



2021: The State of Intellectual Property

Operational Effectiveness

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Always exceed expectations through teamwork and excellent client service.

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2021

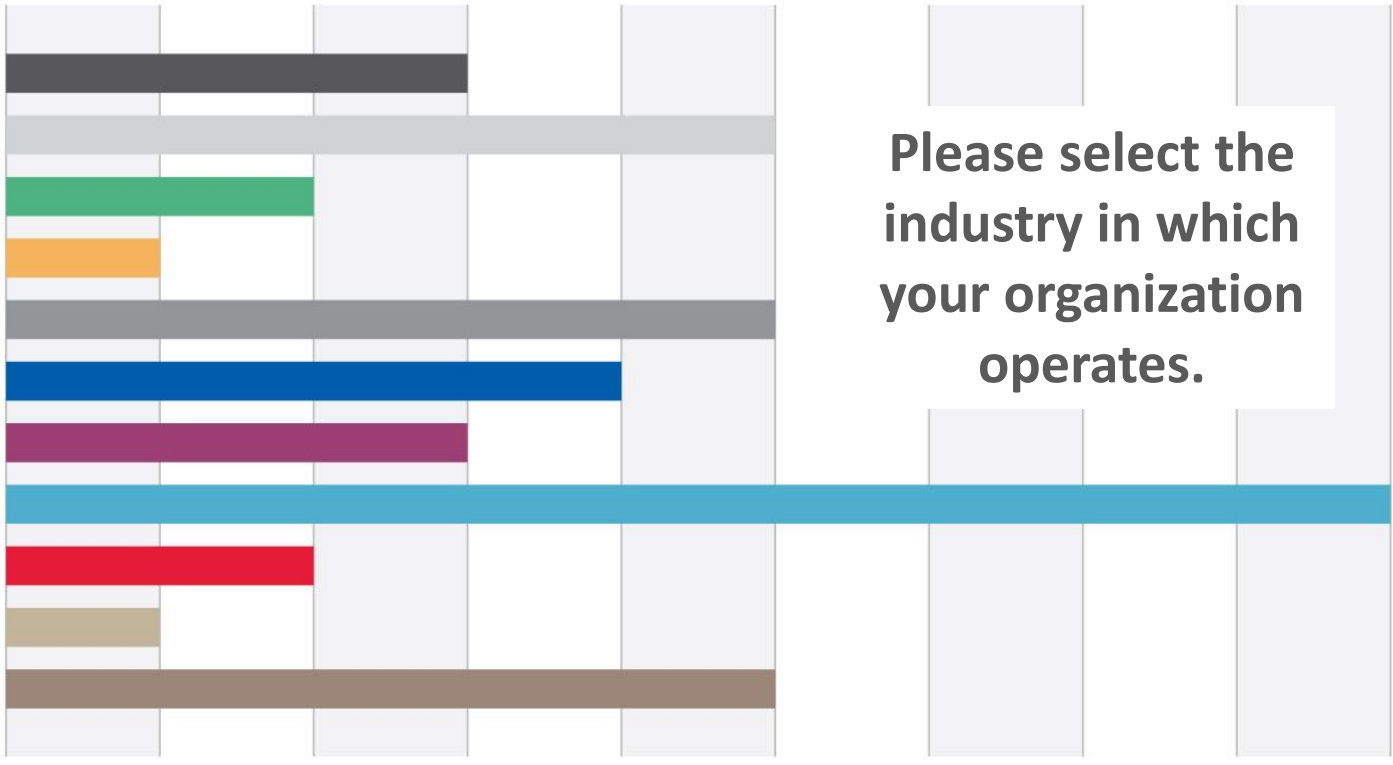
THE STATE OF
**INTELLECTUAL
PROPERTY**



- In partnership with the Association of Corporate Counsel (ACC), Armstrong Teasdale launched a survey designed to identify key trends and challenges within the intellectual property space.
- Responses were accepted through June 30, 2021.

