

A

Accounting
 changes, 36
 framework, 135
 measurements, 100, 104
 ratios, 38
 requirements, defining, 12
 rules, 12, 51
 statement, 27

Accounting Principles Board (APB), 47

Acquired R&D, expensing, 55

Added value, 27

Advertising
 corporate investment, 33
 industrial expenditures, 40

Amazon, 1-Click (patent), 14

American Intellectual Property Law Association, 28

American Society of Appraisers, 6

American Society of Composers Authors and Publishers (ASCAP), 135

Amortization, 51
 requirement, 58

Annual earnings, 102

Antitrusts
 example, 113
 laws, 15

Appraisals, 6
 institutes, 6
 societies, 2

Arbitrage Pricing Theory (APT), 76

Arm's-length transactions, 5–6

Arthur Anderson, credibility crisis, 44

Assets. *See* Indefinitely lived assets;
 Intangible assets; Proto-assets
 accounting definition, 9

 definition, 9
 distinction, 26–27
 expected use, 50
 replacement cost, 5
 types, 9–10
 useful life, 50

Atkins, Sam S., 145

Audio Home Recording Act (AHRA)
 of 1992, 16

B

Barnes & Noble, injunction, 14

Baseball players, contract (example),
 85–86

Becker, Gary, 24–25, 66, 145

Berne Convention Treaty, 28

Beta, 77, 90
 assumption, 78, 90

Bextra, 56

Bezos, Jeffrey, 14

Black, Fischer, 145

Blackett, Tom, 21–22, 42–43, 145

Black-Scholes options pricing model,
 87

Blair, Margaret, 145

Book cost, 110

Bowie bonds, 126

Brands, 21–22
 economic benefit, 22
 extension, 129–130
 naming rights, 22
 valuation model, 67–68

Brewer, Marilyn B., 41, 147

C

Call option, 85

Capital. *See* Intellectual capital

- Capital, opportunity cost, 79
- Capital Assets Pricing Model (CAPM),
76, 77
formula, 89
- Cash flows. *See* Tangible assets;
Unbiased cash flows
determination, 77
generation, 74
valuation, 76
- Causation, analysis, 112
- Chambers, Dennis J., 145
- Chan, Louis K.C., 40, 145
- Chief executive officers (CEOs), 61
assets, determination, 64
benefits, 66–67
economic benefits, generation, 66
legal contracts, 65
median total realized pay, 43
- Chung, K.H., 145
- Coase, Ronald H., 6, 145
- Coca-Cola
cursive writing, importance, 21
trade secret, 95
- College students, benefits, 65–66
- Color
example. *See* Trade dress
reproduction, importance, 20–21
- Comparable firms, 99–105
- Comparable intangible assets
(comparables)
PIE-B application, 24–95
sources, 107
summary, 99
- Compensation research, 43
- Competition, effect, 50, 54
- Competitive advantage, 27
- Computer-based learning environments,
38
- Congressional Budget Office, 145
- Conley, James, 145
- Control premium, 101–102
- Cooper, Michael J., 22, 145
- Copyrights, 10, 15–17
claiming, 15
expiration, 51
legal status, challenge, 63
ownership, 63
value, change, 109
- Corporate culture, 80
- Corporate name changes, stock price
reaction, 22
- Corporate resources, disbursement/
utilization, 26
- Corporate training, spending
(decrease), 38
- Cost approach, 5, 109
notes, 143–144
- Cost of goods sold (COGS), 34
- Costs-benefits analysis, 4
- Cragar, licensing charges, 36
- Creative workers, salaries, 33–34
- Cross-price elasticity of demand
(CPEoD), 97–98
- Customer
lists
intangible, classification, 24
loyalty, 27
Cyclical swings, risk, 90
- D**
- Damages. *See* Patent damages
determination, 15
limitations, 114
replacement cost, 11
seeking, 124
- Danish Agency for Trade and Industry,
*Guideline for Intellectual Capital
Statements* (participation),
68–69
- Darby, Michael R., 41, 147
- Debts, payment, 9
- Defendants. *See* Patent infringement suit
- Dell Computer, *q* ratio, 37
- Demand
curve, slope, 96
effect, 50
elasticity, 96
price elasticity, 95
- Department of Justice. *See* U.S.
Department of Justice

