

Improving Diversity & Inclusion in Intellectual Property Development and Management

A Guide for Organizations in Five Parts

2024



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1. Building the Culture
2. IP Education
- 3. Establishing the Right Metrics**
4. Promising IP Diversity Strategies
5. An Approach to Making Rapid Improvement

Craig Moss

Executive Vice President, Measurement
Ethisphere

Jennifer Brant

Director
Innovation Council

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Establishing the Right Metrics

Measure and Improve

It's important to have metrics for the overall IP diversity program. Metrics are important to the whole idea of continual improvement because what gets measured usually gets more attention. The metrics for your IP diversity program will show shared success between all of the participants – and how the company has benefitted.

Metrics allow progress to be tracked and reported. They also help you to communicate about the program's effectiveness. The metrics can be used to communicate your progress to senior management, the program participants, and the organization as a whole. Beyond that, metrics can be communicated to external stakeholders and used to attract talent by showing that you are committed to equity and inclusion.

Metrics can be developed in three distinct but related areas to build the case for the IP diversity program. Keep in mind that while the business case is important, your program is about individual opportunity and fairness – not just the performance of your organization.

- IP Diversity Program Maturity Metrics
- Performance Metrics
- Employee Perception Metrics

Together, the data from the three types of metrics can be correlated to provide powerful intelligence for building a business case for IP diversity, and to accompany arguments related to individual opportunity and fairness. Using data to show the correlation between program maturity, on the one hand, and better people and organizational performance, on the other hand, will help ensure that you get the attention of all areas of senior management. It will also transform IP diversity and equity from a goodwill effort into a business imperative.

IP Diversity Program Maturity Metrics

Program maturity metrics measure the elements of your IP diversity program itself. Program maturity metrics are broadly used across a wide range of topics, from quality control to health and safety to cybersecurity. Typically, a 1-5 scale is used for assessing program or process maturity. Using a maturity scale has several proven advantages. It establishes a baseline measurement and provides a clear path to improvement. It makes it easy for you to know what needs to be done to move up a maturity level if desired. Also, target maturity levels can be set as a way to communicate expectations to different departments.

The short description of each maturity level is:

1. Initial, little or nothing in place, and limited awareness
2. Reactive, beginning to manage some aspects in response to events or incidents
3. Managed, some systems in place with inconsistent implementation

4. Quantitatively and consistently managed using metrics
5. Continual improvement process

Below are elements of your IP diversity program that you should consider measuring. You can use the rating scale to determine the maturity of your organization or department.

- **IP Diversity Policies & Procedures:** Do you have documented policies and procedures that clearly define the expectations for IP diversity?
- **Leadership:** Do you have senior management support that is broadly communicated and an established cross-functional team?
- **Training:** Do you have an ongoing training program that includes relevant managers and is specifically designed around the Awareness, Commitment & Action framework?
- **Communication:** Do you have a communication program that uses frequent short communications to cascade the message from senior management to create a culture that promotes IP diversity?
- **Monitoring:** Do you regularly monitor the performance and quantifiable impact of the IP diversity program?

Performance Metrics

Performance metrics measure your IP diversity program's results and impact. Generally, a more mature program will generate consistently better results.

You may need to develop separate performance metrics to track patent creation and management, and trade secret development and management. Some organizations are choosing to treat certain inventions as trade secrets rather than patents. As a result, unregistered rights may be equally, or even more, valuable to an organization. It is important to formally recognize the people involved in intellectual property creation, regardless of the tools used to manage it.

Getting the data you need from other departments can sometimes be a challenge, especially in large organizations. You may be seeking information that is not currently collected. Your request may be seen as extra work and a low priority. If you have established a cross-functional team and gained senior management support, your task will be easier. Even with that advantage, it can help to approach the other internal departments with a data-trading mindset. In other words, think about what data you may have that would be helpful to them. Also, look for existing programs that you can leverage so your activity is not seen as a new initiative but, rather, as expansion of an existing one. Convince people from other departments that your participation could put more resources into their effort.

Based on a patented invention, here are some IP diversity performance metrics that you can consider. (Note: these are not specific to gender and could be modified to track impact for people from other historically underrepresented groups. Or an organization can simply collect the information, then report on different metrics using the data set.)

- % of people listed on invention disclosures that are women
- % of people listed on patent applications that are women
- % of people listed on granted patents that are women
- % of the total patent development team that are women
- % of commercialized products that rely on patents that list women as inventors
- % of patents with women listed as inventors that are licensed
- % of total revenue generated from products or licenses that list women as inventors

The same metrics can be used for trade secrets. However, your organization may need to develop additional procedures for tracking the people involved in the development and management of trade secrets.

Employee Perception Metrics

The third type of metrics specifically looks at how employees perceive your IP diversity program and its impact. Creating a culture where IP diversity and equity are embedded in your organization may require a shift in employees' attitudes and behaviors. The employee perception metrics complete the overall picture, providing you with critical information on how well your program is being received by employees. If your organization currently does culture surveys or engagement surveys, you may be able to add IP diversity questions for relevant employees.