2021

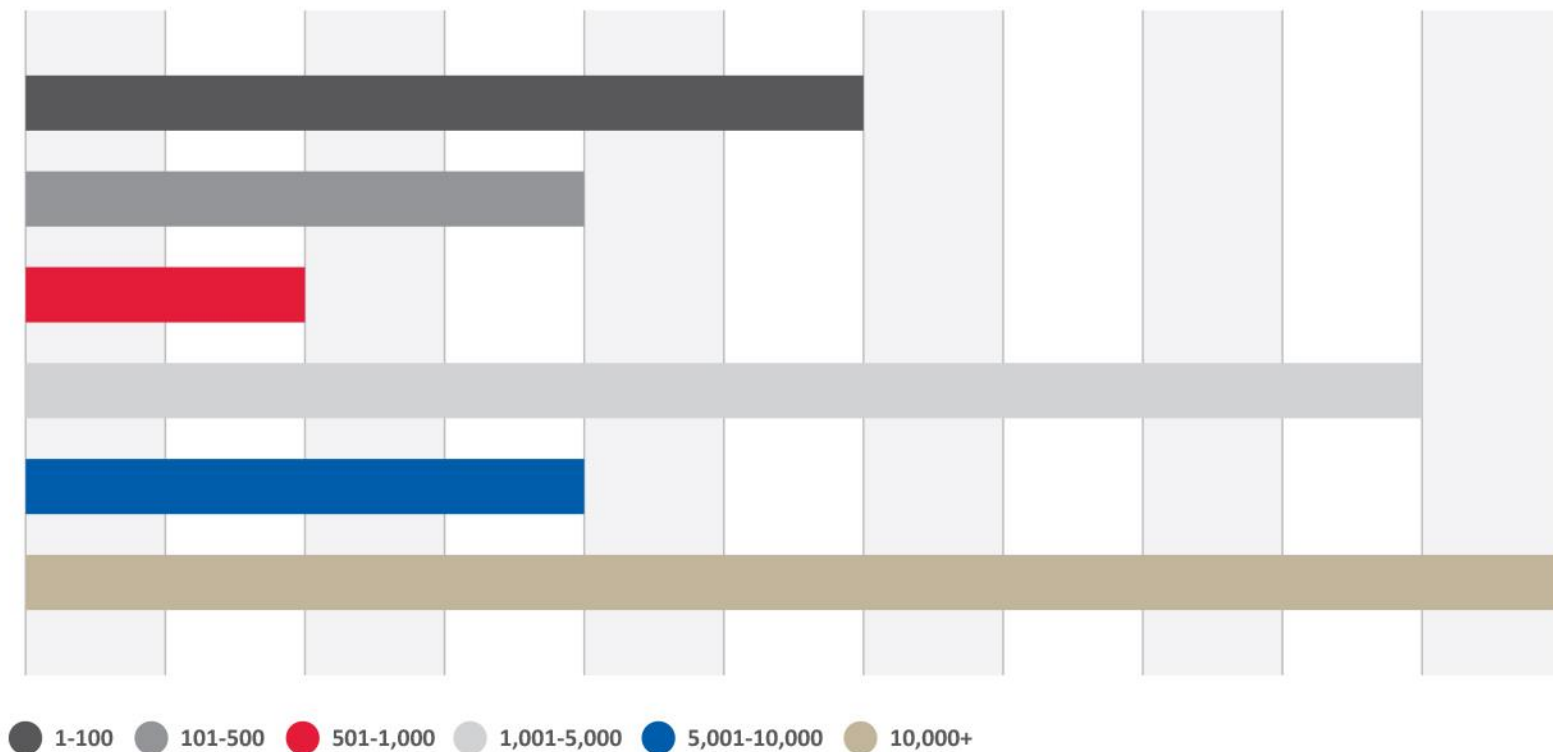
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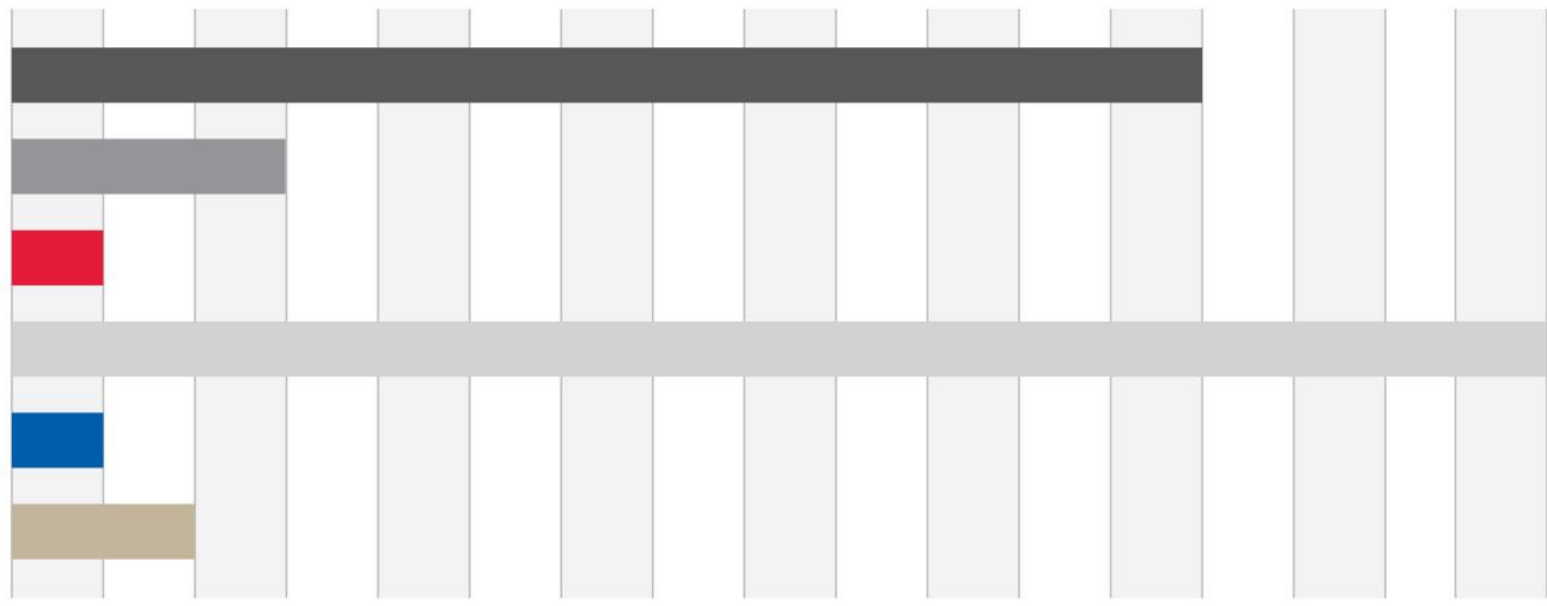
Please select the
industry in which
your organization
operates.

