



PATENT INSURANCE

**“PROTECT YOURSELF
AT ALL TIMES”**

KEY PRELIMINARY QUESTIONS

- Has your company ever been in a patent infringement litigation?
- Has your company received or issued a threat of infringement?
- Does your company offer highly sought-after technology?
- How litigious are your competitors (or your industry in general)?
- How prolific are non-practicing entities (NPEs) in your area?
- Has your company budgeted for a worse case scenario lawsuit?
- Could your company survive the costs of a protracted litigation?
- Would an adverse judgment have a detrimental effect on business?
- Has your company evaluated its exposure for patent infringement?
- Can your company respond to inquiries about risk (before/after suit)?



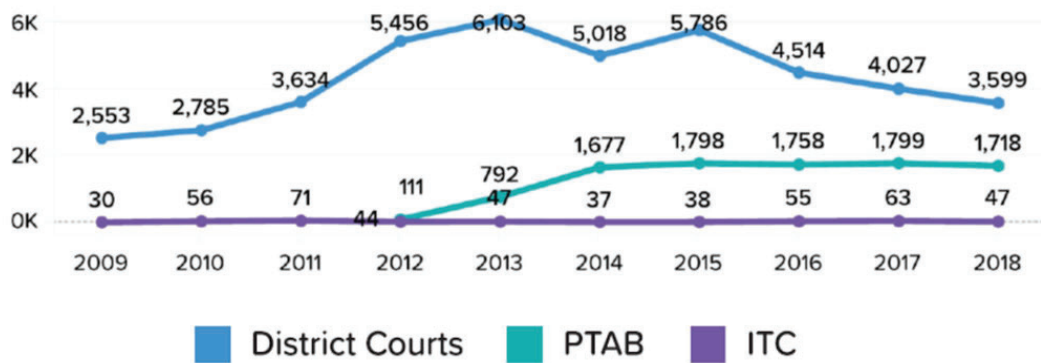
THE NEED FOR PATENT INSURANCE

PATENTS = LAWSUITS

“Ask any 10 people on the street for the first thought that comes to mind when they hear the word ‘patents,’ and nine out of ten will probably say ‘lawsuits.’”

Source: “The Patent Litigation Lie,” *Forbes*, April 13, 2017

PATENT CASES FILED IN LAST NINE YEARS



- 5,317 “patent cases” in 2018 (counting PTAB filings)
- 88% increase in patent litigation since 2010

Source: 2018 Year in Review, Docket Navigator

PATENT LITIGATION COSTS



\$ DISPUTED | COST

Less Than \$1M | \$500K

\$ 1M - \$ 10M | \$ 1M

\$10M - \$25M | \$ 2M

> \$25M | \$ 3M

Source: 2017 AIPLA Report of the Economic Survey

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Patent Insurance: "Protect Yourself At All Times"

Also available as part of the eCourse

[2019 Advanced Patent Law \(USPTO\) eConference](#)

First appeared as part of the conference materials for the
14th Annual Advanced Patent Law Institute session

"Patent Insurance: "Protect Yourself At All Times""