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## 5 KEY TAKEAWAYS

# Importance of Intellectual Property for Fintech Companies

Kilpatrick Townsend Partner Jason Gardner spoke at the Carolina Fintech Hub on "Capturing Value Before It Floats Away: Importance of Intellectual Property for Fintech Companies," where he provided the following five key takeaways:

1. Intellectual property (IP) is often considered the most important and valuable asset of an early stage startup or any tech company. Sophisticated investors and acquirers will scrutinize IP — identification, confirmation of ownership, encumbrances, etc.

2. Capturing IP in real time (as it is created) and documenting it and its ownership will increase the value for investment and acquisition.

3. For patents, overcoming a technical hurdle suggests there is an invention to be considered for patenting.

4. Have polices and controls over the use of open source software (OSS) in company code, understand and comply with licenses associated with OSS, and avoid using code with undesirable license requirements.

5. Develop a plan to maintain trade secrets as secrets — physical and digital security measures — and develop a process for deciding whether to protect something as a trade secret or another IP protection mechanism.

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Related People



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