- Design elements, patenting/licensing, 31–32
- Design-around
 cost, 2, 111–112
 term, 14
- Developed technology, 56
 rights, 56
- Digital Millennium Copyright Act (DMCA), 16
- Digital music, 131. *See also* Secure Digital Music Initiative
 files, copying, 16
 streaming, 133
 transfer, 133
- Digitalization
 copyrights, usage, 15–17
 piracy, 30
- Dimitrov, Orlin, 22, 145
- Disclosure
 benefits, 70
 inevitability, 70
- Discount rate, 65, 76–77
 effect, 78
- Discounted cash flows (DCFs), 2
 estimation, 77–79
- Diversifiable risk, 77, 89–90
- Dynamic securitization, 127–129
- E**
- Earnings, difference, 105
- Earnings before interest and taxes (EBIT), 102
- Earnings before interest taxes
 depreciation and amortization (EBITDA), 100, 102
- Earnings yield, 105
- eBay, 4, 35
 annual report, 145
- e-Capital, concept, 44
- Economic balance sheet, 67
- Economic benefit, 65–67, 127–128
- Economies of scale, 29, 31
- Education (capital), 40–41
 nonmonetary benefits, 66
- Efficiency, 27
- Elasticity. *See* Cross-price elasticity; Supply
 economic concept, 95–99
 market definition, impact, 97
 time, impact, 97
- Employee satisfaction, 80
- Engineer-around, term, 14
- Entertainment, accounting, 56–57
- Ephemeral assets (ephemerals), 2
 theory, 135–137
 valuation, 137
- Equity, market value, 37
- European call option, 85
- European Patent Convention, 12
- European Patent Office, 12
- Executive compensation/value, 43–44
- Expected probabilities, usage, 87
- Expected risk premium, 77
- Expensing, decision, 55–59
- F**
- Fair use, concept, 16
- Fair value
 misidentification/mismeasurement, 59
 payment amount, 59
 premiums, relationship, 101–102
 uncertainty, 59
 units, share, 53
- Fairness opinions, 6
- Federal Circuit Bar Journal*, 121
- Federal Reserve inflation measurements, 89
- Federal Trade Commission, 117, 147
- Federal Trademark Dilution Act (FTDA), 123
- File-swapping software, 16
- Finance
 principles, 134
 terminology, 4
- Financial Accounting Standards Board (FASB), 47
 change. *See* Intangible assets
 Original Pronouncements, 9, 26, 145
Section G40, 146
 statements, 52–53
 impact, 48

- Financial Accounting Statement (FAS)
Fair Value Measurements, Exposure
 Draft (proposed statements), 145
 FAS 86, 58
 FAS 141, 47, 49, 56, 59
 net effects, 70
 FAS 142, 47, 56, 59, 101
 net effects, 70
 FAS 50 (*Financial Reporting in the
 Record and Music Industry*), 57
 SFAS No. 144, 146
- Financial assets, human capital
 (contrast), 25
- Financial Institutions Reform and
 Recovery Enforcement Act
 (FIRREA), 113–114
- Financial liabilities, 26–27
- Financial option, 85
- Financial statement, intangible
 placement, 10
- Firms. *See* New economy firms; Old
 economy firms; Old-tech firms
 assets, replacement cost, 37
 boundaries, determination, 6
 creation, intangible economic
 properties (impact), 34
 kinds, 35
 ownership scale, 65
 profitability, 102
 size, ability (relationship), 43
- Firm-specific capital, 23
- Ford Motors, intellectual property
 portfolio, 84
- Foster, George, 146
- Framework. *See* Accounting; Georgia
 Pacific; Intangible assets;
 Trade secrets
 economic elements, 122
 purpose, 67
 simplification, 125
 usage, 115, 119
- Frequently asked questions (FAQs),
 usage, 25
- Friedman, David D., 18, 146
- Friedman, Milton, 25
- Functional equivalency, 111–112
- Functional equivalent substitute,
 development cost, 111
- Future cash flows, expectation, 50
- G**
- General Motors, consolidated financial
 statements, 47
- Generally accepted accounting principles
 (GAAP), 2–3, 36, 55
 accordance, 82
 accounting, 59
 standards, 58
 usage, 62
- Georgia Pacific
 exceptions, 121–122
 factors, 115, 119–122
 framework, 120
- Georgia Pacific Corporation v. United
 States Plywood Corporation*,
 119–121
- Glamour stocks, 40
- Goods
 classes, 19
 properties, value, 111–112
- Goodwill, 23–24
 accounting standards, 50
 allocation, 53
 carrying amount, 54
 intangibles, attachment, 102
 paradox, 59
 value, 63
- Goodwill impairment
 loss, recognition, 55
 testing, 52–55
 two-step test, 53–55
- Greenspan, Alan, 44
- Grokster. *See* MGM v. Grokster
- Gross domestic product (GDP), 33
 percentage, 34
- Gross income, 102
- H**
- Hague system, 28
- Hall, Robert, 44, 146

