

FTO-Options	Details	Pros / Cons
R&D-Options	Modify product	easy if at an early stage / later expensive, no alternatives to first product
	Inventing around opponent 's patent	no need to pay license fees / delay of product placement, high R&D costs
	Modify trademark	easy to implement / contrary to trademark and marketing strategy
Legal Options	Licensing (patent, trademark)	easy to achieve if competitor willing to give license / does not boost innovation culture within company
	Patent-pool, cross-licensing	means give-and-take / might infringe anti-trust-regulations
	Compulsory license	allowed by national laws and TRIPs / complicated to obtain and know-how not included
	Settlement with opponent	efficient / know-how likely not included
	Attack on opponent 's IP-right (patent, trademark)	good if successful / bad if failed, then opponent 's IP rights are confirmed to be valid, high costs
Business Options	Wait and see	gives time for strategic repositioning / puts investments at risk, risk of infringement lawsuit
	Acquire opponent 's IP-right / company	efficient / high costs, opponent may not want to sell, distraction from main business
	Give up product / project	cheap and easy / new costs for new R&D and for new product
	Limit production / limit sale to territories without opponent 's IP-rights	legally safe manufacturing and selling / costs for relocation of manufacturing, abandon customer markets