Tracing Our Migration to Understand Context

- Silo’d Invention,
- Duplication of Effort
- Sub-optimization of Capital Expenditure,
- G-10 Hegemony over Innovation in ICT/Telecom - ROW Relegated to Low Cost Work for Hire
- Entrepreneurship Requiring Presence thereby forcing relocation to Innovation Centers e.g. Silicon Valley, Route 128 Boston, Cambridge, Oxford, Sophia Antipolis, etc.
- Government Fostering Non-organic & Sub-optimal Collaborative Development BUT Useful in Encouraging Overarching Modality & Forcing Openness/Interoperability e.g. MS
Tracing Our Migration to Understand Context

- Collaborative Development,
- OSS Project-based Innovation
- Generally Software-centric but also includes Hardware
- Global Inclusivity
- Virulent “In-Situ” Entrepreneurship Facilitated by Rise of Global Collaborative Projects and Advanced Networks
- Many Standards Developed on an ad hoc basis
- Government Role Changes re Entrepreneurship, Collaborative Development, Availability of Financing, Accommodation of Collaboration

Where We Are Going...
Greater Diversity of Thought, Perspective and Talent Drives Higher Levels of Innovation

Barriers Between Participants are Falling Away as OSS Projects Provide a Modality to Distill the Collective Intelligence of a Global Community of Creatives
Co-opetition Emerged in the 1990’s in ICT and is Now Accepted as a Way of Life

Ray Noorda, CEO, Novell was the first to Apply the Term and Business Strategy to ICT.

Concept Drawn from Game Theory - John Nash (Princeton), Adam Brandenburger (Harvard, NYU)

Coopetition is becoming more critical in high technology contexts and underlies the OSS modality because of several challenges such as shrinking product life cycles, need for heavy investments in research and development, convergence of multiple technologies, and importance of technological standards.
Core Technology Is Being Developed Through Global Collaborative Projects

How we create value in the “New Economy” is through participation. Opting out and silo’d development is not a viable option!
Open Invention Network Created to Enable Patent Non-Aggression in Core Linux/OSS to Facilitate Collaborative Innovation in OSS - Implicitly Embodies Co-opetition

More than Simply a License – OIN Fostering a Cultural Norm in Technology World
➢ Established in 2005 & Open to ALL

➢ Royalty Free Access to ALL OIN-Owned and Linux-related Cross Licensed Patents

➢ Global Solution – EMEA (47%), Americas (34%), Asia (19%)

➢ Procompetitive from Antitrust Standpoint

➢ 2,100+ Licensees Committed to Patent Non-Aggression in Core Linux/OSS (OIN Community Grown in Size 2.5X Since 2012)

➢ >$95 Million+ USD Invested in 1,000+ OIN-owned Global Patents & Applications - Available for Free to OIN Licensees

➢ 250+ Defensive Publications to raise future patent quality

➢ >1,500,000 Patents & Applications in Potential Cross-License/Grant Back Pool – actual cross-license scope defined by “Linux System”/Cooperation Zone
Relevance of IP in a Linux/OSS World

The Advent of a Linux/OSS World **DOES NOT** Signal a Demise of IP!

Rather, participation in the New Economy of Technology Development requires that we manage a form of practiced duality in terms of IP Strategy AND Business Strategy.

Changes in Filing Strategy in Terms of Where We Invent in the Technology Stack & a More Acute Understanding of How and Where We Differentiate is Required to Best Leverage IP
Unilateral Patent Approaches -
(Complementary to OIN Licensing Commitment)

- Red Hat Promise
- IBM Pledge
- Google Open Patent Non-Assertion (OPN) Pledge
- Twitter Inventor Bill of Rights Commitment
- Toyota Hydrogen Fuel Cell Open Pledge
Thank You!

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