- Hand, John, 146
- Harrison, George (lawsuit), 15
- Haruvy, Ernan, 142
- Horizontal Merger Guidelines, 2, 117
- Human capital, 24–26. *See also*
Intellectual human capital
economic concept, 25
investment, increase, 41
potential, 109
- I**
- IBM
Form 10-K/Annual Report, 146
Intellectual Property Network, 28
segment revenues, 35
service revenues, 35
- Identifiable intangible assets, 11–23
accounting standards, 48–55
- Impairment
impact, 51–52
- Imperfect substitution, 29, 32
- Income
approach, 4–5. *See also* Intangible
assets
calculation, example, 78
loss, 73
streams
calculation, 5
expectation, 65
- Incremental profit loss, 31
- Indefinitely lived assets, 51
impairment tests, 51
- Individual privacy, rights, 16
- Individuals, economic units, 6–7
- Inflation, impact, 89
- Information. *See* Financial
information
asymmetry, 6
holding, 17
- Infringement, 93. *See also* Patent
infringement attractiveness, 12
- Innovation
encouragement, 14
- In-process R&D, 55
- Insecurity, 131–134
- Intangible assets (intangibles), 7.
See also Identifiable
intangible assets; Off-
balance sheet intangibles;
Smokestack intangibles;
Unidentifiable intangible assets
accounting, 47
notes, 141–142
book organization, 1–2
characteristics, 48
classification framework, 70
economic characteristics, 29–33
economic properties, 12
example, 6
feature, peculiarity, 84
growth, 33–38
reasons, 35–36
history, 9
notes, 139–140
identification, 127
income approach, application, 74,
82–84
litigation, 115
notes, 144
notes, 139
preparation, conceptual
framework, 73
products, price data, 98
quality, change, 87
recording, FASB change, 48
research, 29
notes, 140–141
resources, 28
scalability, 31
securitization, 2, 125
notes, 144
strategy, 2, 125
notes, 144
taxonomy, 9
notes, 139–140
theory, 29
notes, 140–141
types, 9–11
underlying goods (prices),
contrast, 98

