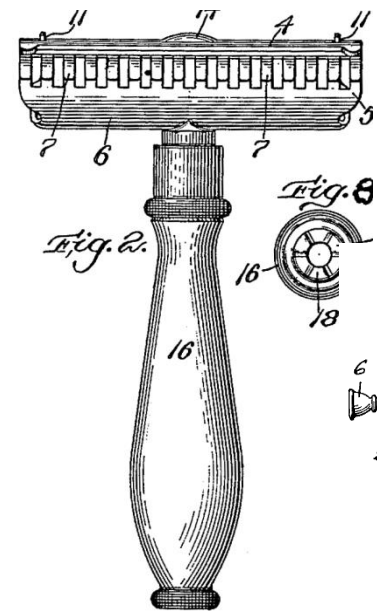


# IoT and Software-Based Patent Protection in a Digitalized World

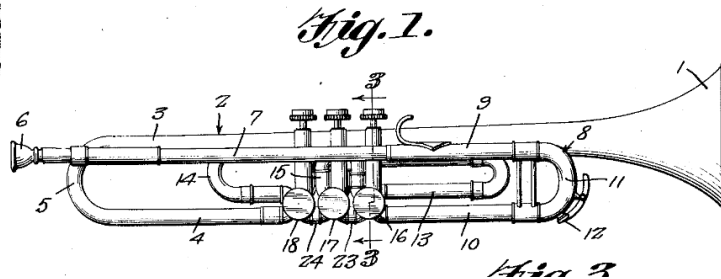
## *Injunctions*

Léon Dijkman  
HONYG ROKH MONEGIER LLP (Amsterdam)  
6 April 2018

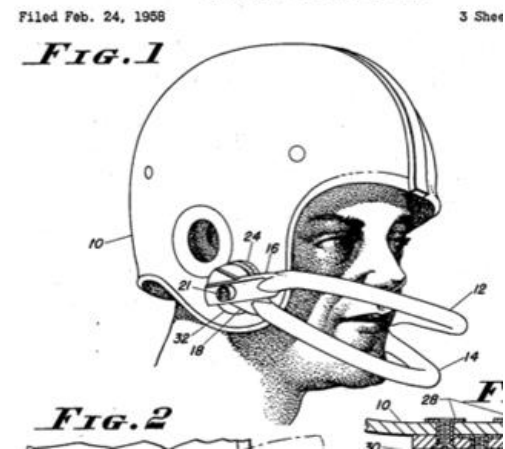
# The changing nature of innovation – and patents (1)



