

Patent Acquisition Services

IPOfferings represents businesses that seek to acquire patents and other forms of IP.

IPOfferings is not paid a percentage but works for a flat fee since one of our objectives is to secure the lowest possible purchase price for our client. Working on a percent of the sale price would put us at cross purposes with our client!

If the client has not already identified the patent(s) it wants to acquire, IPOfferings will search a multidimensional database of all U.S., European and Asian patents to which we have access and identify specific acquisition candidates for the client to consider.

IPOfferings works on a contingency basis. We charge per transaction, not per patent, and are paid for each successful transaction we complete on our client's behalf.

IPOfferings is a leading patent broker and the go-to firm for both sellers and buyers of intellectual property, especially patents.

Some companies come to us knowing exactly what patent(s) they want to acquire while others want to acquire patents in a specific technology or application, and they need IPOfferings to help identify those patents. We serve both types of businesses.

For a client that knows the specific patent or patents it wants to acquire, here is the process:

- ◆ We evaluate the patents to be acquired, and come up with what is a reasonable price to be paid for each patent. Our goal is to acquire the patents for less than fair market value.
- ◆ We track down the owner of the patent – *this can be a challenge if the assignee is an individual and not a business* – and inquire as to the availability of the patent. We've developed a methodology that prevents the assignee from believing that there is a company that will pay anything to acquire its patents, but that there *may* be a buyer who *may* be interested in making an offer for the patents, and we are just making a casual inquiry as a third party. The identity of the acquiring entity is not revealed to the assignee for obvious reasons.
- ◆ We come up with an asking price from the assignee and take it to the client with along with our recommendations for a counter-offer. All patentees automatically ask for more than they know the patents are worth, so we always come back with a counter-offer.
- ◆ After a few interchanges, we reach an agreement on a sale price for the patent or portfolio. All decisions regarding the acquisition must be approved by the client who is always in charge. We make recommendations and act as the client's advocate, but all decision rest with the client.
- ◆ We develop a Terms Sheet, a one-page document that summarizes the details of the transaction, which the seller signs.
- ◆ We then draft a Patent Purchase Agreement. There are two options for continuing to maintain the buyer's confidentiality at this point. We can set up an LLC to be the acquiring entity, or we can refer to the acquiring entity as "Company X" in all drafts of the Patent Purchase Agreement, and only insert the actual name of the buyer into the final version of the agreement just before it is signed by the seller.
- ◆ Once the Patent Purchase Agreement is signed by all parties, the purchase price for the patent(s) is wired to the IPOfferings Escrow Account.
- ◆ We notify the seller that we are holding the funds for the patent(s) acquisition in our Escrow Account, and we have the seller sign a Patent Assignment.
- ◆ We file the Patent Assignment with the USPTO, and send the buyer confirmation of the transfer of ownership as soon as it is recorded at the Patent Office – typically three or four days.
- ◆ Once the patent ownership assignment has been recorded, we disburse to the seller the purchase price for the patents, completing and concluding the transaction.

We charge per transaction, not per patent, because it is just as much work to acquire one patent from one assignee as it is to acquire three or four or more patents from a single assignee.

It is unlikely that we will NOT be able to acquire a patent, but it is possible. For example, we we might discover that a patent has been licensed so it is either not attractive, or not practical, to acquire it.

If the acquiring company has not identified the specific patents it wants to acquire, but wants to acquire patents in a certain technology or business segment, IPOfferings will search a multidimensional database we have access to that includes all current U.S., European and Asian patents to identify acquisition candidates. We will generate a list of prospective acquisitions along with our recommendations. The client selects the patents in wants to acquire, and we then follow the process described above.

Questions? Call us at **845-337-6911** or email us at **patents@IPOfferings.com**.