Here are some recommended employee perception metrics, using a scale of 1 to 5 where 5 is the highest indicator. These can be adapted to track impact for different underrepresented groups.

- Prior to the IP diversity program, how well were women included in, and recognized as contributors to, the IP development and management process?
- Rate your overall awareness of the IP diversity program.
- Rate how well the training program materials and delivery have been localized or customized for your function or location.
- How effective has the program been in improving or reinforcing the inclusion of women in the IP development and management process?

- If you had an idea for an invention or innovation, do you know the process you would follow to disclose your idea?
- Would you recommend working here to a friend who identifies as a woman that is a qualified researcher and/or inventor?

How to Establish Baseline Metrics

You want to be able to report on the IP diversity program's impact. In order to report on improvement, you have to establish a baseline. Usually it is your role, as the program leader, to collect and manage the metrics. To create a strong foundation for your efforts, it is best to collect baseline metrics in all three areas.

Depending on the current maturity of your IP diversity program, you may already have some of the needed baseline maturity, performance, and/or employee perception metrics. For example, you may know the percentage of patents granted to your organization that list one or more women inventors. Check within your company for any existing baseline statistics.

The process of collecting metrics will be more efficient if you have already established an informal or formal cross-functional team. If not, this is a great opportunity to reach out to the relevant departments and involve them in the program. Ultimately, you will need their support to collect that data. You don't necessarily need special software. But it is important to give this task to someone approved to handle personal information, with the appropriate training and approval.



Neena

Director

University technology transfer office – 8 employees

“Our role is to help bridge IP development by one organization or individual with IP management by a separate organization. We looked at our internal program maturity, and we also helped some of the organizations we work with on both sides to start measuring their IP diversity program maturity. We don’t use fancy analytic tools but having a common metric has helped to improve communications and strengthen our role as a bridge. We’re trying to build a case for improving IP diversity that makes sense to all parties.”



Steve

Operations & Quality Manager

Research lab – 155 employees

“Establishing a baseline for the maturity metrics was pretty easy because we were at the very beginning. We didn’t have an IP diversity program. It took a little research to establish a baseline using the performance metrics. We went through all of our patent filings for the past five years to look at the percentage of women. The number was surprisingly low. This helped to shine a light on the need for our IP diversity program. We used our champions to collect the employee perception metrics, using a mix of surveys and short interviews. It was a quick process.”



Roberta

IP Lawyer

Software company – 4,000 employees

“I wasn’t familiar with the use of maturity metrics, but I discovered that our software development team used process maturity metrics. I got a quick briefing from them on their value and how to do the baseline. From the beginning, I built a quantifiable business case for IP diversity in order to get senior management support, so we had the performance metrics in place. I worked with my colleague in HR to add some new questions to our annual employee survey. We were most interested in how the new performance evaluations were being received and if they were influencing attitudes and behavior. We got good news on both fronts.”



Jennifer

HR – Senior Vice President

Global manufacturing company – 20,000 employees

“As a global company, we have a lot of data. The challenge I had was finding the relevant data in all of the silos in our organization. Our regional DEI leaders decided to start a friendly competition to see which region could improve its IP diversity metrics the most each quarter. Each region took baseline measurements using the performance metrics. I created a global scoreboard that we would update each quarter during a group call. I would present the winning region with a recognition award signed by our CEO. That really reinforced the importance of IP diversity.”

Measuring Performance: Using Qualitative and Quantitative Metrics

Part of your ongoing responsibility as the program leader is to oversee collecting the metrics. How you do this will vary based on your company. Don't forget about this critical aspect of your program. The metrics are a key part of your reporting and are needed as the basis for continual improvement. Remember that metrics can show the progress made and the benefit to your organization.

The Performance Metrics are quantitative metrics. They involve counting things that can be measured, like the percentage of patents granted to your organization that list women as inventors. Both the Program Maturity Metrics and Employee Perception Metrics are a blend of quantitative and qualitative metrics. They involve assigning a numerical value to things that are subjective. The answers to the following questions are somewhat subjective. Is our IP diversity program consistently implemented in each department or location? Do employees feel that IP diversity and equity has improved? One of the strengths of the maturity assessment and the employee survey is to turn something that is subjective into something that can be measured and tracked.

As you begin to prepare reports for senior management and others in the organization, it will be important to show the relationship between the three types of metrics. In your report, go beyond the numbers and bring the numbers to life by adding a few stories and testimonials. Give some examples of how the IP diversity program has made a difference for people and their commitment to the organization.

Follow up your employee survey by interviewing a few people in all parts of the program to get their perspectives on the impact of your IP diversity program. Use these stories to supplement the quantitative metrics. This will highlight the human impact and make your report more compelling.



Onward and Upward. Together.

Improving IP diversity is a journey. Review the full [IP Diversity Guide](#) for ideas – or work through the sections one at a time. Get in touch with the sponsoring organizations for more information and support. What is important is to get moving on this important journey.

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