1904



1938

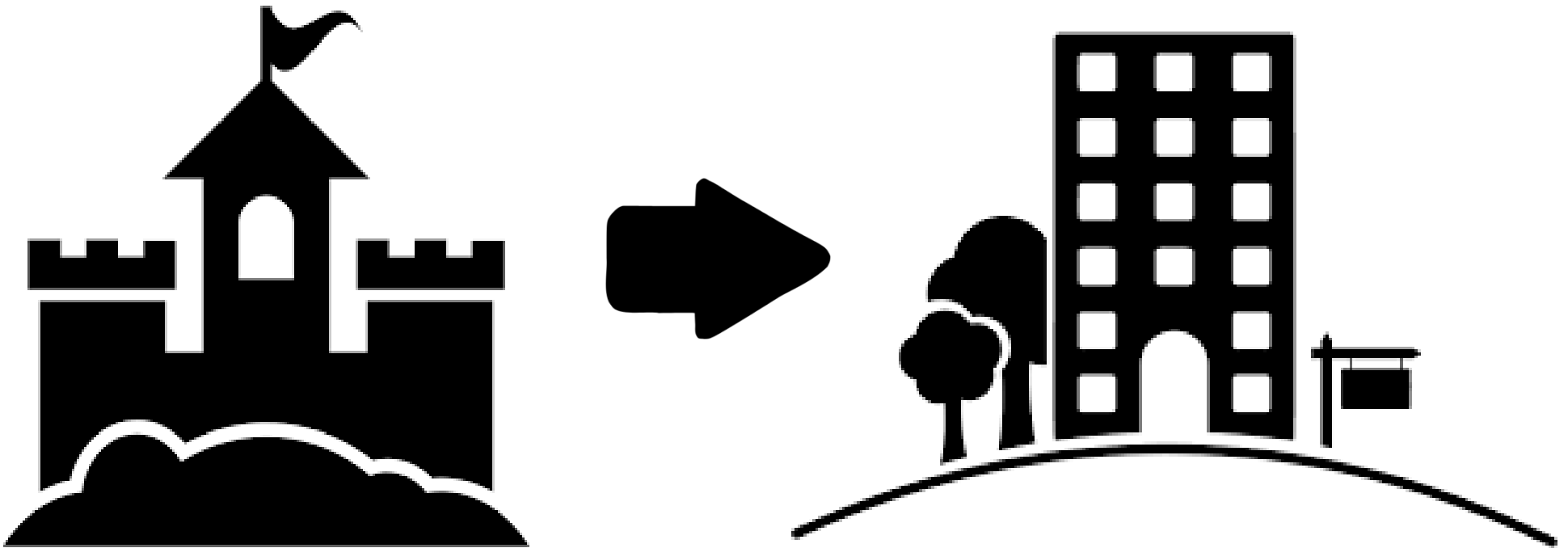


1960

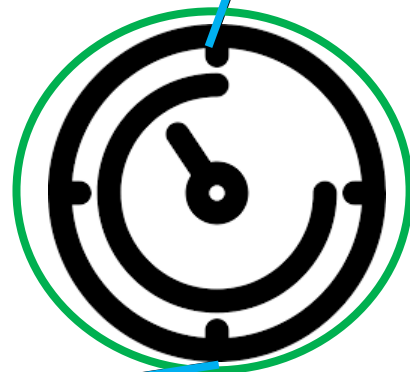
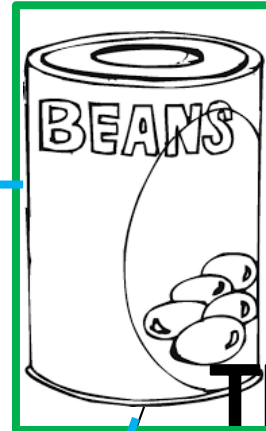


2008

# The changing nature of innovation – and patents (2)



# The Internet of Things



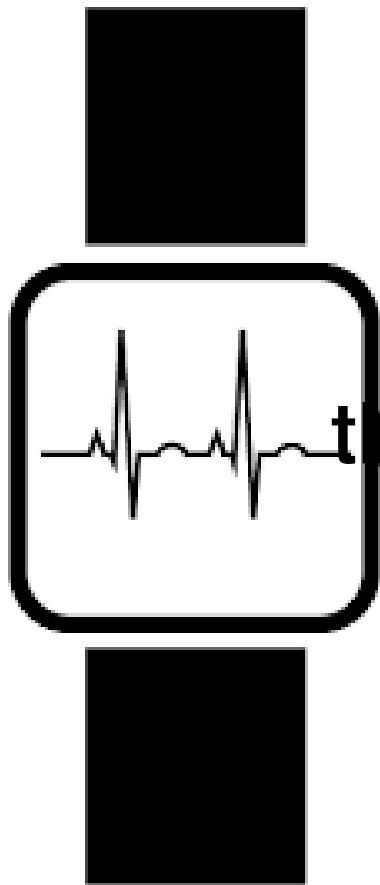
Three types of patents

- 1 IoT devices themselves
- 2 IoT networks
- 3 IoT network services



# Scope of exclusivity (i)

If patents cover product itself,  
injunctions normally not problematic



Patentee was first to  
think of product so should enjoy monopoly

But patentee likely to be dependent on  
others in order to market product in IoT  
environment

