



Why Patent Litigation Financiers & Attorneys Refer Patent Holders to Oso IP

When Should Patent Litigation Financiers & Attorneys (“Firms”) Refer a Patent Holder to Oso IP?

Patent Litigation Firms provide a valuable role in the Patent Monetization (“PM”) Market, by providing the capital & expertise necessary to help inventors and patent holders enforce existing patents.

With that said, Patent Litigation Firms set a very high bar for prospective cases before capital & time are invested.

When a patent portfolio is not quite ready for financing and assertion, Oso IP can help in certain situations.

Specifically, *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**,

Patent Litigation Firms should refer such patent holders to Oso IP...

How Can Oso IP Help?

In situations where a patent portfolio is not quite ready for financing and assertion, Oso IP, LLC (“Oso IP”) secures financing to use “continuation” practice to procure new patents that will meet the high standards of Patent Litigation Financiers & Attorneys (“Firms”). Thus, Oso IP’s secured prosecution financing enables a patent holder to regroup and return to the table with Patent Litigation Firms, for securing the more sizeable capital and/or contingency agreement the patent holder needs for initial patent assertion.

Further, after litigation financing/contingency terms are secured, Oso IP continues financing the procurement of additional new patents, based on information gleaned from the initial assertion, where such additional new patents can be used for additional, iterative assertions.

The mere existence of Oso IP’s secured financing (for both **initial and additional/iterative** patent procurement/assertions) gives Patent Litigation Firms additional confidence of a maximum return on investment. This additional assurance is afforded by maximizing chances of overcoming the many legal obstacles [e.g. post-grant challenges, 101 challenges, etc.] during an **initial** assertion, **as well as** enabling a “second bite” at the apple through **additional, iterative** assertions, by carefully navigating “collateral estoppel”/“issue preclusion” that historically work to limit such additional assertions. Through its secured funding, Oso IP thus sets the stage for maximizing the possibility of achieving multiple judgements/verdicts, in case an initial assertion ends in an adverse judgement/verdict.

Importantly, by the infringers witnessing additional patents being issued that address the infringers’ own attacks, such infringers quickly recognize the fact that the patent holders’ overall assertion is getting **stronger**, not weaker, as a result of the infringers’ attacks. This important narrative provides Patent Litigation Firms with a type of additional “insurance” that a patent holder will more likely win eventually, and more likely win bigger than they would otherwise.

