

# IP DUE DILIGENCE

Transactions involving intellectual property (IP) require IP due diligence to assess the value of those assets. We have extensive experience advising investors, businesses engaged in merger or acquisition, and businesses acquiring or licensing in IP to build their portfolio.

A due diligence report can assist stake holders by assessing the commercial strengths and weaknesses of individual assets or a whole portfolio. It will typically:

- Identify the scope of the IP, including the geographical coverage, potential expiry dates and whether the relevant fees have been paid to keep patents, trade marks and designs in force
- Assess whether the IP is appropriate to protect the commercial activity of the company and explore how third parties might potentially be able to challenge or work around the IP
- Consider pending IP rights, advise on the likelihood of securing grant and assess the potential scope of protection that might be achieved
- Assess the ownership of the IP, ensuring rights are vested in the company of interest
- Investigate any contractual obligations involving IP
- Consider freedom to operate/trade mark availability searching in relation to the products or processes of interest
- Advise on the overall strategic position, with reference to the value of the portfolio and any potential IP risks

We will tailor our report according to your requirements. No due diligence project is the same. We recognise the need to adapt the level of review to your needs, with reference to time constraints and costs. Sometimes a thorough review is required, in other situations, a quick check is more appropriate.

## Get in Touch

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