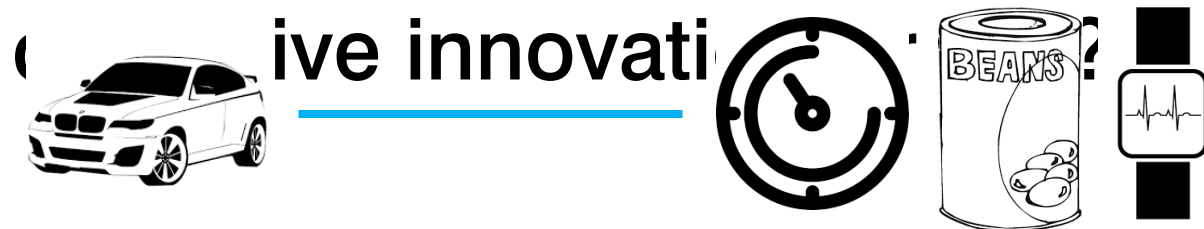
## Scope of exclusivity (ii)

Smart objects need access to IoT: need to use network protocols

Standardization in this area is ongoing and important to ensure effective access



The breadth of the standard determines rate of growth of IoT: do we choose a model of



**US 2014/0222813**



# **“Collecting data in internet of things”**

What is claimed is:

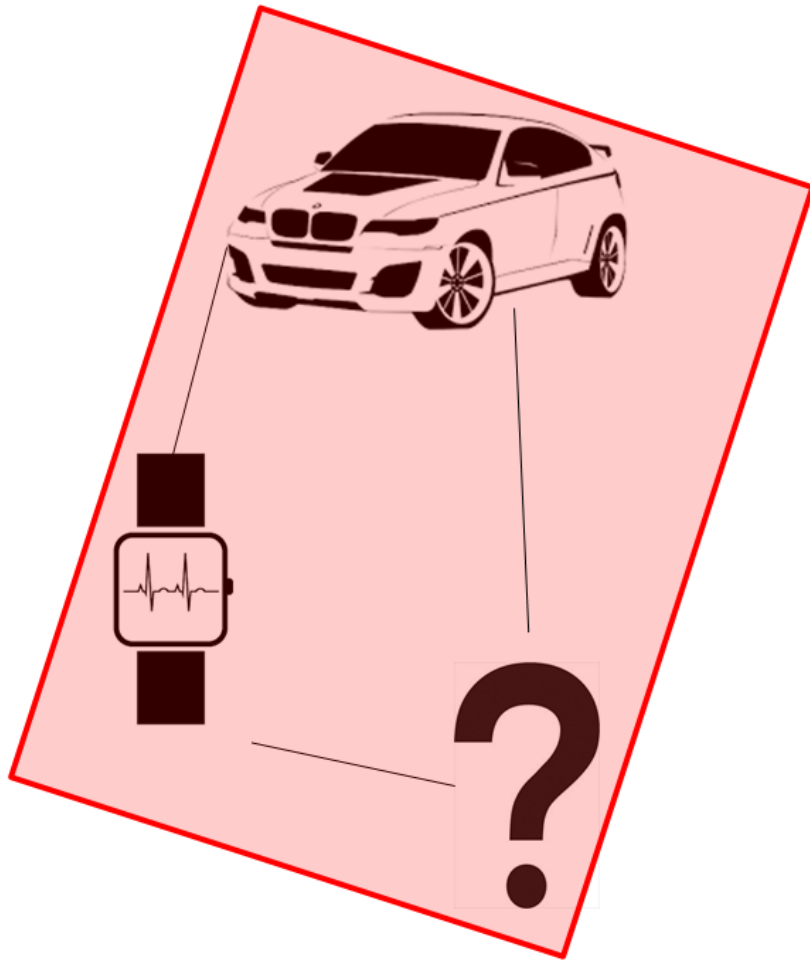
1. A method for collecting data in an Internet of Things, the method comprising:
  - receiving status data from at least one sensor node;
  - extracting content data from the status data received from the at least one sensor node;
  - aggregating the content data; and
  - transmitting the aggregated content data to a data center.

