

BUSINESS INNOVATION SYMPOSIUM (E6)
Innovation, Entrepreneurship & Investment: The Mesoscopic Perspective (2)

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INTELLECTUAL PROPERTY MANAGEMENT STRATEGIES OF START-UPS IN SPACE-RELATED
INNOVATION

Abstract

Appropriability measures such as patents, trademarks and copyrights can be important to encourage innovation. Especially in a technology-intensive sector, companies regularly need to invest large amounts of money in RD and infrastructure at the outset, thereby increasing their motivation to protect and appropriate the results of their efforts. This becomes particularly important in a scenario where the industry is attempting to increase business from the private sector, for example launching a space-based services market. We therefore concentrate on strategies of intellectual property management of startups arising around space technologies.

In this context, we examine IP management practices in two different innovation settings that are typical of aerospace, (1) technology transfers from industry and space agencies, and (2) RD for new technology stemming from the participation in grand innovation challenges.

For many years, the European Space Agency has established recommendations to both encourage innovation and defend the European industrial competitiveness, leading to an articulate IPR management strategy. This strategy is also used to create a number of startups who commercialize space technology in different terrestrial sectors. The IP management strategy initially adopted by the technology originator has repercussions on the start-up as well as ensuing technology trajectories.

The second part of the paper covers the “Google Lunar X Prize” (GLXP) highlighting the differences of strategic approaches of teams to manage IP in dependence of their nature and origin of foundation and their specific situation on the trajectory path to become a successful contestant. In particular, questions to be answered cover e.g. which IP rights remain with the competitor and what part will be ceded to the organizer, as well as what part of IP will be revealed through the publication of the specific problem. We discover that circumstances around the foundation of a contestant team and its nature determines their subsequent approach towards management of IP.

These two studies cover a wide spectrum of different scenarios and encourage a deeper reflection on the role of IP management in fostering innovation within and from space technologies. Moreover, insights from this paper could be considered in other sectors, such as Key Enabling Technologies, where heavy RD investments are carried out, often sponsored by research institutes or government entities, to achieve technological breakthroughs, and the novelty of emerging sectors encourages the presence of entrepreneurship.