



Key factors for the successful evaluation and screening of managers of the intellectual property rights speciality

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ABSTRACT

This research uses the analytical hierarchy process (AHP) to analyze the key factors in evaluating and screening managers of the intellectual property rights speciality in Taiwan, related to industry. Industry can utilize the key factors of human resource management to provide self-growth and obtain competitive advantage opportunities for expanding the global market share. This research summarizes the evaluation and screening criteria of managers of the intellectual property rights speciality via a questionnaire of 29 managerial or technical staff from the IP rights-related industries, technology or management experts from the governmental departments related to IP rights industries, and scholars with backgrounds in IP rights related industries who had actually participated in IP rights managers speciality decisions or related tasks and who had employed AHP screening criteria. The findings include three key factors in evaluating and screening the managers' speciality: evaluating IP rights competency, locating the core patent group competency, and calculating the chance of patents to be granted competency. This research can provide a reference for Taiwan's related industry, when evaluating and screening managers of the IP rights speciality.

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1. Introduction

Intellectual property (IP) rights are invisible properties, differing from tangible possessions not only in their ways of usage but also their evaluation. As the world's economy is gearing toward becoming a knowledge-based one, knowledge workers hold the key to IP rights (the creations of minds). Hence, there arises a brand new management task: how do companies turn their employees' knowledge into their intellectual property? In the 1970s, a company's visible property accounted for 80% of its value while, in the 21st century, 70% of it may come from its invisible property (Davis & Harrison, 2001). The fruit of knowledge is what we call intellectual property (Lou, 2003).

IP rights have long been handled as a legal issue (Adams, 1987). With the society becoming ever more knowledge intensive, the prosperity of a company depends increasingly on a systematic integration between IP rights and R&D results. The development and maintenance of IP rights can help companies to increase their revenue as well as retain their competitive edge (Borg, 2001). As the link between IP rights and profit is proven to be positive,

managing IP rights naturally becomes a crucial aspect of business strategy. Such management can be implemented through IP development, protection and commercialization, with the aim of strengthening a company's competitiveness and sustainable progress (Xu, 2004).

The technology service providers for IP rights work in an interdisciplinary way to deal with issues of management, legal affairs and technology. As expertise or technology dependent as they are, their products and services are knowledge-based (Bilderveek, Hertog, Marklund, & Miles, 1998). Currently, in Taiwan, IP rights management is widely acknowledged to be one of the most important topics by industry, the government and academia alike (Lou & Hwang, 2004). Facing the present economic climate, in which innovation and knowledge capital are deemed to be of great significance, companies should take immediate action to promote research and innovation, as well as the effective management of IP rights. This naturally leads to the increasing demand for talent in the field of IP rights management. These professionals are able to provide technological development forecasts and carry out the procedures of patent registration and technology commercialisation. They can also work closely with the R&D teams to enable the utmost worth of any IP rights to become the secret weapon of a company (Xu, 2004).

The core of IP rights management is the search for suitable talent, as successful management is decided by various factors, both internal and external. To overcome the internal challenges,

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professionals from legal, technological and managerial backgrounds have to collaborate, and equally important and difficult is the training of such professionals (Lou & Hwang, 2004). The shortage of talent at the moment is a direct result of the small number of training organizations and staff. Therefore, how to cultivate the most needed talent is currently a pressing issue for IP rights management.

Studies on the theories of intellectual property (IP) rights management, technology trading and reevaluation abound. Many scholars have also expressed opinions on the technical side of IP rights management, such as the government policies, market regulation and technology trading systems (Lou, 1990). In comparison, there is insufficient quantitative research focusing on the selection of IP rights management personnel. To address this issue, this study is designed with the following aims in mind:

- (1) To establish the relative weight and deciding factors of the vetting of IP rights managers.
- (2) To offer concrete suggestions on the training of IP rights managers.
- (3) To provide information for related industries and aspiring IP rights managers about the requirements of IP rights management as a profession.

