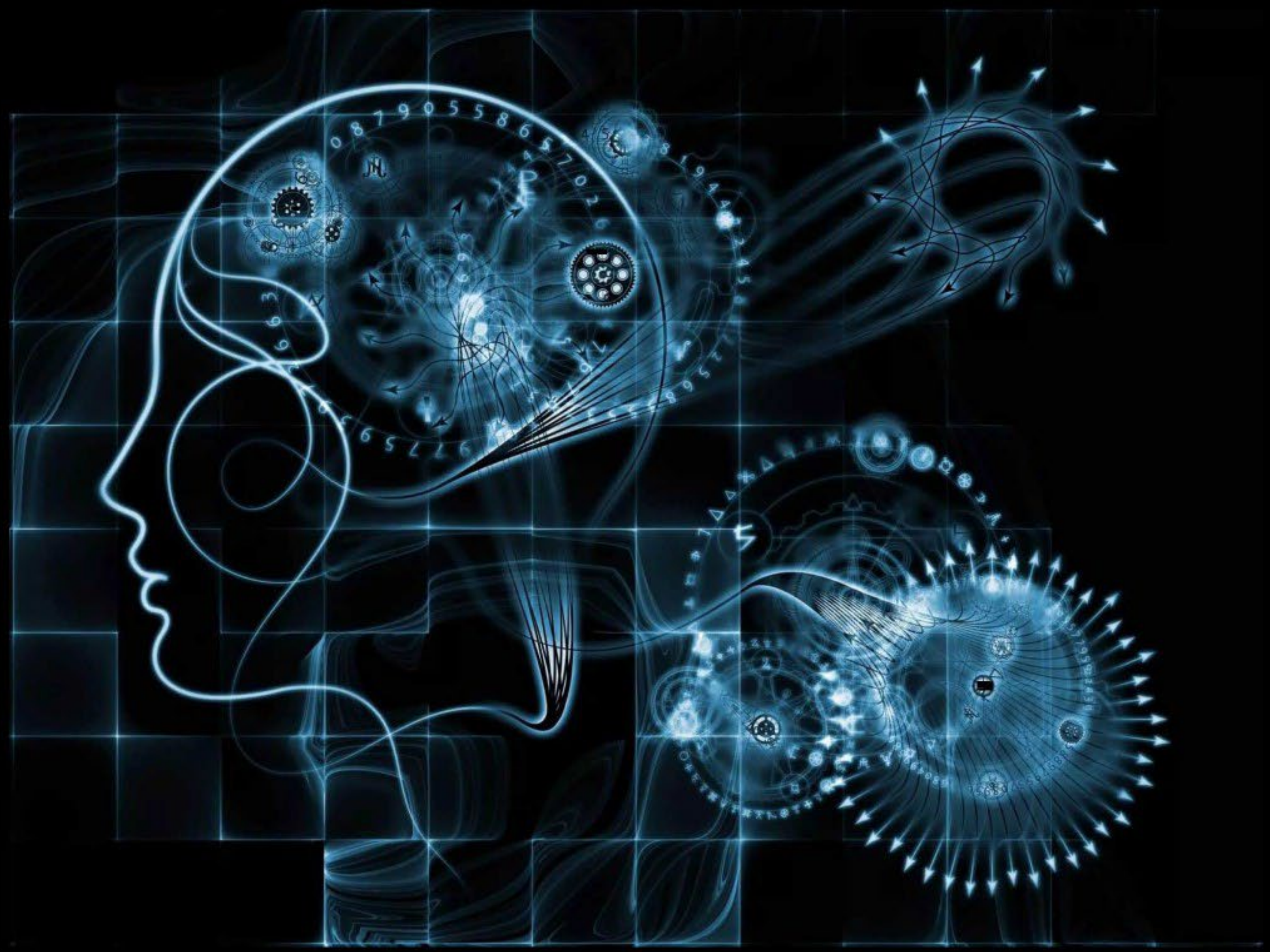
Making Use of Patent Box

- Tips from a patent attorney



High-value, complex patent matters

Better, different™

Content

- Introduction to EIP
- What is a patent?
- How might obtaining patent protection be relevant to your business?
- What makes an invention patentable?
- Tips for using Patent Box

About

EIP Europe & USA

Our multidisciplinary team combines patent attorneys, litigators and commercial IP lawyers and we operate in three of the world's main patent markets - UK, Germany, and the US, and also in the Nordics through our recent expansion into Sweden.