## Scope of exclusivity (iii)

Patents on IoT services have potentially very broad scope: “collecting data in Internet of Things”

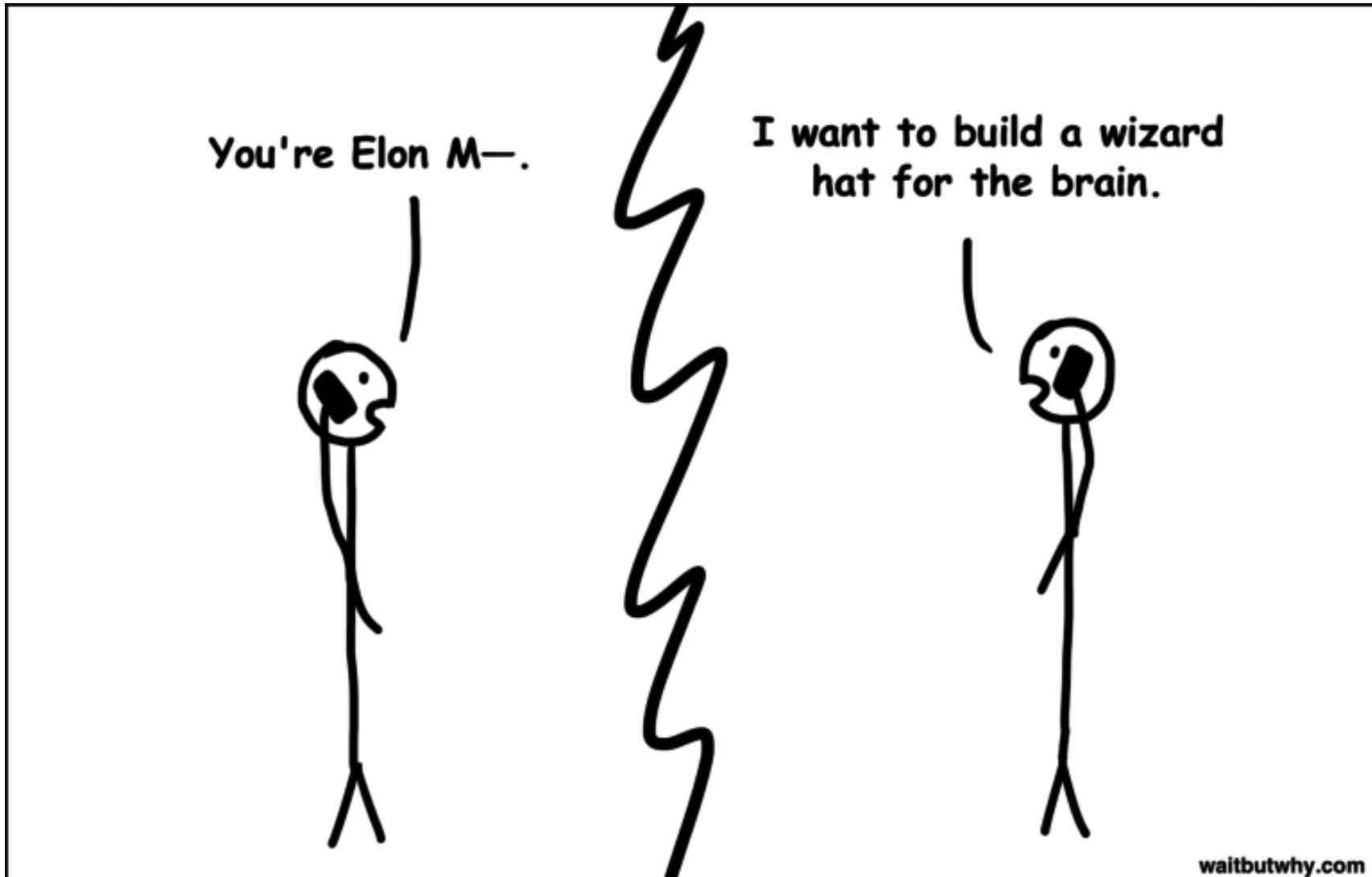
Product manufacturers ‘ambushed’ by patents on connective services may be precluded from using IoT technology

*En passant:* who owns data generated by Things?

