KILPATRICK TOWNSEND

5 KEY TAKEAWAYS
Building a Successful Patent Program

The Georgia IP Alliance recently held its "14th Annual Corporate IP Institute." Kilpatrick Townsend's Rob Curylo moderated a session addressing the topic of "Building a Successful Patent Program." The expert panel consisting of in-house counsel from Equifax, Landis+Gyr, and Boehringer Ingelheim focused on strategies for building or expanding a patent program.

Mr. Curylo's 5 key takeaways from the panel discussion include the following:

1

Support for patent program among company leadership is critical
- Promote patent awareness at multiple levels (e.g., R&D unit and executive committee).
- Build relationships with key individuals involved in areas of differentiation from competitors.
- Ensure that successes, such as obtaining a market advantage via litigation, are publicized internally.

2

Tailor approach based on the audience and industry
- Research company leadership's background to identify key leaders' familiarity and receptiveness to patents.
- Exclusionary role of patent protection can be more persuasive to audiences with less patent familiarity or where competitors have smaller portfolios.
- Revenue streams from patents, both direct (e.g., licensing) and indirect (tax benefits from patent box or capitalization of prosecution costs), become more persuasive in companies and industries with larger portfolios.

3

Benefits for diversity initiatives and employee engagement
- Diversity of inventors on patent assets is an indicator of success at promoting diversity internally .
- Patents dominated by certain groups (e.g., senior R&D leadership) can indicate a need for investment in the development of other groups (e.g., more junior personnel).
- Being listed on a patent helps employees feel that their efforts are valued by the company.

4

Incentives programs
- Differences in laws on patent incentives and co-inventorship standards can complicate formulating a company-wide incentive policy.
- Financial compensation can build interest among potential inventors that are unfamiliar with patents.
- Certain inventors, such as engineers or scientists with an extensive academic background, may be more swayed by the prospect of enhancing their professional credentials.

credentials.

5

Growing patent program awareness

- Be cognizant of competition with other mandatory company training when designing and delivering patent training programs.
- Account for different levels of resistance to the concept of patents based on technology area, local culture, etc.
- Build relationships with managers and other influential personnel who can promote patent-related successes and internally recognize inventors.

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