FT Financial Times statista EUROPE'S LEADING PATENT LAW FIRMS 2019 – 2024

The Legal 500

CHAMBERS AND PARTNERS

ISO 27001 CERTIFIED
British Assessment Bureau

iam 1000

recommended in JUVE PATENT UK 2024

Managing IP Awards 2024 EMEA

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EIP Northern Ireland

- EIP has been working with NI clients since 2012 - Openwave Mobility (now part of Enea)

- We now have a seat at Catalyst Innovation Centre and are commited to growing our presence in N.Ireland

One Firm

Across disciplines

Our attorneys, litigators and commercial IP lawyers combine with in-house IP strategy and patent searching capabilities to offer advice on the entire IP lifecycle.

Litigation
Representation in European patent litigation

Oppositions
Oppositions and other post-grant challenges

Patenting
Drafting and prosecution of patent applications

Commercial
Advisory, exploitation of IPRs and data protection

Intelligence
Portfolio management, analytics and risk analysis

IP Strategy
Developing value creation strategies for innovators

SEP Analysis
Standard-Essential Patent (SEP) analysis and advice

PATENTISE™

Patentise® is a unique service from EIP that provides the assistance companies need to maximise the benefit of the Patent Box.

Technologies

EIP's attorneys work in specific legal and technical areas, with some having expertise in multiple areas. Specialised practice groups pool staff, expertise and resources in a dynamic way.

