



## We're entering into a new age of intellectual property, says InterTrust CEO

Much of what *IAM* covers discusses the challenges that rights owners face when trying to defend or monetise their intellectual property. The legal and regulatory climate in the US hasn't helped and there are plenty of stories of small inventors, in particular, who have struggled to assert their rights against the largest tech players.

But if you want a more optimistic spin on the current state of IP, then it's worth heeding the words of InterTrust CEO [Talal Shamoon](#) who, while speaking at a recent IP conference declared that, "we're entering into a new age of intellectual property".

"It's not over, it's not going away, in fact if anything it's getting better," he insisted. That age, he claimed, is being shaped by new technologies in areas like prior art searching which are helping to improve patent quality and by the forces of globalisation which are helping to spread a greater understanding of IP.

"We live in a society where more people than ever relate to abstract rights," Shamoon insisted. "Anyone who has ever written a computer programme and has got it to run, knows about abstraction and that's a good thing when you're trying to ascribe value to an abstract right like a patent or a copyright or a trademark for that matter."

A lot of coders aren't exactly known as big fans of IP but his underlying point was that we live in a time when people in many countries have become accustomed to ascribing value to intangible products even in places where value has traditionally been largely attached to things that you can pick up and buy in a shop.

Shamoon stressed that the IP system needed to catch up in exploring new ways to derive value from their rights and while he didn't go into a lot of detail on what those new ways might be, his comments did come as something of a call to action for IP stakeholders.

"We have all sorts of monetisation technologies out there and all sorts of very smart ways, not just in the tech world but also in the legal world, to come up with new ways of exchanging value and new ways of enforcing rights that we should be thinking about deploying," he commented. "There have been

experiments in this area and there needs to continue to be experiments in this area.”

Shamoon was speaking at the [Center for Intellectual Property Understanding's \(CIPU\) annual IP Awareness Summit](#) which was held recently in California. In striking a more optimistic tone for the current IP age he touched on a range of issues including how to improve education around IP and the current state of the standards world. An audio of his speech is available [here](#).

Anyone currently delivering a positive message to IP value creators might be met with a fair amount of eye rolling but it's worth pointing out that InterTrust and Shamoon know all about the challenges of licensing and bear the scars of lengthy battles licensing technology to the likes of Apple and Microsoft. As an early pioneer in digital rights management, the company has also had a ringside seat to the seismic changes that have re-shaped the worlds of music, TV and film thanks to streaming.

In his speech Shamoon pointed to the experience of IP owners in those industries to show how attitudes to intangible assets had shifted. “The record business is now enjoying some of its most profitable years in history after 20 to 25 years of blood letting,” he remarked.

While he admitted that the patent world doesn't boast the same kind of marketing advantages that come from having Taylor Swift as one of your spokespeople, the InterTrust head insisted that there were still ways in which stakeholders could raise awareness of patent rights. The key, he highlighted, was telling stories around invention which help foster an environment that respects inventors' rights.

“That's where it starts because by teaching a respect for invention that eventually translates into a willingness to pay for value, which creates a requirement for instruments that help protect an invention,” Shamoon explained. Greater IP education, he added, should also focus on the topic as “a business practice, not just an area of law”

“It should be a legitimate thing to want to do when you graduate – to cultivate, curate patent portfolios, to license patent portfolios and drive that virtuous cycle I was talking about,” he remarked.

In terms of his comments around new ways of exchanging value around IP, there are plenty of examples of initiatives such as [IPXI](#) that have attempted to bring a different, more efficient approach to monetisation but which have failed in large part because of a reluctance among prospective licensees to pay up.

That would appear to still be a sizable problem for anyone looking for new ways to drive IP value creation but if Shmoon is right then it might be worth trying again.

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