



GLOBAL **IP LAW** GROUP



We founded Global IP with a singular focus: helping patent owners maximize their return from patent assets. To accomplish this goal, we assembled a team of lawyers with deep expertise in traditional patent enforcement, patent portfolio management, and patent sales transactions. Our varied experience is complementary, giving our lawyers a unique perspective on all aspects of the patent world. And the results speak for themselves, encompassing both the largest patent sale and largest patent-backed debt offering in history, as well as a multitude of smaller but equally successful engagements.

Our patent-focused engagements typically fall within the following categories:

#### **STRATEGIC IP COUNSELING**

We counsel clients on how to optimize their investment in their patent portfolios and realize maximum return on that investment.

#### **PATENT SALES**

We have a finely-tuned sales process, including positioning patent portfolios to maximize sales price, based on the experience of hundreds of successful sales and our extensive industry contacts.

#### **FINANCIAL RESTRUCTURING**

We advise on matters related to a distressed or bankrupt entity's IP, including selling non-core patent assets to provide liquidity to the entity or recovery to the estate.

#### **VALUATION SERVICES**

We combine legal and financial expertise to provide patent portfolio valuations used by patent owners, financiers, and third parties.

#### **PATENT ENFORCEMENT**

We develop and execute innovative licensing strategies based on each individual client's risk profile to maximize the benefit to the client while reducing risk to a prudent level.

Our experience in a wide array of patent-related engagements benefits our clients, providing a unique perspective on both primary and alternative strategies that may be available.

In addition to our deep pool of U.S.-based lawyers, technical staff, and analysts, we maintain relationships with affiliates in Europe and Asia that we involve when those skills, contacts, and expertise are beneficial.

Because Global IP is a highly-focused boutique law firm, we are selective in the clients we represent and are able to avoid many conflicts that can limit other firms' abilities to investigate and develop a patent portfolio's full potential. We also share the entrepreneurial and creative spirit of many of our clients. And we retain the flexibility to work under a wide array of fee arrangements.

Four of the “Top 300 IP Strategists” in the world

## STRATEGIC IP COUNSELING

Global IP has extensive experience providing strategic counseling to companies of all sizes and across many industries, including telecommunications, wired and wireless communications, color management, defense, e-commerce, digital music, mobile health, financial tools, and patent enforcement. Our comprehensive patent strategy focuses on the client's overall goals while controlling costs, whether they include supporting and augmenting business operations or generating revenues. We advise our clients on ways to optimize their patent portfolios to best achieve these goals through organic development and prosecution, acquisition, and sale.

One aspect of our practice is advising larger, Fortune 100-level companies on patent portfolio strategy. That process often begins with a comprehensive review of those companies' full patent portfolios. Our patent lawyers personally conduct this review, using their informed legal and technical judgment to examine the actual claims and specifications of the patents rather than relying on algorithmic, machine-implemented review. Over the last five years, we have collectively reviewed tens of thousands of patent claims in a detailed and value-focused manner. This type of analysis provides us insight into ways that a company's overall patent prosecution strategy can be improved to achieve its goals.

We also advise on smaller portfolios. With smaller-portfolio engagements, we counsel clients on a more granular level. Working with patent prosecution counsel, we suggest potential improvements in claim language during the application process. These claim improvements can often greatly increase the value of a portfolio.

We then are able to use the knowledge and information developed during these deep portfolio evaluations to create a monetization strategy that best fits the client's business goals, while remaining sensitive to risks to the client's ongoing business and ability to invest additional resources in a monetization process.

“One of the Most Innovative  
IP Law Firms in U.S.”

## SALES

In the current patent marketplace, a seller needs an advocate that can get the attention of likely buyers and convince those buyers of the patents' value. This is particularly true today, as recent media reports about noteworthy patent sales (including many that Global IP has handled), have increased both the number of companies seeking to sell their patents and the number of patents on the market.

Global IP has achieved unparalleled success for our clients in the patent-sales arena. Some of those successes have been public, including the largest-ever outright patent sale—\$4.5 billion on behalf of Nortel Networks—and what may be the highest per-family price ever achieved—\$37.5 million per family on behalf of Aware, Inc. Many others, however, are confidential and involve a range of technologies that include telecommunications, semiconductors, software, social networking, audio compression, consumer electronics, and wearable computing. These sales range from smaller portfolio transactions to nine-figure deals.

Our success is based on our philosophy that a patent is a legal right to be enforced in court, and this philosophy guides our approach to each sales effort. We begin by evaluating a patent portfolio's litigation prospects. A large part of that analysis is legal—how does the current state of the law impact the scope of the patent claims, who infringes the patent, the nature of the infringement (e.g., direct versus indirect), and the implications of infringement (e.g., injunctions and damages). Our foreign affiliates also assist in this regard when non-U.S. enforcement is a consideration.