- Intangible assets (intangibles)
(Continued)
 unique properties, 97
 U.S. investment, 33–34
 valuation, income approach, 73
 notes, 143
 steps, 74–75
 value, research, 38–44
 wear and tear, 109
- Intangible liabilities, 26–27
- Intel, 35
- Intellectual capital, 38, 40–42
 investments, 23
 statement, objective, 68
- Intellectual property (IP), 11–21
 law, 15
 portfolio, 11
 securing, extension, 125
- Interbrand, 21
 model, 68
- Internal R&D, expensing, 55
- International Federation of the
 Phonograph Industry, 146
- International Financial Reporting
 Standards (IFRS), 58–59
- Internet bubble, 44
- Internet-related dotcom names,
 change, 22
- Invention
 uniqueness, 18
 utility, 13
- Inventory values, 58
- Investment
 efficiency, 100–101
 level. *See* Initial investment
- Irrational exuberance, 44
- J**
- Japanese Patent Office, 12
- Java, lawsuit. *See* Microsoft
- Jefferson, Thomas, 11
- Jennings, Ross, 145
- Jobs, loss (fear), 81
- Joint consumption, 29, 32
 technology, 32
- K**
- Knowledge
 capital, 25, 28
 documents. *See* Shared knowledge
 documents
 sharing, 50
 workers, 34
- L**
- Lakonishok, Josef, 40, 145
- Landes, William M., 18, 146
- Legal factors, change, 54
- Lev, Baruch, 55, 61, 70, 145, 146
- Liabilities, 26–27. *See also* Financial
 liabilities; Intangible liabilities
 claims, 26
- Licenses, nature/scope, 119
- Liddell, Nick, 146
- Litigation. *See* Intangible assets
- Long-lived asset
 market price, decrease, 52
 sale, expectation, 52
- Long-run market equilibrium, 37
- Long-term debt, book value, 37
- Lost profits, 2, 112–113. 115, 121
- Lost wages, calculation, 78–80
- M**
- Macroeconomic trends, risk, 90
- Madrid system, 20
- Maintenance expenditures, level, 50
- Marginal cost, level, 29–30
- Market
 capitalization, 101
 definition, 2, 94, 116–119
 efficiency, concept, 3
 existence/absence, 99
 method, 2
 multiples, 2, 100–102
 pitfalls, 102–103
 premium, 90
 price, determination, 4
 risk, 90
 share, 27
- Market approach, 3–4, 91

- comparable analysis, framing, 92–94
- features, 91–95
- introduction, 91
- notes, 143
- Marketing research, 49
- Mean market value, 42
- Merck, patents (value), 93
- Merger guidelines. *See* Horizontal Merger Guidelines
- Method patent, 13
- MGM v. Grokster*, 16
- Microsoft
 - comparison. *See* US Steel
 - information classifications, hierarchy, 107
 - market capitalization. *See* Nasdaq Office, Usage, 23
 - software development costs, expensing, 56
- Millennium Pharmaceuticals, 99
- Mincer, Jacob, 25, 41, 146
- Money, time value, 74
- Monopoly
 - granting, 18
 - test, failure, 117
- Moseley et al., dba Victor's Litite Secret v. V Secret Catalogue, Inc., et al.*, 20, 123
- Motivation, corporate culture (impact), 81
- MP3, 134
 - existence, 30, 132
 - format, 132
- Multiples. *See* Market analysis, 100
 - intangibles, relationship, 104–105
- Murphy, Kevin J., 146
- Murphy, Kevin M., 38, 40
- Music. *See* Financial Accounting Statement appreciation, 66
 - business, 12, 131
 - copyrights, 15
 - expiration, 51
 - download services, 84
 - files, copying. *See* Digital music format, configuration, 32
 - recording, 133
 - revenues, 131
 - sales, 133. *See also* Online music sales sharing, 132
 - streaming. *See* Digital music transfer. *See* Digital music
- N
- Nakamura, Leonard, 33, 146
- Napster
 - data, download, 133
 - threat, 132
- Narin, Francis, 145
- Nasdaq, Microsoft market capitalization, 35
- NASDAQ, total market capitalization, 35
- Net income, 102
- Net present value (NPV)
 - calculation, 4, 50, 75
 - level, 66
- Network effects, 29, 32–33
- New economy firms, 34–38
- Noninfringing alternatives, 117
- Noninfringing substitutes, 118
- Nonresponse bias, 103
- North American Industrial Classification System (NAICS), 107
- O
- Obsolescence, effect, 50
- Off-balance sheet intangibles, 125, 130–131
- Old economy firms, 34–38
- Olm School of Business, 42
- Oldsmobile, discontinuation, 52
- Old-tech firms, 35
- Omnimedia, stock value (decrease), 42
- Online music sales (decrease), 42
- On-the-job training, 41
 - measurement, 38
- Operating income, 102
- Operating margins, information, 33

