

## IP Intelligence and Audits

**The analysis of Intellectual Property information can help provide valuable insight for decision-making in a number of different business-related scenarios.**

With our professionals possessing a combination of technical and legal expertise, Hamilton Brook Smith Reynolds can provide IP Diligence with the appropriate depth and scope to meet the objectives of each scenario. Some examples follow:

- **Patent Landscaping:** A high level identification of patents within a particular technology space or industry that companies may use when trying to understand a particular industry or when considering new product development. As an example, a patent landscape may include information concerning the top patent owners in a technology space, and the geographical distribution of patents.
- **Competitive Patent Analysis:** A high level analysis of the patenting activity of companies within an industry that may be used to identify patenting whitespace, trends in patent filings, or analysis of scope of foreign patent protection. A competitive analysis may be used when developing a patent strategy for your company.
- **IP Portfolio Assessment / Due Diligence:** An IP portfolio assessment may be directed at the portfolio of a specific company to better understand the strength and breadth of that company's IP portfolio. The scope of the assessment may be tailored to the specific situation, such as an assessment of an investment or acquisition target, a competitive litigation risk analysis (that may suggest the need for a freedom-to-operate study), or a simple pre-closing confirmation of patent and trademark ownership. A company may also use an IP portfolio assessment to periodically evaluate the quality of its own portfolio and assess coverage of its products.
- **Pre-Litigation Patent Audit:** Prior to responding to claims of infringement of a third-party patent, or prior to asserting a patent against an infringer, a pre-litigation patent audit can help assess the strength of the patent asset, and identify potential invalidity or unenforceability issues. This in-depth analysis of the particular patent asset might identify possible arguments to weaken a competitor's patent position or identify possible pre-emptive measures to strengthen an asset prior to enforcement. The pre-litigation patent audits may be used in the early development of a post-grant and litigation strategy.

To meet the individual needs of clients efficiently, our firm works with each client to determine their needs on a case-by-case basis to provide one of our standard IP audits or a more customized IP review. With the combination of our technical expertise, industry knowledge, and legal savvy, our experts are uniquely positioned to review IP asset information to provide valuable insight as our clients develop their business strategy.