




The New U.S. Patent Law and Other Recent Developments in Patents and Investor Perspective in Global IP Management

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How Emerging Technology Companies Manage Global IP Portfolios in the Face of Changing IP Laws


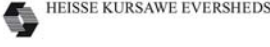
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 Panelists

- **Paul S Thurk**, Partner, ARCH Venture Europe
- **Dr. Brian Korgel**, Temple Professor #1 & Matthew Van Winkle Regents Professor of Chemical Engineering, University of Texas at Austin
- **Dr. Rouget F. (Ric) Henschel**, Partner, Chemical, Biotechnology & Pharmaceutical Practice, and Co-Chair, Life Sciences Industry Team, Foley & Lardner
- **Sven Riethmueller**, Partner, Private Equity & Venture Capital Practice, Foley & Lardner

 Panel Discussion



 Panel Discussion

The new US patent law favors big corporations over smaller emerging technology companies (or vice versa).

"This is not a patent reform bill. This is a big corporation patent give away that tramples on the rights of small inventors."
(US Senator Maria Cantwell).

Do you agree?

 Panel Discussion

The new US patent law will require emerging technology companies to implement additional measures to protect their valuable IP, including when dealing with larger corporations, or risk losing their IP.

Do you agree?



Panel Discussion

The new US patent law will require more investment into building a strong IP portfolio in the United States (and therefore a global IP portfolio).

Do you agree?



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Panel Discussion

The new US patent law will speed up the patenting process for emerging technologies in the United States.

Do you agree?



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Panel Discussion

The new US patent law will allow European companies to protect their technologies and to attack US competitors more aggressively without the fear of expensive patent litigation in the United States.

Do you agree?



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Panel Discussion

The new US patent law will level the playing field for European companies, including emerging technology companies.

Do you agree?



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 Panel Discussion

The new US patent law will create new risks for European companies when they collaborate with US companies in securing and protecting their valuable IP.



Do you agree?

 Panel Discussion

The new US patent law will create some very difficult choices for emerging technologies to protect their IP in light of potential patent litigation in the US.

Do you agree?


 

 Panel Discussion

The new US patent law will make defending US patent litigation worse for European companies.

Do you agree?

 Useful AIA Provisions

- New “micro entity” status (75% discount)
 - Effective immediately
- Knorr-Bremse case codified
 - No inference from failure to produce opinion of counsel in litigation
- Prioritized Examinations
 - Effective 26-Sep-2011
 - Modest fee \$4,800
 - Plus normal filing fees; small entities get 50% off
 - Application moved to top of examiner’s docket
 - Extension of time ends prioritized status
 - Minimal problem because major delay precedes examination on the merits
 - Filing requirements: New application (incl. CONT/DIV); complete filing (no NFMP); 4 indep., 30 total, no multiple dep. claims; max 10,000 in 2011

