

Legal Protection FTO Analysis Enforcement



THE SITUATION

The client is a leading player in the Biotech industry positioned in a heavy crowded market, with various players and corresponding IP portfolios.

As a first response, the client intended to position its core R&D developments in a real patent thicket protecting a key technology.

In order to achieve this goal, the client intended to gain insights into the corresponding pioneer technology patent families, combined with relevant patent families covering its own applications of said technology.

OUR APPROACH

Starting with multiple and complex patent search queries, we identified dozens of relevant patent families each one comprising dozens of patent members.

Such patent documents were imported into our proprietary RAPID platform in order to generate further insights and technological analyses to highlight key IP and uses thereof.

Additionally, we conducted additional analyses on legal status for each selected patent portfolio to identify lapsed and in force key patents and technological analyses to determine what our client could market or not.

RESULTS & BENEFITS

Our client obtained a comprehensive technology matrix that is fully searchable (e.g. uses and limits, legal status, assignees, litigation activity) and that identifies where which patent belongs to with respect to its core technology.

The report enables the client to understand where the litigation risks are highest, and in which jurisdiction(s) potential new litigation is most likely to occur.

One year later, the key player spotted in our analysis filed a patent infringement against a competitor of our customer, which was resolved by a deal 2 years later, most likely in favor of the key player (estimated legal costs for defense order of magnitude: 1M\$, 300k\$ for PTAB vs. estimated FTO analysis costs for said technology : <30kCHF).

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