

# Genesis: Birth of a Book

What drives a person to write a book like this? Why? What need are we trying to fill?

In 2005, the American Bar Association (ABA) approached me with a project—they needed a basic book on intellectual property (IP) valuation. The ABA had never published one. Even though I’m not a lawyer, I was a longtime member of the ABA, a speaker, continuing legal education provider, and recognized writer and contributor on topics including IP valuation and the licensing and extension of IP assets. I also had served as cochair of the Trademark Licensing Subcommittee.

The result of that overture was a book titled, *The Fundamentals of Intellectual Property Valuation: A Primer for Identifying and Determining Value*. This was the first “primer” on IP value for the ABA. It became the basic resource for the following:

- A primer on valuing IP for lawyers and financial practitioners alike. Since then, I’ve written seven books based on specialty aspects of IP including the following:
  - o A guide to bundling and valuing IP and intangible assets, *The Intangible Assets Handbook*, which also includes background on valuation in bankruptcy and reorganization scenarios.
  - o A valuation book unique to the Chinese market, *Fundamentals of Intellectual Property Valuation in China*, reflecting the new awareness and importance of IP in China.
  - o A book on ethics among experts in IP valuation and the use of experts in litigation titled, *Expert Witness, Valuation and Damages*.
    - Five years after the basic primer came out, we wrote a well-received book titled, *IP Valuation and Management*. This is a more sophisticated look on how and when to value IP and the impact of the law and business on the valuation process.
    - Most recently, the ABA published, *Right of Publicity: Analysis, Valuation and the Law*.

This brings us to review and restate the principle methods and issues of IP valuation—the legal, financial, and societal issues that are shaping the world of IP and valuation in the future. It’s only been a dozen years since the original primer was first published, yet we now find ourselves restating these principles of IP valuation to meet the new market and societal conditions in which we operate.

## Who Made This Book Possible?

On the writing and creative side, David Noble, as stalwart as always, donated a key chapter and edited others. Also, three new young writers have contributed to this book; Evan Loker, Sam Ghafir, and Pierce Urban made significant contributions to chapters 9, 10, and 11.

I had substantial support on the administrative and technical side. Our head of legal research, Jamie Majerus, made this book possible with her in-depth research and thorough review of citations. She was referred by Professor Kevin J. Greene of Thomas Jefferson School of Law, a nationally recognized expert in the field of IP. His input during the course of this book was invaluable.

Initial research by Jemma Samala brought order and a framework to the early phases of the book, which I much appreciate. Later in the game, assistance came from Amber Valentine.

Finally, I and everyone at CONSOR acknowledge the key role performed by Rosemary Delaney. She is the master of ceremonies standing in the middle of a three-ring circus and making sure that I got this book published on time, while simultaneously managing the projects, processes, and clients that constantly occupy myself and the other professionals here in the firm.

And, in the end, I can never forget the support throughout the process that I received from my partner, Jeff Anderson.

On a personal note, Wendy Nash gave me great personal counsel during some of those times when writing was difficult – and I thank her forever for her caring.