Digital

Communications, computing and electronic devices

Dynamics

Mechanical and heavy engineering practice

Elements

Chemistry, pharmaceuticals and materials practice

Energy

Climate change reduction and energy production

HealthTech

Technology in the healthcare and medical sectors

Life

Life sciences and biotech

eIP
Europe & USA

Our clients

novo nordisk
VISA
dyson
PULPEX
hp
gsk
MAERSK
moderna
SONOS
AIRBUS

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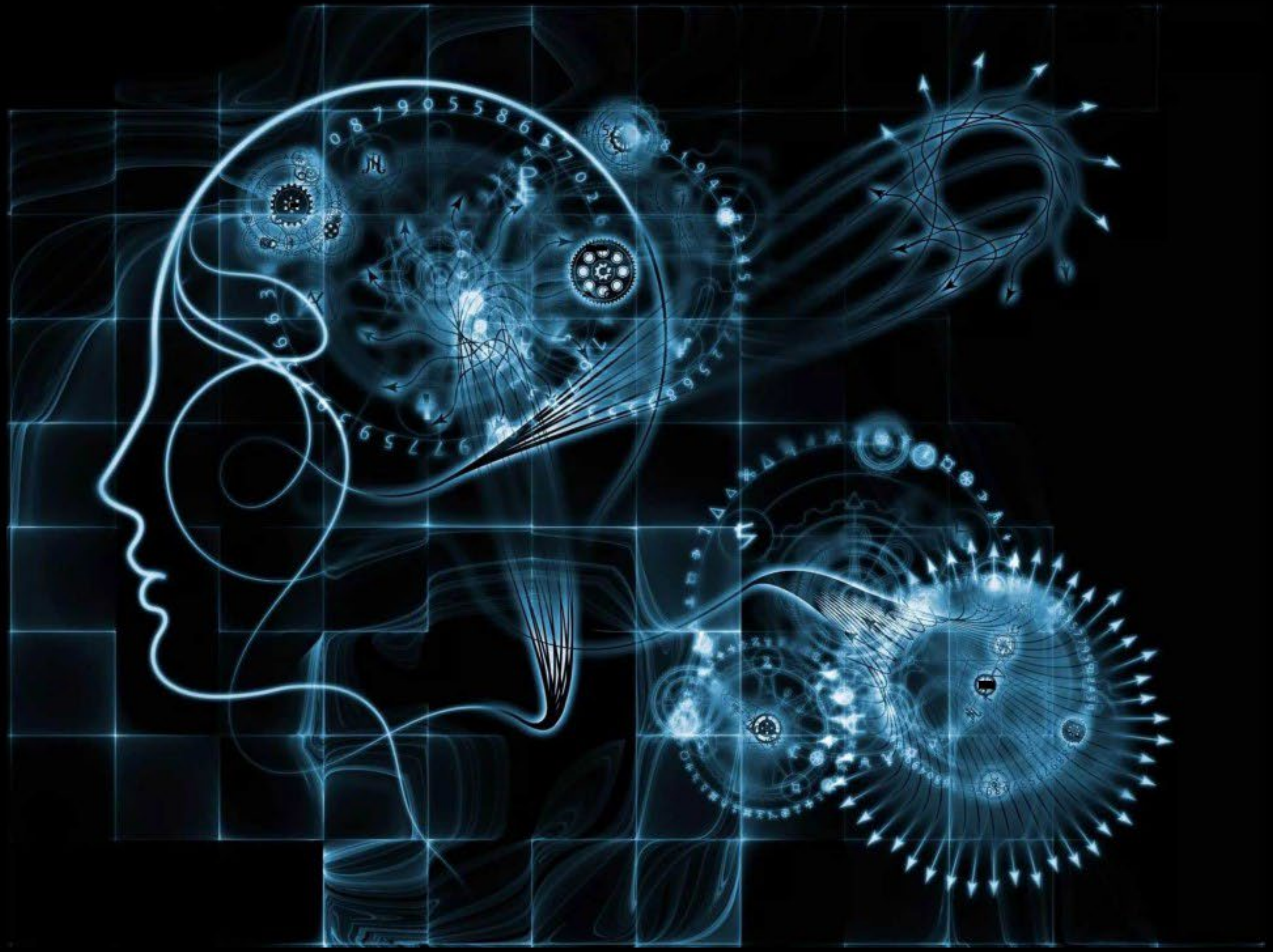

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What is a patent?

Patents give you the right to stop others from exploiting your inventions for a period of 20 years.

Patentable inventions may be entirely new or non-obvious improvements on existing products, processes or systems.

Must teach how your invention works in replicable detail.

A patent is country specific; e.g. can't use a US patent to prevent use in N. Ireland (need a UK patent)

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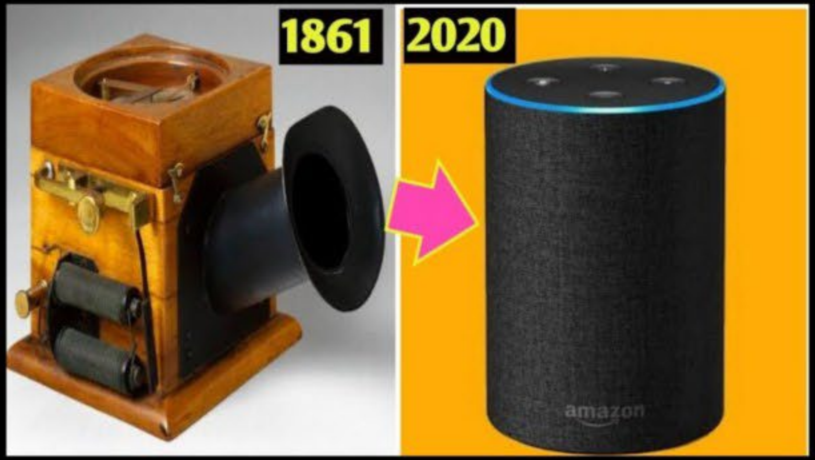

