

Re: IP transfer question

Source: <http://sci.tech--archive.net/Archive/sci.electronics.design/2005-04/msg00492.html>

- *From:* "Walter Harley" <walterh@xxxxxxxxxxxxxxxxxxxxxxxx>
 - *Date:* Sat, 2 Apr 2005 21:45:04 -0800
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"richard mullens" <mullensdeletethis@xxxxxxxxxxxxx> wrote in message
[news:fOI3e.3642\\$P71.3204@xxxxxxxxxxxxxxxxxxxxxxxx](mailto:news:fOI3e.3642$P71.3204@xxxxxxxxxxxxxxxxxxxxxxxx)

> This is sci.electronics.design.

>

> Here, people give of their time and experience in the furtherance of the
> spread electronic design knowledge to those with a genuine interest in
> electronics (rather than freeloaders who just want a shortcut).

>

> Your question, which is more about restricting the freedoms of others, is
> liable to get short shrift from the commies on this group (I count myself
> among them) – but doubtless there will be a few who sympathise with you.

>

> If you have to ask a question like this, then my advice would be that you
> do it elsewhere.

You seem to have misunderstood both me and my question. I apologize if that misunderstanding was due to a lack of clarity on my part.

But I confess, I do not see what part of my question was unclear. Are you under the impression that contracts are bad? Or that licensing another's designs is bad? Or that evolving someone else's design is bad? Or that asking opinions is bad?

If I may clarify:

I know a fellow who, after an illustrious career as an engineer himself, is retiring. I am considering taking over the manufacture of some of his products. Admittedly I could simply have designed competing products myself; but I have always felt that if a good product is on the market at a reasonable price, I would be serving the public and the industry better to focus my efforts elsewhere. So, I waited until an opportunity came up to license his products.

That opportunity has arisen, and I am trying to pursue it. I am happy to pay him a fair royalty. However, I want to be fair to both of us; and so I want to write a contract that deprives neither of us of our due. He should be entitled to royalties on his design; I should be entitled to ownership of my own designs, and to my improvements on his design.

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This is a common situation, and a common problem. I am simply wondering what the customary solution to it is. I could pay an IP lawyer a large amount of money to get a single opinion, which I might or might not trust; but thankfully I also have this forum as a recourse, where there are many skilled engineers who have probably encountered this problem at one time or another and who are willing to share their opinion.

- **Follow-Ups:**

- ◆ **Re: IP transfer question**
◇ From: Rich Grise
- ◆ **Re: IP transfer question**
◇ From: James Meyer
- ◆ **Re: IP transfer question**
◇ From: richard mullens
- ◆ **Re: IP transfer question**
◇ From: Fred Bloggs
- ◆ **Re: IP transfer question**
◇ From: John Woodgate

- **References:**

- ◆ **IP transfer question**
◇ From: Walter Harley
- ◆ **Re: IP transfer question**
◇ From: richard mullens

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