2. Definition of the managers of intellectual property rights speciality competency index

According to the online platform of technology trading, Taiwan technology market (www.twtm.com.tw, 2006a), launched by the Industrial Development Bureau, Ministry of Economic Affairs, services related to IP rights management fall into five categories: (1) services to establish IP rights management and implementation systems; (2) services to increase the value of IP rights; (3) IP rights evaluation; (4) legal services; and (5) services to plan and implement IP rights, R&D results and corporate strategies, as well as IP rights integration, education and training. The definition here not only highlights the responsibilities of IP rights managers, but also their significance to the industry. Effective management is able to bring forth tactical correlations among internal IP rights in a way that boosts a company's strategic operation and competitive edge.

In recent years, the technology industry in Taiwan has made promising advances in its R&D capability. However, accompanying such a trend is an increase in the number of lawsuits over IP infringement raised by international companies. A missed step in the field of patent landmines often proves costly. The lack of IP rights management is to be blamed for this in most cases, as is the companies' inadequate awareness of IP rights protection. Technology companies ought to employ IP rights management professionals to enable smooth technological integration, such as technology transfer, evaluation, investment assessment and technology management.

IP managers are in high demand in the current marketplace in Taiwan. Where the trained professionals are that the companies need is the hottest topic. In other words, talent cultivation has become the most pressing issue for the authorities and the IP rights service providers alike. Responding to this key issue, this study is as significant as it is relevant to the current climate.

2.1. The meaning of competency

Competency or professional capability refers to an individual's knowledge, skills, attitude and personal values related to his/her work performance (Knowles, 1970). There are subject and object competences (Liang & Wang, 1994). Subject competence refers to an individual's innate adaptability and characteristics (Lucia & Lepsinger, 1999), such as motives, personality traits, self-concept and values. These are the underlying attributes, as defined by

Spencer and Spencer (1993) iceberg model of competency. Like the submerged part of an iceberg, these hidden qualities are relatively more difficult to spot and develop. Objective competence stands for knowledge and skills, which corresponds to visible attributes in the iceberg model. These features can be improved via education. In theory, competency, whether subject or object, can be assessed, hence allowing the possibility of further development via training (Parry, 1996).

A pragmatic worker should know how to integrate his/her professional knowledge with that of his/her colleagues. Therefore, when evaluating an individual's professional competency, the situational and human factors cannot be overlooked (Queeney, 1996). Apart from work competency (Spencer & Spencer, 1993), there is also generic competency (Catano, 1998; Coomer, 1998; Virtanen, 2000; Waugh, 1990)—a general ability that can be applied to more than one specific position or discipline but to every position, department or class within an organization (Catano, 1998). Waugh (1990) proposes that basic work competences include listening, reading, communication, teamwork, self-management and self-motivation. According to Coomer (1998), reading, communication, computing, data searching, problem solving and team work should all be included in the range of work competences.

To conclude, competencies include the visible and underlying attributes required for the accomplishment of a task. Performance is closely related to the level of competency and can be assessed and ameliorated via training. This study adopts Catano's (1998) definition of competence to look at the competences involved in IP management from three aspects: professional competency, basic competency and personality, as follows:

1. Professional competency: Professional competency refers to the knowledge and skills required for the execution of a profession. This aspect of competency belongs to the visible attributes of the iceberg model (Spencer & Spencer, 1993). With reference to the IP management services listed on the Taiwan technology market (2006b), this study concludes that there are six sub-indicators of professional competency, including patent inventory, locating the core patent group, applying patents inland and overseas, evaluating IP rights, deciding on the best timing to patent, and calculating the chance of patents being granted.
2. Basic competency: Basic competence refers to an ability that can be applied extensively to any work situation and also one that can act as an aid to the expression of professional competence (Coomer, 1998). In this study, the five basic functions of IP rights professionals, as proposed by Chang, Yang, and Shen (2007), are used as the sub-indicators, including observation competence, data collection competence, communication and coordination competence, problem-solving competence, and English proficiency competence.
3. Personality: Personality refers to a combination of individual characteristics and behaviors that promote excellence in work performance. These are the underlying features in Spencer & Spencer's iceberg model (1993). This study referred to the work of Chang et al. (2007) to list five personality-related features as the sub-indicators of personality. These are also based on industry services, and include professional confidence, a sense of responsibility, a sense of morality, an ability to adapt, and a team spirit (Wood & Paynee, 1998).

3. Method

3.1. Structure

Because each evaluation criterion obtained by this research is qualitative in nature, it is difficult to quantify them for practical application. Therefore, this research deploys a two-stage expert

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