- Options model, 84–87
- Organizational capital, 25–26
investments, 49
- Original cost, 109–110
- Ownership, 63–65, 128
extent, 64
- P**
- Panduit Corporation, 115
criteria, 116–118, 121
- Panduit test, 115–119
- Pantone Company, 21
- Parr, Russell L., 147
- Patent Cooperation Treaty (PCT),
12, 28
- Patent damages, 119
- Patent infringement suit, defendants,
122
- Patents, 10, 12–15. *See also* Method
patent; Process patents;
Utility patent
applications, 13
approval failure, 110
attributes, 42
commercialization, 85
criteria, 13
design considerations, 14
economic rationale, 14–15
infringement, 94, 115–116, 118,
120, 122
lawsuits, 12
monopoly, maintenance, 119
number, 69
offices, 12–13
payment, reasons, 92–93
property, utility/advantages, 120
review, 117–118
types, 13
vulnerability, 69
- Per-item cost, 31
- Personnel
industrial expenditures, 40
loss, 54
- Pfeffer, Jeffrey, 82
- Pfizer
DCF calculation, 56
patents, value, 93
- Pharmacia, acquisition, 56
- Phillips, D.J., 146
- Physical assets, human capital
(contrast), 25
- Physical condition, 52
- PIE-B. *See* Portfolio of Intangible
Economic Benefits
- Piracy
ability, 30
attractiveness, 12
increase, 30
- Plaintiffs
beliefs, 113
claims, 112
rebuttable presumptin, 121–122
- Podolny, J.M., 146
- Pooling-of-interests method, elimination,
49
- Portability, 128–129
characteristic, 64
- Portfolio of Intangible Economic
Benefits (PIE-B), 2, 61, 125
accounting perspective, 69–70
analysis, 65
criteria, 122
framework, 67
Georgia Pacific, relationship, 122
introduction, 63–67
ownership dimension, 67
Panduit Corporation, relationship,
119
perspectives, 67–70
theory/research, notes, 142–143
- Positive feedback loop, 33
- Posner, Richard A., 18, 146
- Preferred stock, book value, 37
- Present value (PV)
calculation, 73
formula, 75–77
- Price elasticity of supply (PEoS), 98
- Price-to-earnings ratios, 103
impact, 40
inverse, 105

- Prior art, review, 13
Process patents, 13–14
Production costs, capitalization/
 expensing (determination), 57
Productivity, loss, 79
Project-specific risk, 77, 84, 89
Property rights, value, 61
Proto-assets, 62
 determination, example, 80–81
 income generation, 66
 valuation, discussion, 81–82
Pruitt, S.W., 145
Public company financial statements,
 21
Public counterparts, private values,
 101
Public firms, intangibles, 91
Public-to-private liquidity discount,
 101
- Q
q ratio (Tobin), 37–38
 change, 38
Quarterly earnings, 102
Quick-turnaround manufacturing, 80
- R
Rau, P. Raghavendra, 22, 145
Real options, 85
 calculation, 86–87
 valuation, 86
Real property, 11
Reasonable royalty
 amount, 121
 assignment, 121
 determination, 115, 119
 setting, 121
Recording industry
 insecurity, 131–134
 labels, future (insecurity), 132–133
 music, intangibles, 131
 strategic shift, 133–134
Recording Industry Association of
 America (RIAA), 17
Recoverability, test, 55
Regulator, actions, 54
Relative value, 92
Replacement cost, 110–114
 idea, 111
 lost profits, 112–114
Reporting units, 53
 goodwill, test, 52
 implied fair value, 54
Required market return, 90
Research and development (R&D), 21.
 See also In-process R&D
 corporate investment, 33
 efforts, 49
 expenditures, 40
 expensing, 58
 industrial expenditures, 40
 investment, 21
 value, 42
Research efforts, waste, 15
Research Triangle, 69
Residual value, 51
Restatement (First) of Torts of 1939,
 17, 122
Return, producing, 62
Reverse-engineer
 difficulty, 95
 term, 14
Reverse-engineering, 18
Right-of-first-refusal licensing, 69
Risk. *See* Diversifiable risk;
 Project-specific risk;
 Systematic risk
 provisions, 27
 recognition, 75
Risk-free rate, 77, 89
Rosen, Sherwin, 24, 32, 146, 147
 quote, 43–44
Royalties, 69, 119. *See also* Reasonable
 royalty
- S
Sampling, issues, 103
Sarbanes-Oxley Act of 2002, 44
Scalability, 58
Scholes, Myron, 145

