



Financing in a Challenging Patent Market

What are the Challenges in Licensing Patents?

When attempting to license their patents, patent owners currently face an onslaught of hurdles (e.g. inter-partes reviews, etc.) that are used by infringers to withhold access to a jury trial and a patent's intended reward for an inventor's contribution to society.

In effect, the above challenges introduce risk into the patent market, making it increasingly difficult to monetize patents, whether through a meaningful sale or the engagement of an enforcement partner (e.g. law firm, financier).

To obtain *optimal* value, *maximum* patent protection is required, but, to many, this is *cost-prohibitive*.

With that said, *if*:

- 1) an application is still *pending* in a portfolio with at least *a few years* left in patent term, and
- 2) there is *evidence of high-value use in the market*,

Oso IP can help....

HOW CAN OSO IP HELP?

To address the challenges that patent owners face in obtaining patent protection sufficient enough to attract a meaningful sale price or to engage a reputable enforcement law firm, Oso IP LLC provides a path forward by securing financing to strategically and sizably augment patent portfolios many times over, both *before* and *during* licensing/assertion. By doing so, patent protection and thus licensing profit potential are *maximized*, for engaging the best enforcement partners in the country and achieving *optimal* returns via licensing (which typically dwarf returns via a sale). Specifically, in exchange for an assignment of patent rights, financing is secured for meeting contractual obligations and benchmarks including:

- an in-depth market and prior art legal analysis involving all facets expected in assertion,
- strategic patent portfolio bolstering based on the above analysis (e.g. with a specified number of 100+ additional claims); not your customary cost-conscious prosecution,
- an accelerated timeframe in which the above patent portfolio bolstering is to be initiated (e.g. typically 1-2 months after engagement), and government fees to be expended to accelerate the examination of the additional applications at the U.S. Patent Office (e.g. examination is typically initiated within 3-5 months from engagement),
- preparation of documentation on the above market and legal analysis, and the relevance of the additional patents/claims, to engage a reputable law firm from an expansive network of firms that have a high regard for cases with financing secured by Oso-IP,
- experienced licensing executive management of licensing/assertion,
- continued legal analysis that is to occur during licensing/assertion, and
- additional iterative patent portfolio bolstering based on the above analysis during licensing/assertion.

In addition, an upfront payment is paid to help the inventor or patent owner recoup/repay prosecution costs/debts, along with a back-end royalty-share as primary consideration. Through the above contractual obligations and benchmarks, *maximum* patent protection is expeditiously sought and documented for engaging a top-notch, reputable enforcement law firm on the best terms possible. And, the commitments do not stop there. Patent protection is *continuously reinforced* under professional management during licensing/assertion, to bolster against any attacks on the asserted patents and maintain a path towards success. Thus, inventors and patent owners are best prepared for the rigors of today's patent enforcement and, most importantly, for bridging the gap between their invention and meaningful returns, thereby achieving what the U.S. patent system was intended to provide.

