A FRAMEWORK FOR NAVIGATING THE PATENT LIFECYCLE UNDER BUDGET PRESSURE

Beyond keep or drop: how TTOs can make better decisions at every patent stage

The keep-or-drop question comes up at every major decision point in the patent lifecycle — priority filing, PCT, national phase — and it almost always arrives under pressure. The budget is constrained, the deadline is close, the academic is asking questions, and the team has to make a call on something that may or may not have commercial legs.

What makes these decisions hard isn't the choice between keeping and dropping. It's everything underneath that choice: whether the technology is at the right stage, whether there's a credible commercial path, whether the team is capable and motivated, and whether the timing is right to file in the first place. Framing those questions as binary — keep or drop — flattens the complexity rather than address it.

This guide covers how two organizations approach patent lifecycle decisions differently, and what both have learned about building a process that holds up under budget pressure. It draws on a panel discussion hosted by Knowledge Exchange UK in collaboration with Tradespace, featuring Matthew Wilson, Head of IP Management and Commercialisation at Queen's University Belfast, and Angie Miller, Senior Partner for Academic Engagement at LifeArc.

You can read this guide alongside the webinar replay or independently.

Watch the webinar replay →

Why budget pressure forces the question — and what it reveals

Patent costs typically fall outside what research grants cover, which means every filing decision is also a budget decision. That constraint isn't neutral — it shapes behavior, sometimes in useful ways and sometimes not.

Matthew Wilson at Queen's University Belfast described what a lean budget produced for his office: an extremely efficient and disciplined commercialization process. With limited funds, the team had to get clear early on which projects to stand behind. They use the patent timeline — specifically the PCT stage — as a go/no-go transition. Nothing advances to national phase without a clear commercial negotiation in progress or a confirmed spinout pathway. The constraint forced focus.

But the same constraint has costs. Matthew tracked the patent families Queen's has dropped since 2020 — around 33 — and assessed the potential value of what was lost. The range is wide and uncertain, as any estimate of unlicensed IP would be, but the exercise suggested the institution may have left between two and six million pounds on the table, in cases where no one was in a position to drive commercialization forward. Technologies dropped not because they lacked value, but because the momentum wasn't there when the deadline arrived.

Angie Miller at LifeArc works in a different model — as a funder and partner to academic teams developing life sciences technologies — but she sees the same dynamic from the outside. Offices filing prematurely under funding pressure, then dropping at the wrong moment, can damage a technology's trajectory in ways that compound. The timing of when you file, and when you drop, matters as much as whether you do.

The practical implication: budget pressure is significant, but using it as the primary decision criterion produces decisions that are more about the calendar than the technology. Building a process that separates the timing question from the value question gives teams more room to act on what matters.

Separating "does this merit protection?" from "can we afford it right now?"

John Sherrill at Tradespace raised a question that often gets conflated: can we afford this right now, and does this warrant protection? Both questions come up at the same moment — usually at a stage gate — and the pressure to answer them together tends to produce worse answers to both.

Matthew's approach at Queen's is to answer the value question first and let it drive the timing question. The team's instinct is to front-load spend on the priority filing stage, capturing the idea early, and then use the 12 months to PCT to answer the commercial question. If the answer is no by PCT, they drop and move on. If the team is engaged, the market is clear, and there's translational funding in motion, they advance.

What he described as the "file, kill, refile" model is a version of this: filing a priority to establish the date, allowing it to lapse before PCT if the commercial picture hasn't developed, and refiling when it has. It's not a first choice, but it's a legitimate tool for technologies where the development timeline doesn't align neatly with the patent clock.

Angie's version of the same principle: sometimes the right answer isn't filing yet. If there's no competitive pressure forcing an early filing, and the technology can be held confidentially while continuing to develop, waiting until the data is stronger may produce a better outcome than filing prematurely and dropping later. Premature filing that gets abandoned doesn't just waste money — it can close off options.

The stage gate approach Queen's uses converts this into a documented commitment. Immediately after a priority filing, an automated email goes to the research team with clear milestones: engagement on a market discovery program, active commercialization conversations, and a plan for translational funding — all within the 12-month PCT window. The milestones convert the go/no-go from a judgment call into a record. If the milestones are met, the case advances. If they're not, the decision is clear and documented.

