

IP Strategy Advisory

Get In Touch With Our Expert Team



Jack Hopwood
Associate Director



Steve Kerr
Senior Director



IP Risk Assessment and Mitigation

Introducing a new product, entering a new market, or competing in a dynamic industry exposes organisations to the risk of infringing on others' intellectual property, particularly patents. Such risks can restrict a company's freedom to operate and lead to significant financial burdens, such as paying royalties. As a result, company boards increasingly expect their IP teams to proactively identify, monitor, and mitigate these risks.

An IP Risk Assessment and Mitigation exercise equips organisations with the insights needed to identify potential infringement risks and develop tailored strategies to manage them. This proactive approach helps prevent financial and reputational harm, ensuring smoother operations and strategic decision-making.

The financial impact of royalty obligations resulting from IP infringement can directly affect profit margins, making the management and prediction of outgoing royalties critical to product pricing and commercial viability. By anticipating these risks and implementing a robust mitigation plan, organisations can safeguard their competitive position and maintain financial stability.

Benefits

Unmanaged IP risks can lead to operational restrictions, product withdrawals, or financial liabilities. By proactively addressing these challenges, organisations can minimise costly redesigns, injunctions, and disputes.

Early identification of risks is more cost-effective and safeguards both profitability and market positioning, enabling businesses to focus on growth and innovation.

Use Cases

- Technological Disruption: Assessing IP risks during periods of rapid technological disruption within industries to maintain freedom to operate.
- New Product Launches: Ensuring IP compliance and risk mitigation for the launch of new products.
- Entering New Markets: Identifying and managing IP risks in unfamiliar markets to secure competitive positioning.
- M&A: Supporting buy-side due diligence to assess IP risks and uncover potential liabilities in target companies.
- Litigation-Prone Industries: Navigating industries with significant IP litigation activities.
- Transaction Readiness: Preparing for sell-side transactions with robust IP assessments.