- Health Care
- Life Sciences
- Financial Services and Banking
- Education
- Manufacturing
- Consumer Products and Services
- Energy and Natural Resources
- Technology
- Professional Services
- Sports, Media and Entertainment
- Other

How many employees does your organization have globally?



How does your organization measure the effectiveness of its IP efforts?



- Numerical benchmarks (e.g., # of apps filed, granted, etc.)
- Financial benchmarks (e.g., performance relative to budget)
- Big data / patent informatics
- N/A, we do not measure this
- Other
- Undefined

2021

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Armstrong
Teasdale

— IN PARTNERSHIP WITH —
ACC Association of
Corporate Counsel
MOUNTAIN WEST | NORTHEAST | ST. LOUIS

Does your organization use an IP docketing or information system?



Yes No

Does your organization use any data analysis tools or artificial intelligence to automate or support IP management decisions?



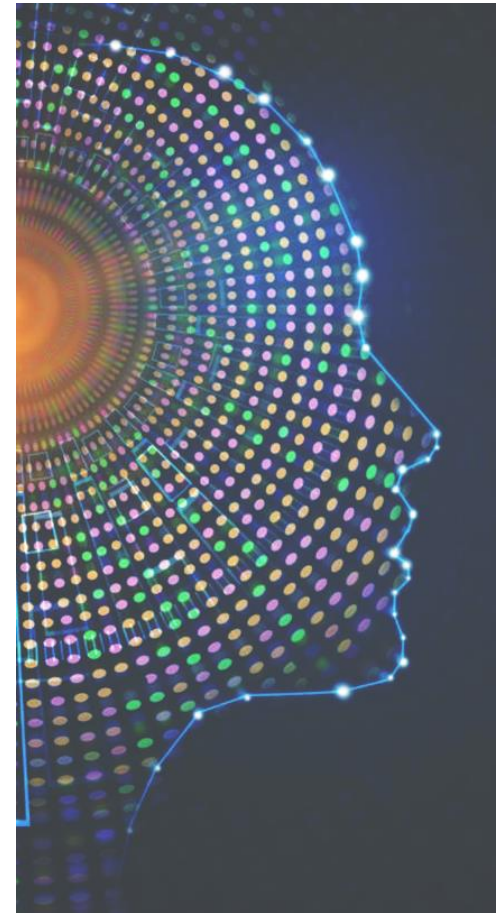
● Yes ● No



Operational Effectiveness

Measuring and Communicating Operational Effectiveness

- **Why is measuring important**
 - Intellectual property (IP) is a significant investment
 - Someone will ask...
 - Enabling the IP culture and vision
 - Defining success
- **Key attributes**
 - Objective
 - Aligned
 - Approved
 - Delivered in the language of the audience