QUEEN'S UNIVERSITY BELFAST

How Queen's University Belfast uses Tradespace to triage disclosures in minutes

Matthew Wilson's team uses novelty and market scores to run a red/amber/green triage on every incoming disclosure — automatically routing amber and green cases to patent agents for a formal opinion. A process that previously took two to three weeks per disclosure now happens in minutes.

Watch the case study →

The tools that make better decisions possible

Both panelists described a similar architecture for how they make licensing and filing decisions: structured market discovery programs, early commercial assessment, data from past cases, and group decision-making rather than individual judgment.

Matthew at Queen's uses programs like ICURe at different stages of the patent lifecycle — both at the start to assess whether there's something that merits protecting, and later to answer the commercial question more rigorously. The ICURe Discover program is a light-touch market discovery exercise useful for early career researchers. ICURe Explore requires the researcher to complete 100 conversations with potential customers and map out a development plan. By the time a case is approaching PCT, the team knows whether the market exists and whether the academic is willing to do the work to reach it.

Alongside that, Queen's maintains a library of past licensing deals that the team can reference for benchmarking. Combined with AI tools for landscape assessment, they can generate a range of what a technology might realistically achieve — not a precise number, but a grounded estimate that informs the decision rather than leaving it to gut instinct.

Angie described a similar orientation at LifeArc, where the path-to-patient question structures every evaluation. In life sciences, the commercial question isn't just market size — it's whether the technology has a credible route to the end user, whether the competitive landscape supports it, and whether the team is capable of executing the development required. When all of those factors align, the decision to support is clear. When they don't, the question becomes what would need to change to make it viable.

Both also described moving away from decisions made by individuals toward decisions made by groups. Matthew noted that too many outcomes in tech transfer offices hinge on single people — which creates pressure, inconsistency, and critical points of failure. Queen's now brings together the commercialization team and the spinout and startup creation team to review cases together. Different perspectives on the same technology surface things one person would miss.

Managing the academic relationship when the answer is no

Every office has to deliver difficult news to academics, and the way that conversation goes shapes whether the inventor comes back.

Matthew's approach at Queen's starts before the conversation: the milestones established at the priority filing stage mean that a no is rarely a surprise. If the milestones haven't been met, the academic already knows, and the decision follows from a record both parties can see. The conversation is still hard, but it's grounded in something concrete rather than a committee's judgment.

Angie described the relational dimension that sits alongside the process. Researchers don't always understand what the pathway looks like, and they can feel that a no on their technology is a judgment on their research. Separating those things — making clear that it's not the pathway for this technology, not a statement about the research itself — is some of the most important communication a TTO does. Where the technology can still be published, she described working out a strategy where both happen: the patent process may close, but the researcher gets the publication they need. The two don't have to be in conflict.

What neither approach can fully eliminate is the emotional difficulty of the conversation itself. But a process that starts with clear milestones, builds in group decision-making, and ends with an honest explanation of what other paths are available gives the academic something to work with rather than a closed door.

When you do keep a technology — how to set it up for commercialization

As startup licensing has grown to match or exceed corporate licensing at many universities, the decisions that come after keeping a technology have become as important as the keep-or-drop call itself. This guide covers how to vet spinout partners, structure licenses for long-term alignment, and avoid the overhead traps that make startup portfolios harder to manage than they look.

Read the guide →

What the best-run offices have in common

Angie's version: early discussions, flexible strategy, and the willingness to revisit. What was right two years ago may not be right now. Technologies that couldn't be supported in one round may be supportable in the next. The offices that navigate this well treat the decision as ongoing rather than final — and build relationships with academics that make it possible to have honest conversations when things change.

The keep-or-drop framing isn't wrong. It's just incomplete. The harder and more useful question is what needs to be true for this technology to justify keeping — and whether there's a path to get there.

Matthew's final observation from the session captures what connects the different approaches: clear milestones, set early and revisited consistently. Not a binary decision made once at a deadline, but a process that checks the commercial question at every stage gate and builds a record of what was found.

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