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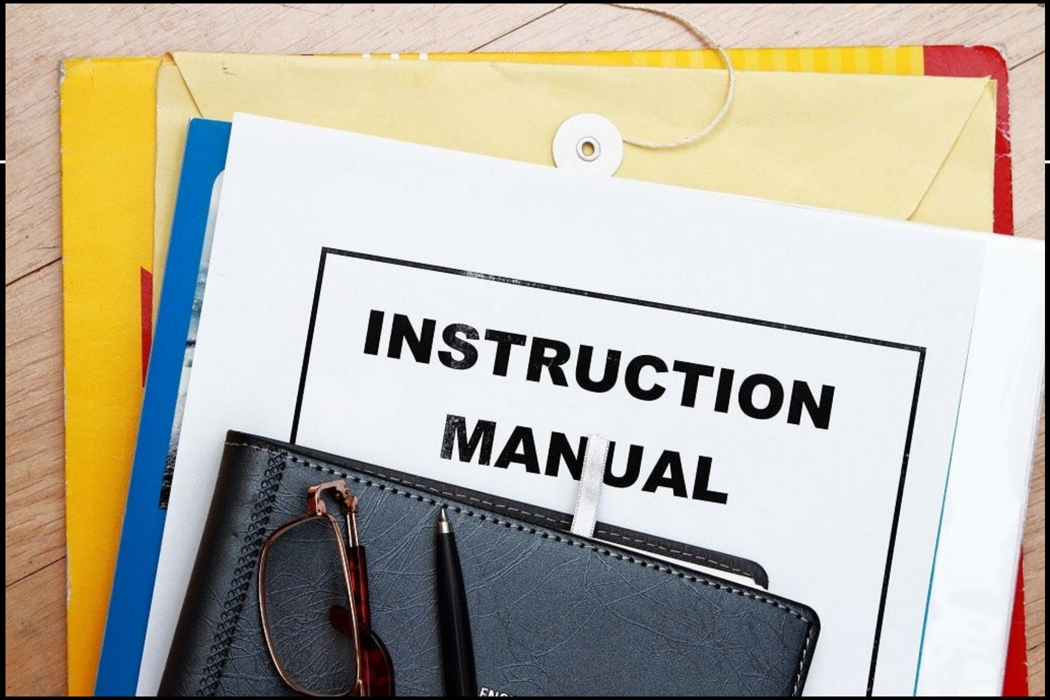

What can owning a patent do for your business?

Europe & USA

Attract and protect investment

Generate revenue via licensing fees

Deter competition

Protect ideas whilst collaborating

Use as a negotiation tool

Reduce UK Tax bill!

Attract and protect investment

- Investors will ask about IP protection
- IP will play a key part in their due diligence process
- Well-protected IP demonstrates substantial value in your business
- Competitive advantage, and that your ‘house is in order’.
- R&D is expensive; don’t give your competitors a free ride.

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Generate revenue via licensing fees

- Patents are a recognised asset that can be licensed to others in return for a licence fee.
- Licensing can be very lucrative.
- For example, UK technology company Arm Holdings, which designs microchips used in most mobile phones and tablets, generates revenue by licensing its IP (patents) to other companies who can also make its products.
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Deter competition

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- You may even decide to mark your products with your patent registration number for increased visibility in the eyes of competitors and potential customers.
- If it’s not yet patented but you have an application in progress, you can still mark a product with the label ‘patent pending’ or ‘patent applied for’.

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- Work with partner organisations on your technology
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Use as a negotiation tool

- If your product is starting to attract customers away from competitors, it's not at all unusual for especially larger players to try to use their own patents to block your progress.
- Having patents that cover your innovation, and in particular the features that have caused customers to switch to your products, gives you a negotiating position – and potentially operating freedoms that you otherwise would not have.

