Interline Resources, 103
Internal licenses
identification, 65
self-serving behavior, 62
Internal research and development pipelines, insufficiency, 19, 92
International transactions, 64
Internet publishers, competition, 115
Investment rate of return
analysis, benefits, 140–141
principles, 133–134
royalty rates, 134–135
relationship, 133
Investment return, earning. See Fixed assets
allowance, 141
Investment risk, consideration, 140
IP. See Intellectual property
IPA. See Intellectual Property Association
IPassets, development reasons, 23–24
IPRA. See Intellectual Property Research Associates
Issued patent, worth, 96
IXYS, 101
J
J.C. Penney, megabrand ranking, 12e
Johnson & Johnson
biotech acquisition, 21
Johnson & Johnson, advertising spending, 11e
Jones Medical Industries, 114
K
Kaisha, patent number, 5e
Kumho Tire Co. v. Carmichael, 42
L
Laser finger-perforator technology, royalty statistics, 90–91
Laser hair removal, technology royalty statistics, 91–92
Later-stage technology, risk, 28–29
Law Relating to Inventions Made by Employees (Germany), 54
Lee, William, 43, 44
Leon B. Rosenblatt Textiles v. Griseto, 110
Library of Congress, 12–13
License agreements
drafting, 193–194
monitoring, 187–189
perceptions, 189
Licensed product, distribution channels, 191
Licensed royalty rates, 47e
Licensee profits, 46–48
1999–2000, 48e
relationship. See Royalty rates
 splits, distribution. See Profit
success. See Successful licensees
Licensees
business, contact person, 191
internal controls, 191
Licenses. See Package licenses
comparison, 61
fees, distribution, 59e
rights, transfer, 65
royalties, court determination,
167–169
self-serving behavior. See Internal
licenses
underreported royalties, percentage,
188e
Licensing. See Intellectual property
agreement royalty rate frequency,
59e
company engagement, reasons,
25–29
exclusivity, 25
forces, 19–22
motivation, 22–24
parties, financial condition, 63
protection, 25
utility, 25
Licensor/licensee communications, 195
Lightning resistance, technology royalty
statistics, 99
Lisinopril, generic drug savings, 129e
Litigated licenses, non-litigated licenses
(comparison), 175–180
Litigation rates, increase, 175
Long-run product profits, expectation,
45
L’Oreal, advertising spending, 11e
Lotto™, royalty statistics, 108
Lucky-Goldstar Group, 83

M
Machinery, royalty rate guidelines, 54r
Macintosh enhancement, technology
royalty statistics, 77
Macy’s, megabrand ranking, 12e
Mahurkar, Sakharam D. (court-awarded
royalty rate), 164
Management competency, 124
Manufacturing, technology royalty
statistics, 99–100
Manufacturing industries
royalty income, 18
technology royalty statistics. See
Automotive manufacturing
industry
Market acceptance, 155
Marketing expenses, 145
Market risk, 125
Market share, expansion (impact), 123
Marks. See Trademarks
Massachusetts General Hospital (MGH),
92
Matsushita Electric Industrial, patent
number, 5e
Mature commodity corporate value,
146–149
McDonald’s Corp.
advertising spending, 11e
megabrand ranking, 12e
Medical equipment
royalty rates, litigation/non-litigation
comparison, 178e
technology royalty statistics, 88–92
Medical supplies, royalty rates (litigation/
non-litigation comparison),
178e
Medicus Associates, 94
Merck & Co., advertising spending,
11e
Metformin, generic drug savings, 129e
Meyer III, Harold A. (royalty rate guideline suggestions), 96
MichellamineB/tropical vine leaves, license deals, 95e
Mickowski v. Visi-Trak Corporation et al., 168
Mikohn Gaming Corporation, court-awarded royalty rate, 164e
Mikohn Gaming v. Acres Gaming, Inc., 165
Mineral water, technology royalty statistics, 86–87
Mitsubishi Denki Kabushiki, patent number, 5e
Mitutoyo Corporation, court-awarded royalty rate, 164e
Mitutoyo Corporation et al. v. Central Purchasing, LLC, 165
Modems standards, technology royalty statistics, 78–79
technology royalty statistics, 79–80
Modified Black-Scholes option valuation methods, 31
Modine Manufacturing Company, court-awarded royalty rate, 164
Monetary assets, return, 136–137
Monte Carlo simulation, 31
Motorola, patent number, 5e
MPEG LA, 74–75

