



»Case Studies«

Case Study 1: When Collaborators Disagree

Case Study 2: Why Can't We All Just Get Along?

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After three years of work, Susan McCloskey, Alberto Lopez, and a team of graduate students and postdoctoral fellows have developed a new kind of search-engine algorithm that they feel could compete head to head with either Google or Microsoft's MSN. The two researchers are faculty members of the computer-science department at a major university, which has an aggressive technology-transfer department that supports the development and licensing of marketable patents. Because the technology was developed using federal funds at the university, intellectual-property law gives the university ownership of the patent, with licensing revenue shared among the university and the inventors.

The researchers, the staff of the technology-transfer office, and independent consultants all agree that the new algorithm has true potential and should be patented, licensed, and marketed. But the researchers disagree about the strategy to be employed. Dr. McCloskey and some of the student inventors feel that the technology should be licensed to a preexisting major company, such as Google or MSN, or another big firm that is trying to get into the search market. Dr. Lopez and the remaining students feel that he, Dr. McCloskey, and the students should be entrepreneurial and start a new company by licensing the technology from the university. The technology-transfer staff believes that Dr. McCloskey's licensing approach to a big firm makes more economic sense than starting from scratch, but Dr. Lopez insists that all will ultimately benefit financially if they create a new company.

Fighting has erupted among Drs. Lopez and McCloskey and the technology-transfer office, with everyone threatening one another with lawyers and lawsuits. Legally, the university owns the technology and can "force" Dr. Lopez to go along with Dr. McCloskey and her approach, but it is reluctant to do so because it would like to have all parties happy when approaching a potential licensee.