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Reduce UK Tax bill!

- You may be able to apply for a tax break – in this case, a lower rate of corporation tax – on profits earned from patented inventions.
- To achieve this, as a starting point, you must be registered for UK corporation tax and making a profit on the patented invention.
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- Difficulty detecting infringement
- Expensive to prosecute and enforce
- Time consuming process
- Lots of prior art in the field

Europe & USA

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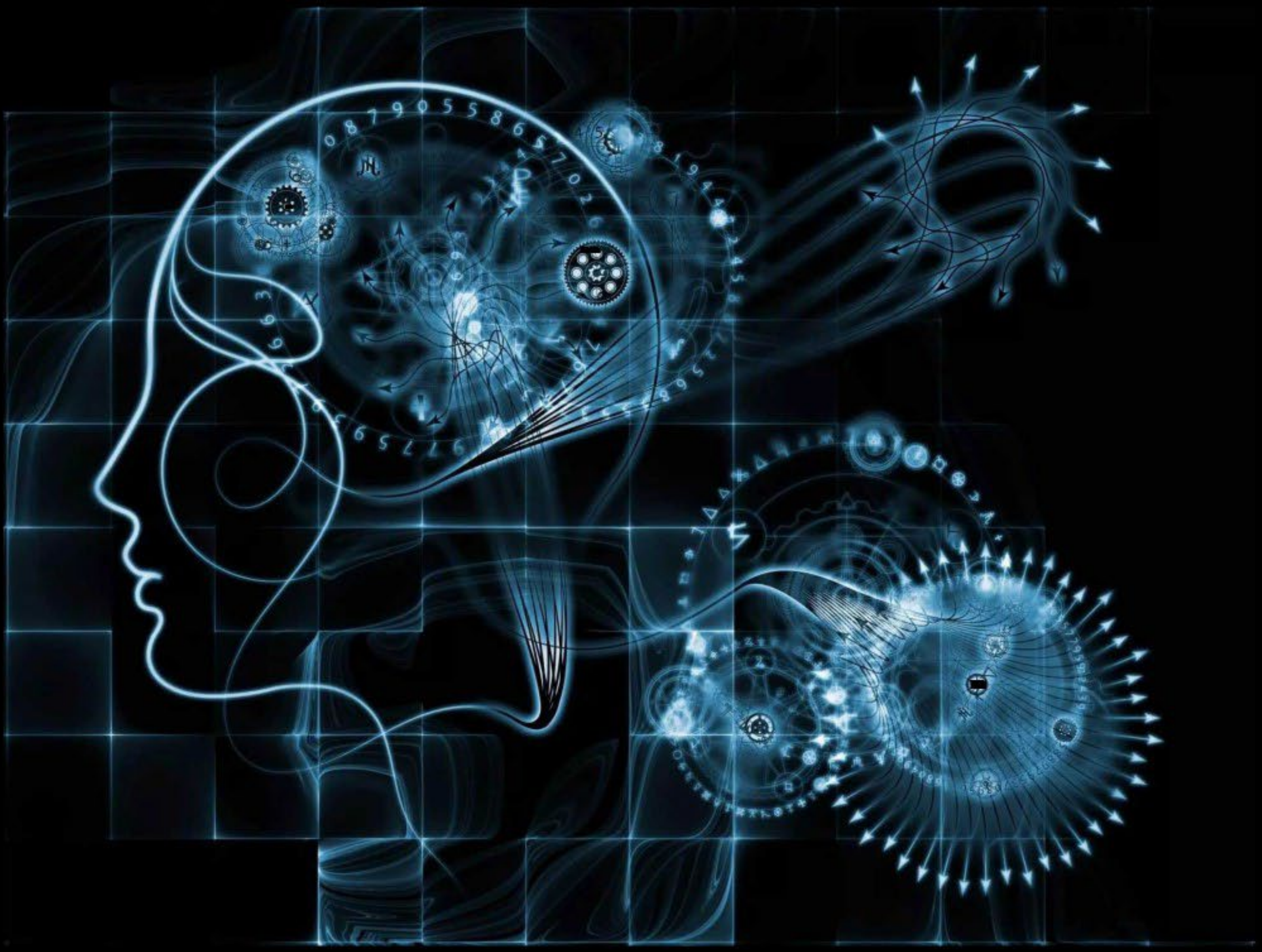