N
NAICS. See North American Industry Classification System
NCEs. See New chemical entities
NEC, patent number, 5e
Nestor Traffic Systems (NTS), 81
PRISM® fraud detection solutions, 82
Net cash flow calculation, 144
Net present value. See Risk adjusted net present value
Neupogen, license deals, 95e
New chemical entities (NCEs), 152. See also Self-originated NCEs submission, 153
New compound, valuation, 156e
New molecular entities (NMEs), 152
New product, licensed technology basis (example), 148e, 150e, 151e
New product revenue forecast, example, 127e
New Restatement of the Law Third, Unfair Competition, 13
Nissan Motor Co. advertising spending, 11e megabrand ranking, 12e Samsung Group sale, 69
NMEs. See New molecular entities
Nokia, 76
Non-cash expense, 145
Non-exclusive licenses, 122
Non-licensed IP, earnings, 140
Non-litigated licenses, comparison. See Litigated licenses
Non-monetary compensation, 64
Normal profit margin, equation, 125
North American Industry Classification System (NAICS), 166
Northeast American Enterprises, 77
Notes, 197–203
Novartis, advertising spending, 11e
NTS. See Nestor Traffic Systems
NTT DoCoMo, 76
Nucleic acid probe technology, license deals, 95e
Nuvelo, commercialization rights, 21
Odetics, federal circuit court writings, 38
Operating profits, 35, 145
level, accuracy. See Information Processing
margins. See Generic drugs rate, expectation, 40
Out-licensing. See Digital Information Communications and Electronics; Intellectual property
Overhead expenses, 145
omission, 35