Measuring Operational Effectiveness – Trademarks

- Background
- Developing the metrics and coordinating with stakeholders
- Trademark spend and focus in alignment with five-year strategy
- Communicating to stakeholders
- Revisit and revise the strategy

Measuring Operational Effectiveness – Large Corporations

- **Defining the company's IP culture**
 - Not all divisions/subsidiary culture are the same
 - Develop a common set
 - Develop metrics of specific interest
- **Metrics of interest**
 - Examples

Measuring Operational Effectiveness – Startup Environment

- **Develop IP culture**
 - At executive level and technology team
- **Performance against calendar**
- **Revisit and revise**

Data Reporting/Metrics

- Need data to drive reporting/metrics and enforcement and defense of IP rights
- Determining what data is needed today and in the future
 - Scalable
 - Be visionary
- **What will be captured?**
 - Memories fade, people move on to new roles
 - Memorialize decision-making process
 - Dates of first use, markets of use, samples of use, marketing costs
 - Patent costs

Data Sets and Management

- **Building an accurate data set**
 - Who enters
 - What is the process
- **Project management – workflow tools**
 - A push to the stakeholders
- **System-dependent, not person-dependent**

Data Outputs

- Packaging the information in alignment with the recipient
- Define outputs tailored to different stakeholders
- Define a thoughtful rhythm of reporting
 - What the stakeholder wants/needs



Renee M. Reuter, Senior Counsel

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Renee has nearly 20 years of experience in-house, leading intellectual property programs for one of the country's largest private companies. Her skill set is rooted in trademark practice, though her experience also extends to contested marks and litigation. Renee's past experience includes advising clients at all levels of management on trademark, copyright and domain name matters, from selecting new marks to developing registration, renewal and enforcement strategies, in more than 100 countries and jurisdictions around the world. She has led registration, licensing watch and enforcement programs; provided strategic counsel for proposed trademarks and portfolios; and led due diligence and transition efforts for IP assets in the context of deals and acquisitions. She has advised on online brand protection, including social media and e-commerce matters, as well as registered and overseen portfolios with extensive domain name ownership.



Dhruv Kaushal, Ph.D., Partner

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Dhruv has more than a decade of experience serving as strategic counsel to life sciences clients in patent matters and technology transactions. Drawing on a diverse background in private practice and as a research scientist, in-house legal counsel and a member of the founding team of a cell therapy startup, Dhruv helps clients understand and manage the full scope of intellectual property-driven challenges facing their businesses. Clients ranging from small biotech startups to Fortune 500 companies look to Dhruv as a thought partner in protecting innovations, managing third-party intellectual property risk and facilitating transactions involving intellectual property assets. His practice encompasses patent preparation and prosecution, patent portfolio management, analyses of patent scope and validity, patent landscapes and white-space, new product clearance and preparation of formal opinions of counsel on invalidity or noninfringement, negotiation and drafting of licenses and other IP-focused commercial agreements, providing IP support for M&A and financing transactions, and post-grant patent proceedings before the USPTO.



Michael M. Gnibus, Partner

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Michael has substantial experience preparing and prosecuting patents for a variety of industries and global markets. Having held various leadership roles at some of the world's most innovative companies, Michael is uniquely positioned to guide clients in maximizing the commercial impact potential of their IP assets. With Michael's deep domain knowledge and significant in-house experience serving as patent counsel for a technically diverse group of global businesses, he is able to effectively partner with clients to develop patent filing and review practices and methodologies that yield commercially impactful patent portfolios. He is also able to assess and enhance clients' patent operations/processes to measurably improve their efficiency and productivity.

Questions?

Thank You!

Video Link:

<https://youtu.be/2Hebf0dTQRg>