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Patent Box

Acheiving broad claim scope is expensive

Component = Metal (broad)
Component = Aluminium (narrow)

Wide geographical coverage is expensive

- Necessary to retain local attorneys
- Translation costs
- Local patent office fees
- Annuities paid in each country

Enforcement is expensive (and tricky?)

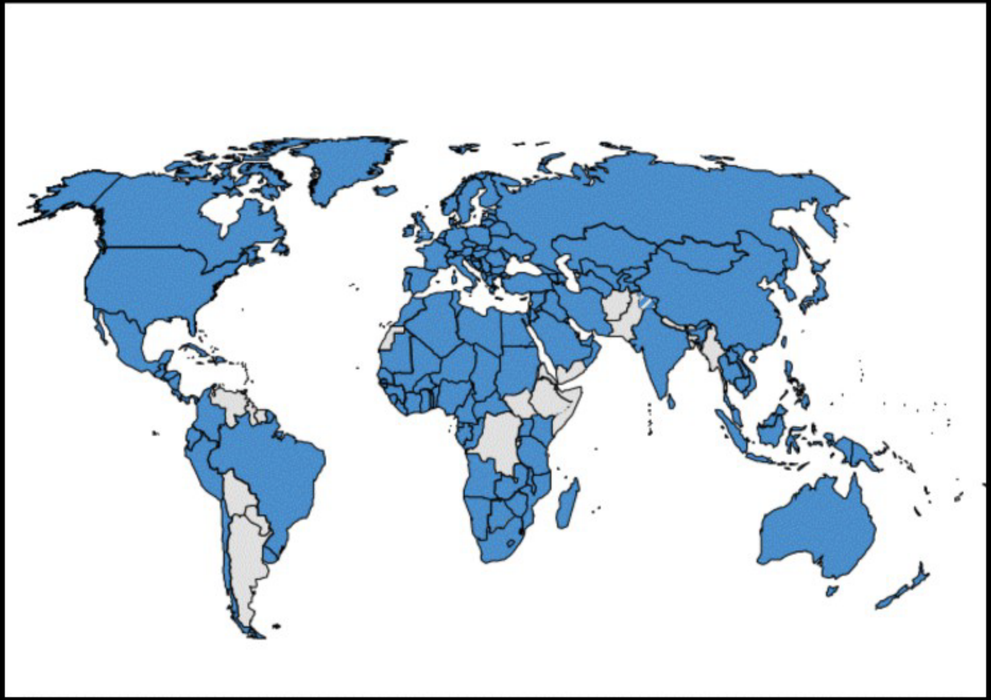
Acheiving broad claim scope is expensive

Component = Metal (broad)
Component = Aluminium (narrow)

- A patent which narrowly covers your product is adequate for patent box

- Claiming your invention specifically without fighting for broadest scope makes examination much quicker (and cheaper!)

