

# Make **Better** Decisions IP Questions for Investors.

**Build, protect, and get the full value out of your intellectual property assets by asking the right questions at your next meeting with your portfolio companies.**

IP is one of the most valuable assets of an innovative company, even if it is intangible. However, IP is very complex, and it can be challenging to manage it cost-effectively. As an investor, you oversee that company funds are spent optimally and that necessary steps are being taken to avoid legal disputes while harvesting the power of their IP.

We've collected a list of questions that are essential to understanding how IP is being protected and managed. Consider regularly putting these on the agenda to ensure your portfolio companies are taking full advantage of their potential when it comes to their IP portfolios.

**1** Does the company foster an innovation minded culture? Are employees knowledgeable about IP? Do they know how to avoid unintentional loss of IP? Does someone have a clear mandate to devote the necessary resources and time to implement the IP strategy?

**2** Does the company implement and effectively use consistent IP processes such as invention disclosure and patent marking processes? Is there an IP check-in gate in the product development processes to make sure a decision is made on what needs to be protected (including trademarks and trade secrets)?

**3** Do all the company's employment contracts (including the founders) include proper non-disclosure and IP assignment clauses, not only for patents but also for trade-secrets, industrial designs, copyrights, and trademarks?

**4** Does the company have consistent and reliable portfolio management processes to ensure the portfolio is always due-diligence ready while tracking the cost of each application and operating within a defined budget?

**5** Does the company implement an effective process to **manage trade-secrets** to ensure their value is optimized?

**6** Does the company use IP searching to help with competitive positioning and proactively finding new competitors/partners and assessing competitors?

**7** Does the company have a licensing strategy? If so, how is it enforced?

**8** Does the company evaluate the freedom to operate (FTO) risk involved in implementing new features and establish contingency plans ahead of time (design around or licensing cost built in the pricing)? Is the FTO risk assessment updated after 6 months to review recently published applications?

**9** Does the company have a planned filing strategy to maximize value of the IP (i.e. patent vs trade secret vs industrial design vs proactive publication)?

**10** Does the company have regular IP portfolio review to identify the "crown jewels", and to divest assets no longer core to the business and create a revenue source? Is the value of the IP portfolio taken into account in the company's valuation?

**11** Does the company look for existing IP available for acquisition as a cost-effective source of R&D and to augment their IP war chest?



**12** Can the company articulate their plans regarding monetization of the IP? Do they know the approximate value/worth of their portfolio?

**13** Does the company have contingency plans in place to handle third party threats such as a licensing request or threat from a non-practicing entity (NPE)?

As you review your investments and prepare for follow on rounds you want to ensure you are harvesting the maximum value of the IP portfolio. If managed cost-effectively, the company can truly harness the power of IP to significantly increase its valuation and profitability, delivering extra value to investors.



# Implement a Better IP Strategy

## ABOUT STRATFORD INTELLECTUAL PROPERTY

Stratford Intellectual Property, a division of Stratford Group, is a full-service patent and trademark agency that offers end-to-end IP services covering all types of IP. Our virtual IP department service is offered on a monthly subscription basis where our cross-functional team of IP experts collaborate to proactively and pragmatically develop and implement your IP strategy.

We work with you to ensure it stays in sync with your business objectives to maximize value and reduce risks. Equipping your team with hands-on support, Stratford Intellectual Property delivers you peace of mind as it relates to your intellectual property.

**Offering a unique combination of strategic and operational experience to ensure a better implementation of your IP strategy.**

**Ask us how today.**

## How Can We Help?

- Looking for help beyond a checklist?
- Seeking a tailor made IP strategy that aligns with your business objectives?
- Looking for peace of mind when it comes to your IP portfolio?
- Need actionable insights and daily operations support?

At Stratford, we believe better is possible, and it's our mission to help clients get there with better strategies, better processes, better technology, better intellectual property and better leadership. Our teams have years of practical business experience and deliver customized solutions that help clients realize value, achieve results and build enduring capabilities. Capabilities that leave our clients in better positions to thrive and contribute to the prosperity and vibrancy of their organizations, their teams and their communities.

**Contact us:** [info@stratford.group](mailto:info@stratford.group) | [Stratford.Group](https://Stratford.Group)