- Schultz, Ted, 25
- Scientists (superstar status), 41–42
- Secrecy, 17
benefits, 18–19
- Secrets (keeping), ability, 18
- Secure Digital Music Initiative (SDMI), 132
- Securities and Exchange Commission (SEC), 67
Form 10-K, 107
- Securitization, 125. *See also* Dynamic securitization; Intangible assets
dynamic nature, 125
- Seethamraju, Chandrakanth, 42, 147
- Segment analysis, 67
- Selection bias, 103
- SFAS 53, 57
- Shared knowledge documents, 69
- Shares, closing price, 37
- Sherwin Williams, annual report, 36
- Shortcut assumptions, inadequacy, 74
- Short-term liabilities, 37
- Skill premiums, increase, 41
- Smith, Gordon V., 147
- Smokestack firms, 36
- Social network, increase, 68
- Software
accounting, 58
code, protection, 23
corporate investment, 33
investment classification, 23
programmers, impact, 110
- Sony v. Universal City Studios*, 16
- Sougiannis, Theodore, 40, 145
- Sports arenas, names (importance), 22
- Staff
turnover, 68
university degrees, proportion, 68
- Stand-alone intangibles, 92
- Standard deviation, 103–104
- Standard Industrial Classification (SIC), 107
- Start-up technology, 13
- Statistical issues, 103–104
- Status, 135–136
- Stewart, Martha (value depreciation), 42–43
- Stock market prices, 38
- Substitutes, determination, 117–118
- Substitution. *See* Imperfect substitution
- Supply, elasticity, 97–99
- Supply-side economies of scale, 31, 33
- Systematic risk, 77, 90
- Szoboscan, John, 145
- T**
- Tangible assets, 7
cash flows, 76
intangibles, association, 11
- Technological advances, effect, 50
- Technology infringement, 121
- Thompson, Robert B., 145
- Thrifts, debacle, 113–114
- Time series, extrapolation, 65
- Tobin, James, 147. *See also* q ratio
- Total assets, book value, 37
- Trade dress, 20–21
color, example, 20
- Trade secrets, 10, 17–19
framework, 122
legal protection, 18
patents, contrast, 18–19
protection, choice, 18
publication, negation, 33
- Trademarks, 10, 19–21
confusion, 19–20
dilution, 20, 122–124
market value, 42–43
registration, 19
valuation-relevant information, 42
- Trailing earnings, 102
- Training investment per employee, 68
- U**
- Unamortizable intangible assets,
division, 51
- Unbiased cash flows, 77
- Unbiased expected future cash flows, 82

- Unhappiness, measurement, 105–106
- Unidentifiable intangible assets,
23–26
accounting standards, 48–55
comparables, relationship,
105–106
distinction, 10
measurement, accounting rules, 24
value, estimation, 105
- Uniform Resource Locators (URLs),
22
- Uniform Trade Secret Act (UTSA) of
1985, 17
- United States Patent and Trademark
Office (USPTO), 12, 14, 28
- United States Trademark Office, 19
- U.S. Copyright Act, 11–12
- U.S. Copyright law, 15
- U.S. Copyright Office, 28
- U.S. Department of Justice, 117, 147
- U.S. Government Printing Office, 28
- US Steel, Microsoft (comparison), 38
- Useful life
determination, 50–51
economic estimate, 58
- Useful remaining life, 94
- Utility patent, 13
- V
- Valuation
defining, 2–7
method, 2, 105
methodologies, 2
model. *See* Brands
- Value Chain Scoreboard, 70
- W
- Wage distribution, 41
- Wallman, Steven, 145
- War, risk, 90
- Warranty business, customer
identification (importance),
24
- Welch, Finis, 38, 40, 146
- Workplace camaraderie, value, 69
- World Intellectual Property
Organization (WIPO),
12, 20, 28
- Wright Field/Tribune Company,
royalties, 127–129
- Write offs, allowance, 55
- Z
- Zhen, Deng, 145
- Zucker, Lynne G., 41, 147