



**FICPI 22nd  
Open Forum**  
Madrid  
25-28 September 2024



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# Riding the Wave of Progress: How Patent Law Firms can Support their Clients' Innovation Growth



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# Introduction



**Britta Fromow**

New Zealand

**JAMES & WELLS**

— Intellectual Property —



**Martin Bader**

Switzerland



**Arthur Lallement**

United Kingdom





# What do we mean by “innovation”



- Innovation is the complete process of successfully bringing new technology to market by commercialising that technology.
- Innovation uses action to convert creativity into a marketable product or service, and to bring that product or service to the marketplace.



# Understanding underpins everything



To best support innovation within a client's business, the attorney should understand:

- The nature of the client's business
- The business goals
- The drivers for innovation within the organisation
- The innovation strategy, if available
- The client's access to resources generally, including budget
- Any other factors influencing growth, such as having knowledge of key competitors



# Product Lifecycle

## Considerations for Innovators

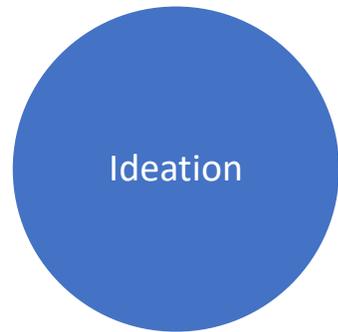
Investment due diligence  
Prototyping  
Product testing  
Collaboration opportunities?  
Regulatory approval  
Preparing for manufacture  
Brand creation  
Market identification  
Commercialisation strategy



Brand launch  
Product launch  
Marketing  
Post-Market surveillance  
Product tweaking?  
M&A strategy?



Brand development  
Market expansion  
- new jurisdictions  
- new uses  
Competitor analysis  
Consider value-add products  
Collaboration opportunities?  
M&A strategy?



Brainstorming new ideas  
Market analysis  
Technology concept formalized  
Proof of concept validated



Cost reduction  
Abandon low value IP rights?  
Retain market share in key markets  
Prepare for next generation

