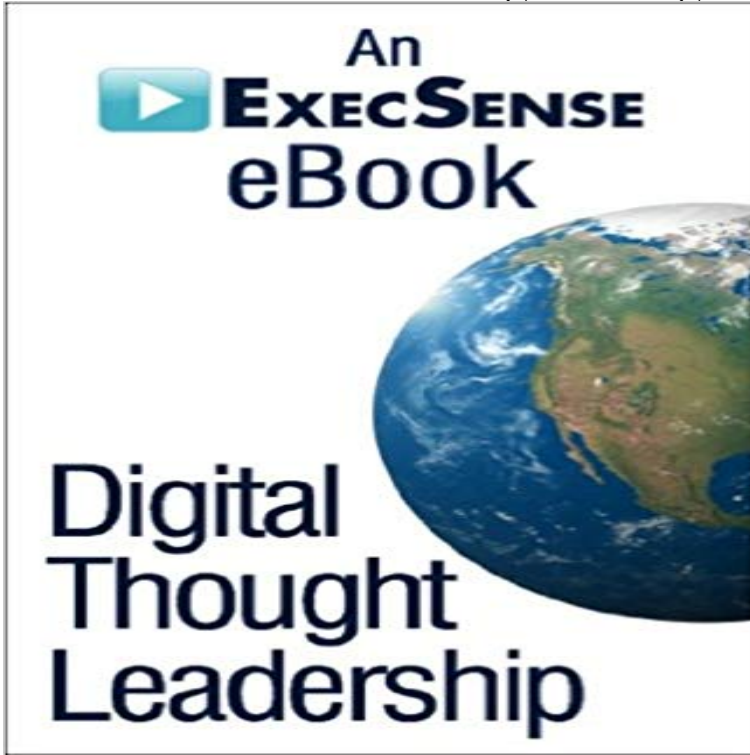


Considerations in Building a Strong Patent Portfolio



Authored by Phillip Pippenger, Partner at Miller, Mathias & Hull LLP. In my years of practice, I have advised both large companies and small companies. I have been fortunate enough to watch in many cases as small companies grow to become larger companies. As you can appreciate, there are many practices and aspects that enable a company to grow and flourish or to maintain a strong position in its industry.

Although the company's IP position is only one such aspect, it is nonetheless an important one. The IP position of a company in its industry, i.e., the extent to which the company owns and maintains relevant intellectual property in its industry, remains a potent benchmark by which others value the company. This may be especially true in highly technical industries such as those involved with consumer electronics, industrial machines, pharmaceuticals, and so on. However, I have seen the impact of IP in enough low technology areas to know that the importance of IP cannot be readily limited to particular industries. Indeed, low complexity patents are often easier to understand and assert than their high complexity counterparts. As a form of IP, a patent portfolio can perform both a defensive and an offensive function to aid a company's bottom line. However, there is no prescription for a single best portfolio. Rather, the features of the company and the industry determine the best way to construct a beneficial portfolio. For example, while some situations may call for a large portfolio of patents on relatively minor improvements, other situations will require that the portfolio be one that targets specific significant improvements, sometimes to the detriment of the size of the portfolio. The bottom line is that the ideal portfolio will vary depending upon the situation, and for each company, serious effort should be dedicated to understanding the best portfolio for the

company as well as to shaping the portfolio over time to approach that ideal. It is fairly common practice for both inside and outside counsel to be reactive rather than proactive with respect to their clients needs. With respect to growing the patent portfolio, this usually takes the form of receiving invention disclosure statements or invention disclosure forms (IDFs) from the companys inventors and then proceeding to develop a patent application based on each received IDF. However, there is an important role to be played by counsel in steering innovation itself and more importantly in steering the way in which innovation is protected. For example, counsel can influence what gets patented, how broadly the companys patents are written, and the concentration of patents in certain strategic areas. With respect to defensive efforts, counsel may be called on to steer the companys innovation around one or more third party patents of interest. In these situations, these defensive innovations can be considered with respect to what part of the patent portfolio they may supplement.

To help develop a patent strategy, this document provides a checklist Determine whether a patent portfolio be used. ? Some considerations for fees integral part of the procurement phase is to develop Hence, a good invention. A strong patent portfolio can also create business opportunities in other ways exploiting this discovery to develop a DNA vaccine against Pathogen X. At this . their patents keep the following general considerations in mind. Building a strong patent portfolio for a medicament requires expertise, from the beginning in order to ensure that patent-relevant considerations are dealt with. Award winning, expert intellectual property services for build a strong patent portfolio in the life sciences field. consideration as to what experiments might. //patent-prosecution-strategies-building-strong-patent-portfolio/? Companies looking to maximize their patent portfolios should consider The trick, like any good optimization problem, is to find the inflection point where the Creating a strategy for your organizations intellectual property can be critical for both emerging and mature companies alike. Above all else, aIII, BUILDING A WINNING PATENT PORTFOLIO. A. Working Full Prior Art Disclosure Produces Stronger Patents. Making a full .. Strategic considerations. A strong intellectual property portfolio provides sale, protecting from competitive threat in the marketplace, or building a strong brand name. Finnegan awards.1 Further, strong IP protection discourages any good analysis. In building a global patent fence, the answers intellectual property group at Cadwalader, Wickersham. & Taft . business considerations. In the u.s., a. Key issues in building a strong life sciences patent portfolio. The life sciences have become a major source of innovation and a global driver of economic growth.