



601 2008 Olympic Dreams: IP Law in China

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Faculty Biographies

Lulin Gao

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Jaime Siegel

Jaime Siegel is currently the senior intellectual property counsel for Sony Corporation of America in Park Ridge, New York. His responsibilities include the worldwide licensing of technology in and out of Sony and the enforcement of Sony's patent rights. Jaime has extensive experience with commercializing intellectual property and licensing patented technology, and has negotiated significant numbers of licensing arrangements during his tenure with Sony Corporation of America in the U.S. and abroad. He is an expert in patent pools and has been involved with the creation of several patent pools managed by MPEG LA and in China has been a member of the AVS ad hoc IPR experts group and the representative for Sony on the AVS patent pool administration executive committee.

Prior to joining Sony, Mr. Siegel was an intellectual property litigation associate at the intellectual property law firms of Kenyon & Kenyon and Fish & Neave.

Mr. Siegel is a regularly invited speaker at legal and licensing professional meetings on the subjects of licensing practices, patent pools, intellectual property in China, and strategic alliances.

He holds an undergraduate degree and a degree in law.

Richard Soll

Richard M. Soll is vice president of research and development and chief scientific officer at TargeGen Inc. in San Diego.

Previously, Mr. Soll was the vice president of chemistry at Ontogen Corporation, a drug discovery company. He also served in roles of increasing responsibility including vice president of chemistry and director of chemistry at 3-Dimensional Pharmaceuticals, Inc., where he founded the chemistry department.

Mr. Soll has authored numerous papers in medicinal chemistry and is an inventor or co-inventor of more than 65 pending or issued patents.

Mr. Soll received a bachelor's from the University of Massachusetts and a Ph.D. degree from Dartmouth College. He was also a chemistry post-doctoral fellow at Harvard University.

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Important Points For China

Patent Licensing - The Market Equalizer

- Patent Licensing allows innovators to recoup investments in new technology development
 - Without licensing fees to equalize, non-innovators get an unfair market pricing advantage

Important Points For China

Patent Licensing - The Market Equalizer

- Patent Licensing allows manufacturers to sell products based on new technology without R&D
 - With access to patented innovation, manufacturers that do not have R&D operations can compete in new technology products

Experiences in China The AVS Patent Pool The Problem

- The AVS Standard covers Audio, Video, DRM and Systems.
 - The Problems:
 - Inadequate IPR Policy.
 - Stated intent to collect no more than 1 RMB (12 cents) for all patents,
 - Limited knowledge as to how patent pools work.

Experiences in China The AVS Patent Pool The Solution – Part 1

- Created an IPR Experts Ad Hoc Group that:
 - Rewrote the IPR policy.
 - Build trust.

Experiences in China The AVS Patent Pool The Solution – Part 2

- If you can't beat them – guide them
 - Member of the AVS Patent Pool Administration Executive Committee.

Experiences in China The AVS Patent Pool The Goal

- As the first true patent pool in China, we want to see this pool follow best practices, as it will likely be a model for others.

Experiences in China Patent Enforcement Against Infringers

Batteries

- Sony has been aggressively pursuing infringers of our patents on battery packs for cameras and camcorders

Experiences in China Patent Enforcement Against Infringers

Success!

- Seizures of molds and manufacturing equipment
- Awards of damages (limited by law)

Experiences in China Patent Enforcement Against Infringers

Lessons

- Make sure that you have quality counsel that is on the ground in China and understands the people and the system.
- Don't do it for the money.