Wide geographical coverage is expensive



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A UK or EP patent is enough to make use of patent box to reduce your UK corporation tax due on worldwide profits derived from your invention

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- You do not need to be able to detect infringment to make use of patent box.
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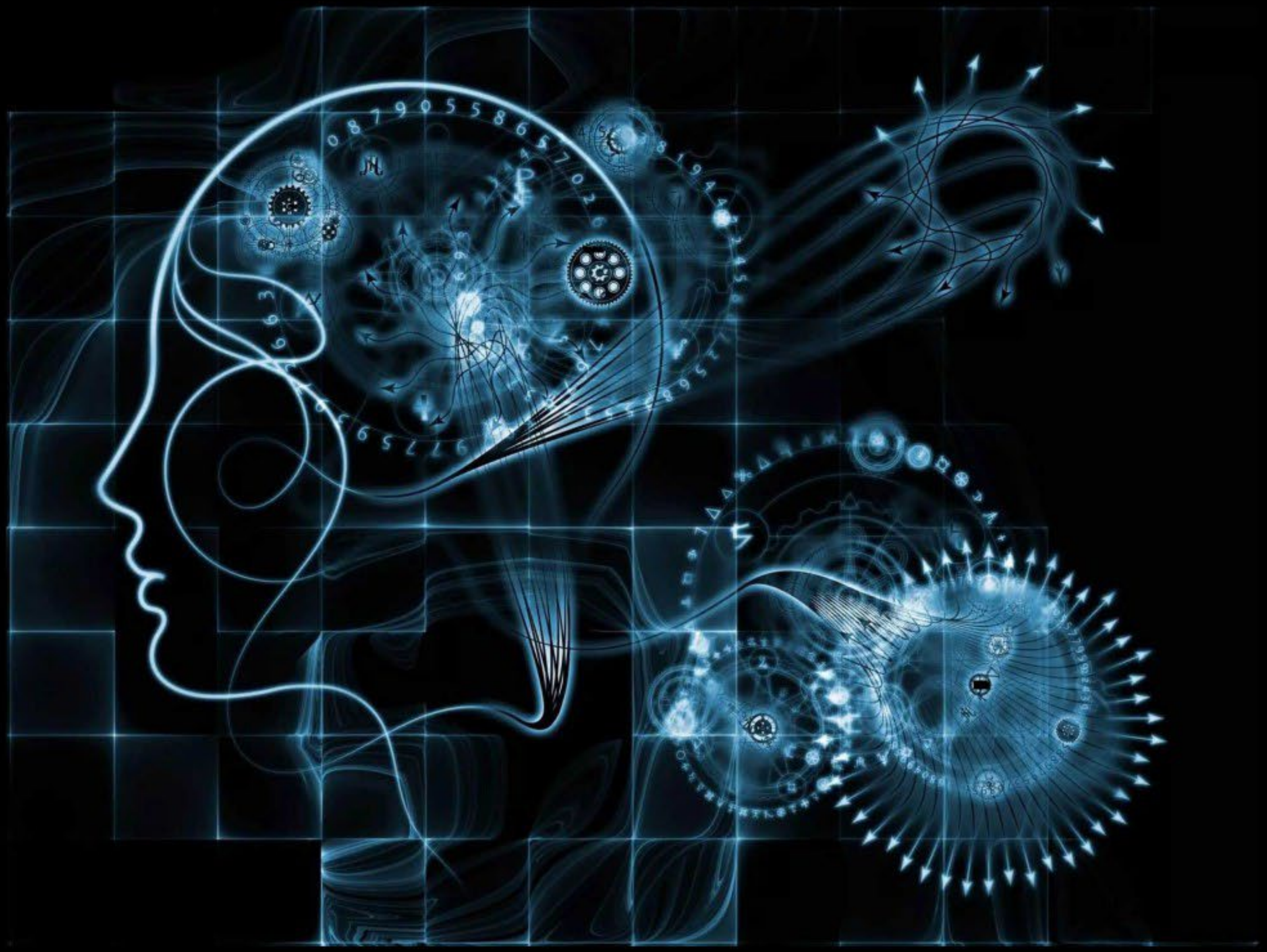

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Summary

- Leaveraging your IP to reduce tax burden is a very good reason to seek patent protection.
- If you previously thought patents would not be useful to your business, but now think they might be then speak to our Patentise team who can work with your to acheive a cost effective patent which will meet the criteria for Patent Box.

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