

## Complex IPR Case study on potential licensing situations

1. Lyzensee is a highly successful airconditioner maker with 40 % of the Indian enterprise market.
2. Lyzensee owes its success to 3 key factors:
  - Its People
  - Its Products
  - Its Processes and Technology
3. Lyzensee has key collaborations with global leaders in select technology domains.
4. A month ago, the CEO of Lyzensee was presented with a fairly complex situation:

These related to an Italian collaborator who had provided technology for various components that Lyzensee was using in their airconditioners. The Italians had also been buying these components from Lyzensee for over 11 years. The Italian company wanted to set up its own factory in India to make the same components. Even worse, the Italian collaborator set out a list of technology documents, processes, drawings and patents that they said they owned exclusively and demanded that Lyzensee provide assurance that these will not be retained, used or otherwise shared with any one in the future . Lyzensee had made several improvements and modifications for Indian conditions in the components. These were known to the Italian collaborator and were now being claimed by the Italians,

Issues for discussion:

1. What IPR related issues do you see in these situations?
2. What options does Lyzensee have?
3. How could Lyzensee have structured its relationship with the Italians using licensing options – to either maintain its freedom to operate and/or to keep control over its own developments.?