

Second UNCITRAL Colloquium on Secured Transactions
Security interests in intellectual property rights
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Session on Patents as Collateral

Introducing the issues
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- I. Session objectives: to identify harmonious solutions for a smoother interaction between patent law and securities
- II. Key importance of patents among IP Rights
- III. Patents transform knowledge into market value
- IV. Among IPRs patents present the unique characteristics of being subject to systematic registration, and this offers interesting paths for securities
- V. Patent law is national but largely harmonized, in the WIPO (Paris Convention, PLT and in a way PCT) and WTO (TRIPS Agreement) fora
- VI. The borders of patents are expanding (e. g. business method patents, software patents) and at the same time being fiercely contested (e. g. by open knowledge movement, by several developing countries)
- VII. Patent licensing offers immense opportunities for securities, that are not yet fully used
- VIII. Issues on securities interfere throughout patent life, from the stage of patent application until the end of patent life
- IX. Patent law differs from Trademark and Copyright law in multiple aspects (cf. exhaustion regimes)
- X. Terminology issues and conflicts between securities are to be clarified step by step with caution