



Insights: Perspectives

5 Key Takeaways | A Cost-Effective Patent Strategy for Startups

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5 KEY TAKEAWAYS

A Cost-Effective Patent Strategy for Startups

Kilpatrick Townsend's [Yifan Mao, MSc](#), and [Joseph Snyder, Ph.D., JD](#), recently provided a presentation at [Daybreak Labs](#) on the topic of "A Cost-Effective Patent Strategy for Startups." The presentation covered intellectual property protection for start-ups, including patents and trade secrets. A high-level overview of the patent application and procurement process was presented and discussed. Patent prior art landscapes and freedom-to-operate issues were also raised. These are the important issues every entrepreneur and founder must consider in order to launch and run a successful life science company.

Key takeaways from the presentation include:

1

The start-up company should consider a trade secret strategy for patent-ineligible subject matter such as for certain types of nature-based compositions and simple biomarker correlative methods.

The PCT application filing is a cost-effective filing vehicle that can even delay filing and the associated costs in the US and elsewhere. A prior art search is obtained that can be used to tailor the claim scope.

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3

Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) grant applications can be recast as patent applications.

US Continuations and Divisionals applications can be filed in series for cost-effective additional patent coverage.

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5

Prior art landscape analysis can be performed to understand claim scope and identify blocking patents.

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