P
Package licenses, 65
Packaging, technology royalty statistics. See Food/beverage industry
Palomar Medical Technologies, 91
Patented drugs, 121
Patented invention
remaining life, 160
royalty rate, 140
Patented technology valuation, relief-from-royalty method, 156–157
Patented therapeutic drugs, royalty rate (example), 138e
Patents, 3–8. See also Design patents; Plant patents; Utility patents applications, 121
history. See United States patents importance. See Digital Information Communications and Electronics number. See Company patents
owner distribution, 5e
ownership, identification, 4–6
pending, worth, 96
protection, remaining life (determination), 157–158
prototype, presence (worth), 96
risks, validity, 125
technology classifications, 6. See also United States patents transfers, royalty rates. See Biotechnology
trends, 4
types, 3
worth. See Issued patent Patent to Profit, guidance, 53–54
Paving, technology royalty statistics, 83
Pentium II processor, technology royalty statistics, 100–101
PepsiCo, advertising spending, 11e
Pepsi-Cola, trade secrets, 14–15
Personal care, royalty statistics, 112–114
Personal digital assistant (PDA), patent example, 4
Pfizer, advertising spending, 11e
Pharmaceutical Business News, 130
Pharmaceutical companies (pharmaceuticals)
competition, 19, 93
compound (discovery), pressure (increase), 19, 92
development stage, royalty rate, 94
intangible assets, 121–122
intellectual property, 121–122
invention, category, 94
license deals, fees, 95e
research and development deficiencies, licensing activity supplement, 93
stage, average royalty, 96
royalty rates, 58–60
distribution, 94e
guidelines, 54e
information, 26–27
technology royalty statistics, 92–97
Pharmaceutical drug, clinical trials (worth), 96
Pharmaceutical industry
development stage, royalty rate, 96
royalty rates, increase, 19, 92–93
Pharmaceutical preparations (SIC #2834), 128
Pharmaceutical Research and Manufacturers of America (PhRMA), 153
Plant patents, 3
Polo, royalty statistics, 108–109
Polyvinyl chloride pipe products,
technology royalty statistics, 83
Posters, royalty statistics, 109
Post-site analysis/report generation, 192
Power conversion, technology royalty statistics, 101
Precision Materials Operation (PMO), 99
Present value calculation, 160–161
Pre-site research, 192
Pretax profits, 35
Price premiums, obtaining, 122–123
Prints, royalty statistics, 109
Probability-of-success factor, 152
Procter and Gamble v. Paragon Trade Brands, 44
Procter & Gamble Co.
advertising spending, 10, 11e
licensing restrictions, 158
Product commercialization, expenses, 145
Production efficiencies, 124
Product revenue
forecast, example. See New product revenue forecast
patent enhancement, 37
Profit. See Industry profits; Licensee profits; Operating profits
amount, 124
differentials, royalty rates
(relationship), 119
duration, 124
expectation, risk (association), 124
margins. See General profit margins equation. See Expected profits;
Normal profit margin rates. See Industry profits
splits, licensee profits (distribution), 49e, 51e
twenty-five profit, rule of thumb, 42
Projections, usage, 170
Promega v. LifeCodes Corporation et al., 168
Promotion agreements, 122
Property, economic life (remainder), 40
Protection, duration, 27–28
PS/2 computers, technology royalty statistics, 77–78
Publishing
houses, complaints, 114
royalty statistics, 114–116
Purchase price allocation, determination, 182
Q
Qualcomm, 74, 75
R
Ralph Lauren, royalty statistics, 108–109
Ramtron International, 101
Rare Hospitality, 117–118
Raw idea, worth, 96
Razgaitis, Richard, 41
ReClaim, 103
Recycling, 102
Red flags, 190–191
Regulatory risk, 125
Relief-from-royalty method
inputs, 157
usage. See Patented technology valuation
Remote metering, technology royalty statistics, 86
Research expenses, 145
Research Frontiers, 70
Restatement of Torts, 13
Restaurants
consumer spending, 117
industry, impact (expectation), 116
royalty statistics, 116–118
sales, job generation, 117
Return. See Investment rate of return
Return on investment, 31
Revenue, growth expectation, 160
Risk adjusted net present value, 149–153
Risk Management Association (RMA) Annual Statement Studies, 128
Risk reduction, consideration, 138
Rite-Hite Corporation et al. v. Kelley Corporation, 167–168
Royalties
determination, Sixth Circuit Court of Appeals (impact), 33
factors, 25e
income. See Manufacturing industries
IRS report, 17–18
miscalculations, recurrence, 191
reasonableness, court considerations, 167–171
recipients, ranking, 97
saving, 160
statistics. See Technology terms
inclusion, 66
specification, 66
Royalty audits
defining, 190–191
errors, 194–195
mistakes, likelihood (decrease), 193–194
monitoring program, benefits, 195–196
process, 192–193
Royalty rates, 45–46. See also Biotechnology; Copyrights; Corporate royalty rate; Court-awarded royalty rates; Licensed royalty rates; Technology; Trademarks
appropriateness, 135–137
awards
frequency, 165–166
industry categorization, 167e
ranking, 164e
reasonableness, 176e
details, 181
district court awards, 166e
equation, 125
federal circuit decisions, 171–173
finding. See Intangible property frequency, 57e. See also Licensing; Trademarks
guidelines, 53. See also Pharmaceutical companies
ranking, 54e
industry categorizations, 166–167
input, determination, 157, 158–159
licensee profits, relationship, 48–51
ranking, 49e
litigation, non-litigation (comparison), 177e
percentage, 56
primary factors, 124–125
relationship. See Discounted cash flow analysis; Profit services, 181
successful licensee profits, relationship, 50–51
ranking, 50e
Royalty Rates for Pharmaceuticals and Biotechnology, 26–27, 58, 183–184
Royalty Rates for Technology, 55, 184
Royalty Rates for Trademarks and Copyrights, 57, 184
RoyaltySource®, 93, 181–182
data, Analysis Group study, 56
information, 45–46
royalty rates, 55e
RoyaltyStat®, 182–183
usefulness, 182–183
Ruth’s Chris Steakhouse, royalty statistics, 117

S
Sakharan D. Mahurkar v. C. R. Bard, 172
Samsung Group, sale, 69
SBC Communications, advertising spending, 11e
Scantek Medical, 88–89
Schaafsma, Paul, 42
Scientific databases, 121
SciMed Life Systems, 89
Sears, megabrand ranking, 12e
Sears Holdings Corp., advertising spending, 11e
Securities and Exchange Commission (SEC) EDGAR Archives, 182, 184–185
Segan Limited Partnership v. Trendmasters, 169
Self-dimmable rearview mirrors, technology royalty statistics, 70
Self-interests, argument, 62
Self-originated NCEs, 154e
Selling expenses, 145
Semiconductors, technology royalty statistics, 97–102
Sharer, Kevin, 20
SI Diamond Technology, 85
Siemens AG, patent number, 5e
Sign Builders of America (SBOA), 85
Silicon Integrated Systems (SIS), 100
Single inline memory modules (SIMMs), technology royalty statistics, 102
Site investigation, 192
Skoda Klatovy, 104
Slimfold Manufacturing Company v. Kinkead Industries, Inc., 165
Smithkline Diagnostics, Inc. (court-awarded royalty rate), 164e
Sony Corp.
advertising spending, 11e
patent number, 5e
Spirulina, license deals, 95e
Spring, megabrand ranking, 12e
Standard Manufacturing and DBP v. United States, 40
Standard & Poor’s 500 (S&P500) company assets (1975–2005), 2e
Subject analysis, 65
Successful licensees
profitability data, 50
profits, 50
relationship. See Royalty rates
Success rates, 153–154
adjusted DCF example, 155–156
adjusted present value calculations, usage, 156e
therapeutic class, identification, 154e
Sugar Foods, 112
Sunk costs, 34