The next step in our analysis is technical, comparing the patent claims to technology in the market.

The final step is employing financial modeling to evaluate the monetary impact the patents could have in court.

The result is that when we take a patent portfolio to market, we have made it easy for potential buyers to understand how that portfolio could be used to achieve that buyer's objectives, whether to block competitors, reduce outbound license payments, or to earn revenue.

Our legal expertise helps us minimize risks inherent in any sales process. Moreover, because we are lawyers, the preparatory work we do is protected by the attorney-client privilege.

Beyond philosophy, approach, and legal expertise, Global IP provides three concrete benefits to clients:

First is relationships with buyers around the world. We know whom to contact at these companies, and they know us. Second is our reputation. That reputation is based on our prior successes, and the quality and trustworthiness of the analysis that we provide to buyers.

Third, because of our unique focus, we avoid the conflicts that often arise with larger firms. We are able to investigate the full monetization potential of a patent portfolio, which allows us to maximize value for our clients.

## FINANCIAL RESTRUCTURING INVOLVING PATENT ASSETS

Global IP has advised both debtors and creditors of distressed companies.

In addition to our work on behalf of Nortel Networks, we acted as special intellectual property consultants for the Unsecured Creditors Committee in the Eastman Kodak bankruptcy. Our work involved counseling the UCC with respect to all intellectual property issues, including the sale of Kodak's Digital Capture portfolio for \$527 million, the sale of several Kodak business units and related IP, and patent ownership and infringement litigation between Kodak and several counterparties.

We also represent companies in receivership and individuals in bankruptcy to sell intellectual property assets and provide liquidity to their estates. We welcome opportunities for all portfolio sizes and are equipped to handle portfolio coverage in all technology areas.

Among the “World’s Ten  
Most Influential IP” Entities

## VALUATION SERVICES AND DEBT FINANCING

Leading business owners and financiers look to Global IP for our expertise in valuing intellectual property assets.

Global IP lawyers have unique experience providing valuations used to support debt financing and raise capital, including the largest-ever patent-backed debt financing of \$2.6 billion. We also provide valuations and M&A advice to entities seeking to raise capital to acquire IP assets or entire companies.

Because of our patent-litigation expertise, we evaluate portfolios from an enforcement perspective, considering issues of infringement, validity, enforceability, legal damages, and encumbrances in performing valuations.

We also have deep insight into the patent-transaction market, including buyers, sellers, and the overall market. This unparalleled collection of knowledge and experience enables us to provide matchless valuation services to our clients—financial analysis joined with our legal and market expertise.

We offer valuation services to a wide variety of industries and commercial sectors, including every level of telecommunications—services, infrastructure, and consumer products—as well as aerospace technology, e-commerce, digital media, consumer electronics, and medical devices. We also provide valuations to individuals and entities with portfolios of all sizes—ranging from a handful to tens of thousands of patents.

Among the “500  
Leading Lawyers in America”

Among the “Top 1000  
IP Attorneys in the World”

## PATENT ENFORCEMENT

Licensing is an efficient way for companies to share innovations. It rewards innovators for their work, investment, and creativity, funding further innovation that benefits the economy as a whole. Licensing also avoids the high costs of litigation.

Our approach to licensing as a means to share innovation leads to a more constructive dialogue with potential licensees and their more complete appreciation of the value of the patented technology. Often the result is a license at a better rate and with a quicker conclusion than would occur with a conventional adversarial licensing approach.

When use of our clients' patented technologies is more broad-based, we develop innovative licensing strategies to facilitate the licensing process for all parties. Licensing engagements like this ultimately can prove quite successful.

Of course, efforts to license patents without engaging in litigation are not always successful, and to address such situations, Global IP maintains a robust litigation practice. Global IP handles patent litigation for both patentees and alleged infringers ranging from operating companies to individual inventors.

We possess patent-litigation expertise far beyond what is typically seen in boutique law firms. With partners from such patent powerhouses as Kirkland & Ellis, Mayer Brown, Bartlit Beck Herman Palenchar & Scott, and Hogan Lovells, we have the skills, knowledge, and reputation for bet-the-company patent cases.

Global IP takes a no-nonsense, results-based approach to litigation, focusing its efforts on gathering the evidence needed to win at trial.

At the same time, the other aspects of our practice give us the ability to craft creative solutions for our clients. We have access to numerous non-traditional sources to fund worthwhile litigation, and we have good connections with intermediaries that sometimes can be helpful at resolving conflicts to our clients' benefit.

“The \$5 Billion IP  
Law Firm”





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