

Thank you for organizing the IP Roundtable yesterday. Here is a summary of my thoughts after yesterday's discussion.

Focus the discussion. This means bifurcating issues. Separate "strengthening the position of Canadian companies" from "improving Canadian IP law, practice and CIPO". Separate "business strategy that depends on IP" from "IP law". Separate "levelling the playing field for Canadian companies" from "commercializing Canadian IP through third parties". Conflating these issues leads to divergent conversation.

Per "business strategy that depends on IP": we simply don't have the knowledge, experience, and expertise in Canada (or, at least, it is far too rare). The people who have not been able to crack this nut in the past should not be the same people that we now turn to when redesigning the nutcracker. Let's study what the team on the other side of the field is doing, master it, and then improve upon that with our own innovative "made in Canada" solution. But the "made in Canada" solution should first be based on imported knowledge.

Let's focus on specific industry clusters. Sorry, but this isn't an exercise in fairness. I can't avoid my own self interests here, but I think an objective case can be made that employment, GDP, etc., outweigh the interests of individual inventors who are struggling to commercialize their IP.

My strategy for strengthening the position of Canadian companies vis-a-vis IP would be:

- 1) Learn lessons by studying what others are doing; in particular, the United States and the Valley, but also China, maybe Japan and Korea. Perhaps pick a few key business milestones to look at: valuation at series A/B funding, IPO, etc.; IP lawsuits that cripple young companies at an early/vulnerable stage. Figure out what separates the winners from the losers with respect to IP. Draft some general guidelines.
- 2) Propagate these guidelines through existing channels. If the federal government is going to support regional innovation centres with public funding, make sure that the innovation centres ("accelerators", "incubators", etc.) are pulling in the same direction as the government with respect to IP. I keep hearing that some of these innovation centres preach "don't waste your money on IP protection", which is a bit heartbreaking - though it does support by claim that we generally lack sophisticated business knowledge when it comes to IP.
- 3) Look to provide greater freedom-to-operate leverage for Canadian companies in order to level the playing field or even give us a leg up on the international competition. That being said, if we can't generally raise the level of awareness and sophistication among our business leaders, then we likely won't maximize the effectiveness of such a program anyway. Again: education/awareness/sophistication in the private sector is the key; and if we get that piece in place, the rest should come together more naturally.
- 4) I would push out all CIPO-related issues to a different discussion. Yes, we have significant issues there; but let's focus on building better Canadian companies here.

Please let me know if I can be of further assistance on this matter. I believe that Clearpath is in the process of breaking new ground, or, at the very least, diverging from the status quo. We're in a very exciting industry cluster around AI, autonomous vehicles, advanced manufacturing, etc. While I'm sure that we will benefit from whatever you come up with, my primary concerns are with other Canadian companies who might not have the benefit of the type of corporate leadership that I am enjoying at Clearpath.