

Intellectual Property Diligence



We are routinely involved in intellectual property diligence of our clients' assets or assets our clients are pursuing. Our lawyers review and assess patents for strength, use against the competition, ownership, licensing potential and violations regarding existing licenses, term, cost, obsolescence, value and importance to both the target and acquiring company. These diligences occur during licensing negotiations, financings, as well as mergers and acquisitions.

Lathrop GPM also assists clients with trademark due diligence, which includes an evaluation of current worldwide coverage and use activity under standards in place for each country of registration. We investigate any vulnerability issues such as pending or threatened litigation, oppositions, cancellations and licensing issues including confirmation of output and identification of any production/distribution by unapproved sublicensees. We also complete an online investigation of the misuse of client marks for purposes of brand protection. This Internet brand-protection scan is carried out on search engines to identify possible impermissible activity under the trademarks by unauthorized third parties (including website sales of infringing goods under trademarks that cover patented goods).

Additionally, we work to identify our clients' trade secrets and develop procedures for protecting these vital assets.