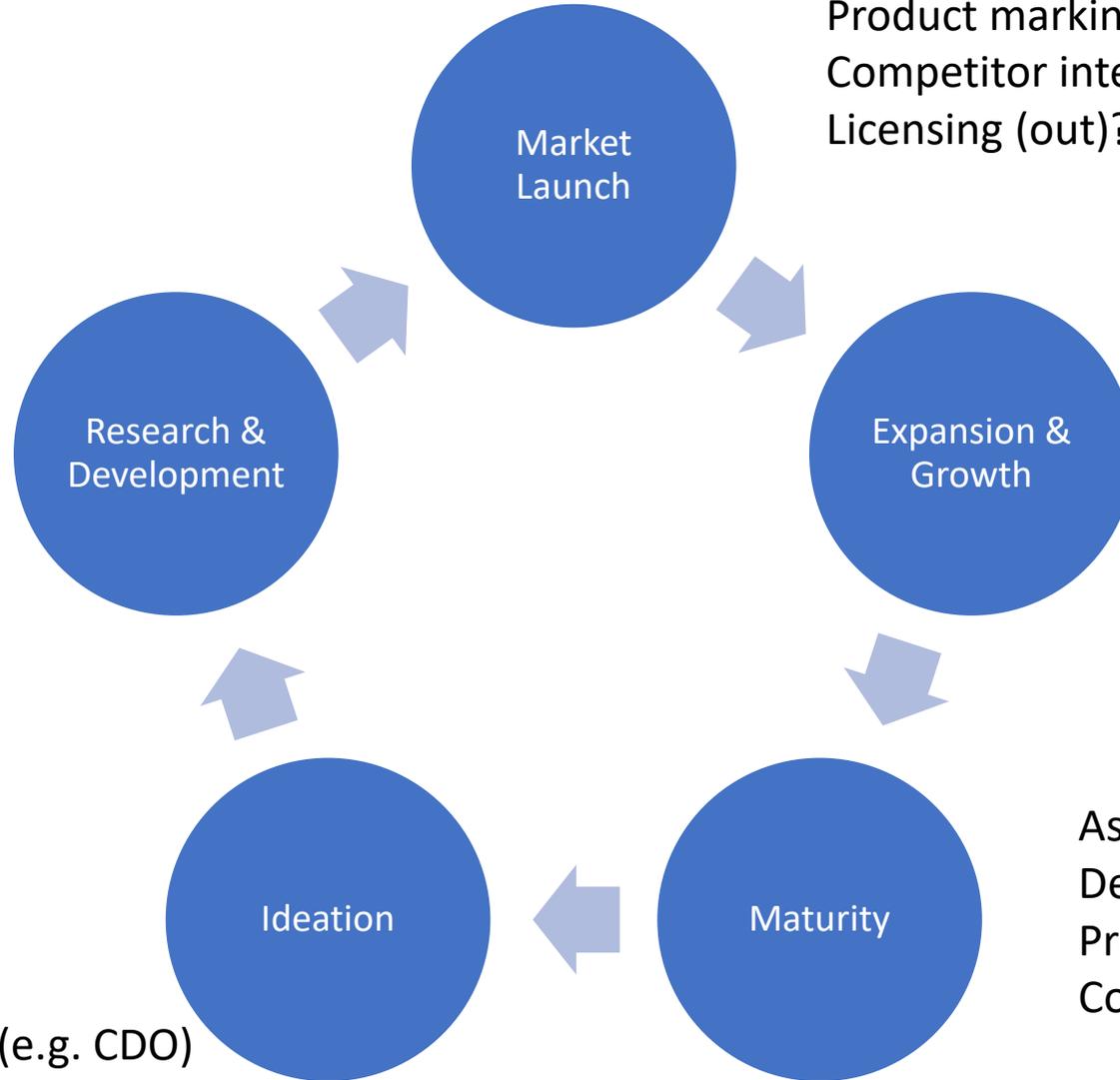


# Product Lifecycle

## IP Services



NDA's  
 Freedom to operate  
 Patentability searches  
 Patent application(s)?  
 Inventors award  
 Design application(s)?  
 Market identification  
 Licensing (In)?  
 Negotiations?  
 Joint venture?  
 Brand creation guidance  
 TM searches (clearance)

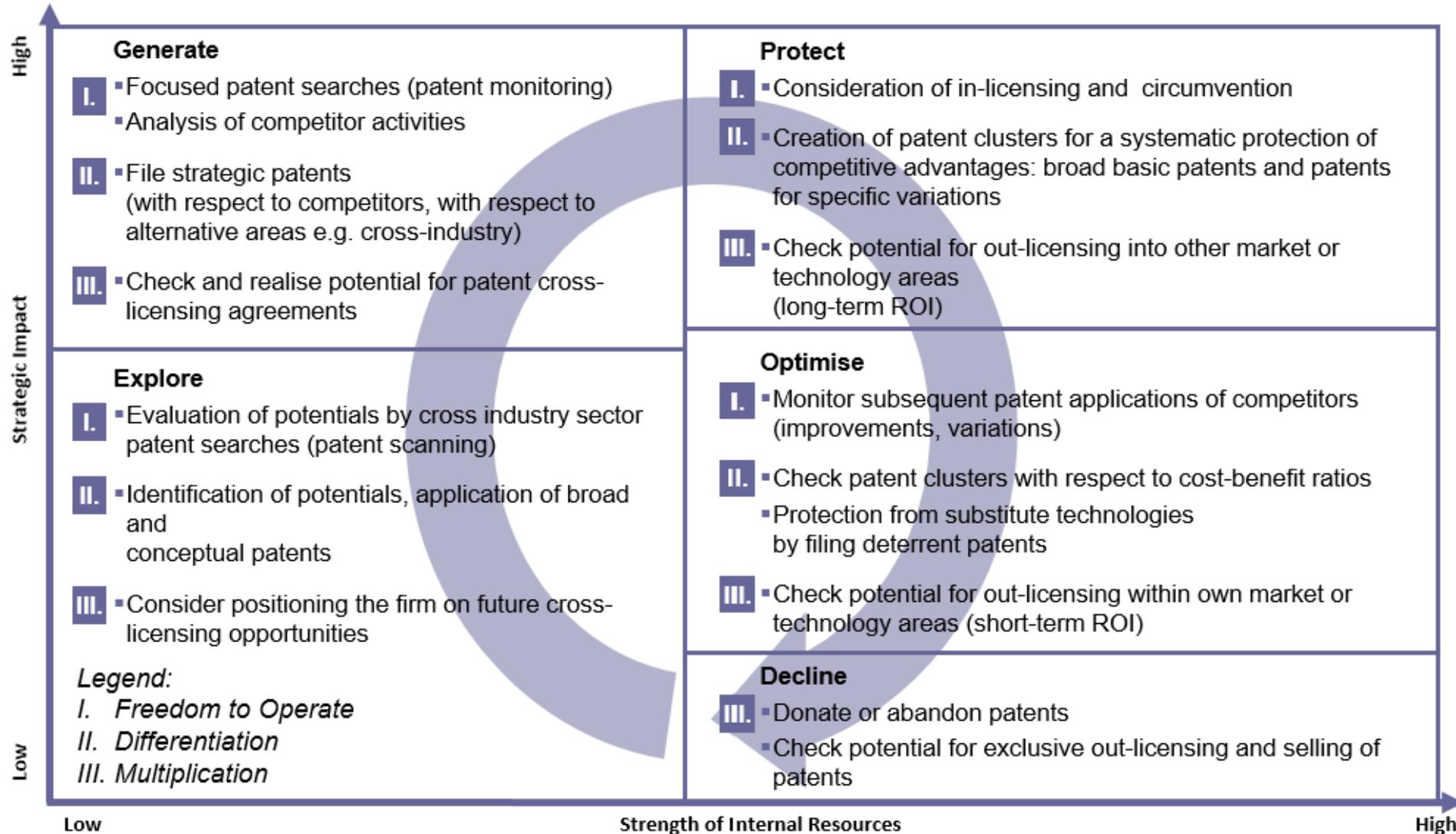


Brand development & use  
 Patent update?  
 Product marking  
 Competitor intelligence  
 Licensing (out)?

IP portfolio expansion?  
 Build IP thicket  
 Divisionals  
 "Land grabbing"  
 Licensing (out)  
 Product marking  
 Competitor intelligence  
 Infringement?

Budget planning  
 Landscape searches  
 Contractor agreements (e.g. CDO)

Assess renewal costs closely  
 Defend key markets  
 Product marking  
 Competitor intelligence





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