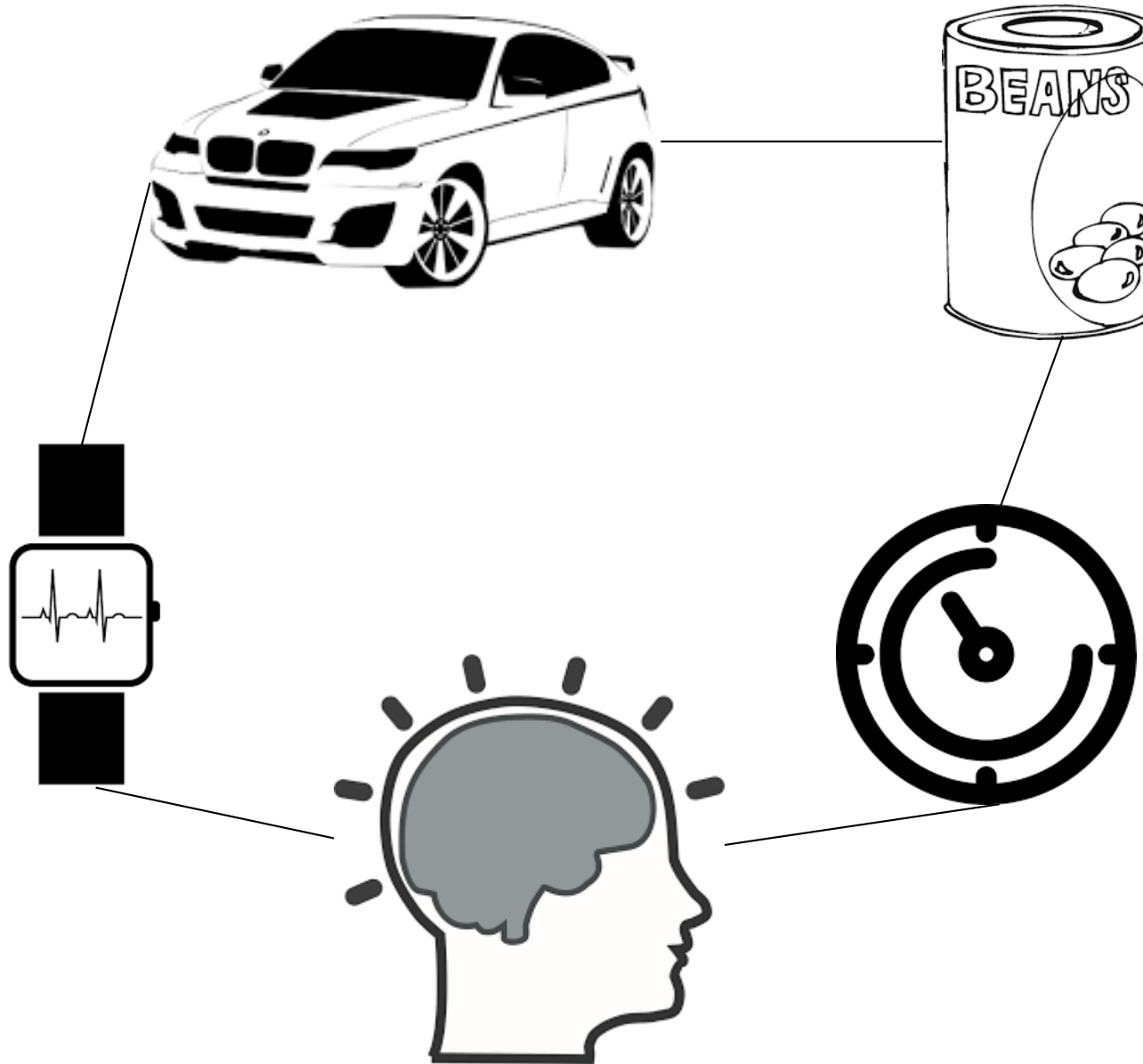




# The stakes are high



# The Future of Things



**Thank you for your attention!**



**Any questions?**

**Please feel free to reach out to me for comments,  
ideas or just for fun:  
[leon.dijkman@hoyngrokh.com](mailto:leon.dijkman@hoyngrokh.com)**