

DIN 77100

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**Patent valuation –
General principles for monetary patent valuation
English translation of DIN 77100:2011-05**

Patentbewertung –
Grundsätze der monetären Patentbewertung
Englische Übersetzung von DIN 77100:2011-05
Évaluation des brevets –
Principes généraux pour l'évaluation monétaire des brevets
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A comma is used as the decimal marker.

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Foreword

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1 Scope

The standard specifies the principles, valuation approaches and influencing factors that are to be considered when carrying out monetary valuations of patents. The different valuation approaches are prioritized according to the availability of relevant information.

The objective of this standard is to establish a framework for the monetary valuation of patents. For the purposes of this standard, the term “patents” also includes similar industrial property rights such as utility models and patent applications.

This standard is intended for valuation experts. Reports prepared according to this standard are comprehensible and verifiable for valuation experts, as well as understandable for the addressee.

2 Terms and definitions

For the purposes of this standard, the following terms and definitions apply.

2.1

addressee of the valuation

person or organization for whom the valuation is carried out

2.2

valuation purpose

motivation for the patent valuation which details why a patent valuation is carried out

EXAMPLE Purchasing and selling patents etc.

2.3

valuation object

patent or patent portfolio whose future economic value is to be determined

2.4

valuation method

specific instructions with regard to the application of a valuation approach for the determination of a patent value

2.5

valuation approach

formal expression of an economic fundamental idea which is based on the comparability principle of valuations and which specifies the input and output variables used

NOTE A differentiation is made between the cash flow-oriented approach, the market approach and the cost approach.

2.6

valuation date

date which determines the level of information relevant for the valuation and to which the future economic benefit refers

2.7
influencing factors
legal, technical and economic factors which form the basis for the operationalization of the exploitation scenario for the valuation

2.8
complementary goods
supplementary tangible or intangible factors necessary for the exploitation of a patent in the exploitation scenario

2.9
costs
consumption of input factors expressed in monetary units

NOTE Input factors include the means of production, material and labour time needed for the production or creation of a good, in particular the cost of the application and maintenance of the patent.

2.10
market price
result of a transaction between a buyer and a seller on an active market expressed in monetary units

2.11
patents
industrial property rights such as patents, utility models and their applications

2.12
patent portfolio
pooling of a set of patents on the basis of a common element of classification

NOTE A common element of classification can be the patent holder, for example.

2.13
patent-specific cash flow
financial surplus resulting from the cash flows accrued by the patent

2.14
exploitation of the patent
commercial exploitation of a patent through the blocking effect, as well as through licencing, sale or lending, for example

2.15
patent value
expected future economic benefit from the exploitation of a patent relating to the valuation date

2.16
price
result of a transaction between a buyer and a seller expressed in monetary units

2.17
valuation expert
qualified person or group of persons engaged for the patent valuation

2.18
exploitation scenario
concrete exploitation of the patent whose expected future financial benefit forms the basis for the valuation

2.19
cash flow
set of all positive and negative payments made during a patent's useful life