T
Tangible assets, return, 137–139
Tanning Research Laboratories, 113
Tapazole®, royalty statistics, 114
Target stores, megabrand ranking, 12e
Tax law compliance, 182
Tax rate, determination, 157, 159
Technology
alternatives, 125
classifications. See Patents; United States patents
economic benefits, derivation, 124
obsolescence, 125
risk, 125
royalty rates, 55–57
statistics, 67
transfers, royalty rates. See Biotechnology
Territory restriction, 27
Textile patterns, royalty statistics, 110
Thin film ferroelectric technology,
royalty statistics, 101–102
Third-generation wireless technology,
technology royalty statistics, 73–74
Time period, relevance, 62–63
Time Warner, advertising spending, 11e
Tire recycling, technology royalty statistics, 104–105
Titan Technologies, 104
T-Mobile, megabrand ranking, 12e
Toikka, Richard, 42
Toshiba, patent number, 5e
Total Containment v. Environ Products, 172
Total earnings, 135
Total market, intangible value
(percentage), 2e
Toyota Motor Corp.
advertising spending, 11e
megabrand ranking, 12e
Toys/dolls, royalty statistics, 109
TP Orthodontics, Inc. (court-awarded royalty rate), 164
Trademarks (marks), 8–10. See also
Established trademarks
applications, 9
foreign nation filers, 10e
applications (2005), 9
royalty rates, 57–58
frequency, 58e
royalty statistics, 107
Trade secrets, 13–15
evaluation, 14–15
Transaction terms, 182
Transaxles, technology royalty statistics, 68–69
Transfer pricing regulations, 183
Tristrada Technology, Inc. v. Mary Kay, Inc., 168
Twenty-Five Percent Rule
application, 39–41
criticisms, 42–44
empirical test, 44–45
employment, 40
explanation, 33–36
history, 32–33
illustration, 36–39
cost side, 38e
revenue side, 37e
indeterminateness, 43
justification, 41–42
rule of thumb, 42, 44
usage. See Intellectual property
introduction, 31–32
TWM Manufacturing v. Dura Corporation, 126

U
UMTS. See Universal Mobile Telecommunications System
Unilever, advertising spending, 11e
Unisplay v. American Electronic Sign, 172
United Fire Technology (UFT), 71
United States advertisers, ranking, 11e
United States government, advertising spending, 11e
United States megabrands, ranking, 12e
United States Navy, patent number, 6e
United States Patent and Trademark Office (USPTO), 3
registration, 8
United States patents applications
1850–2004, 8e
history, 6–8
technology classification, 7e
Universal Mobile Telecommunications System (UMTS), 73–74
University/government licensing insights, 23
Unocal Corporation, lawsuit, 72
Up-front payments, 181
Used oil recovery, technology royalty statistics, 103–104
US Philips, patent number, 5e
Utility patents, 3

W
WACOC. See Weighted average cost of capital
Wal-Mart, megabrand ranking, 12e
Walt Disney Co., advertising spending, 11e
Warfarin, generic drug savings, 129e
Wart removal products, license deals, 95e
Waste management, technology royalty statistics, 102–105
Water-jel burn dressings, license deals, 95e
Weighted average cost of capital (WACOC), 159
Weiler, David, 93
Wideband code division multiple access (W-CDMA) technology, royalty statistics, 76
Williams, Lonnie (court-awarded royalty rate), 164
Windows operating system (Windows OS) code, technology royalty statistics, 82
Working capital (WC), 135
illustration, 122e
investments, timing/amount, 143

X
Xerox, patent number, 6e

Y
YoCream, royalty statistics, 111–112

Z
Zygo Corporation, court-awarded royalty rate, 164