

USPTO Seminar on the Patent Process, followed by PowerPatent showing of AI solution for drafting patent applications

USPTO experts discuss provisional and non-provisional patent applications. Patent Atty Bao Tran discuss software-assisted patent filing/cost saving strategies.

SANTA CLARA, CA, UNITED STATES, August 30, 2023 /EINPresswire.com/ -- Join the Silicon Valley SBDC hosted by San Jose State [University](#), in collaboration with the United States [Patent](#) and Trademark Office (USPTO) to learn about the different types of patents, including utility, design, and plant. In this session, USPTO experts will discuss the difference between provisional patent applications and non-provisional patent applications and their use and connect inventors to pro bono services for intellectual property. Attendees will learn about software-assisted patent filing and cost saving strategies from Patent [Attorney](#), Bao Tran.

Featured Presenters:

Brent Fairbanks is a Primary Patent Examiner at the United States Patent and Trademark Office (USPTO) with a focus on data processing of sensor measurements. He serves as an Assistant Outreach Coordinator for the Western Regional Office, supporting programs for inventors, entrepreneurs, and other communities in the western United States along with K-12 STEM activities.

Bao Tran is a seasoned Patent Attorney with over 20 years of experience in patent filing, prosecution, licensing and monetization. He has architected patent portfolios for many startups that went public such as Align Technologies and Shutterfly.

PowerPatent stands out as an exceptional solution for startups facing budget and people constraints. Investors evaluate startups on their patent and trade secret strategies through various methods and considerations. These evaluations aim to assess the strength of a startup's



The poster for the USPTO PowerPatent Seminar features a central image of a glowing lightbulb held in two hands, symbolizing innovation. The text is organized into sections: a title, date and time, location, a call to action for entrepreneurs, a list of topics, and logos for sponsors. The color scheme is primarily blue and red.

Demystifying the Patent Process

**August 30th 2023
10 AM - 12 PM**

Martin Luther King Jr. Library, 3rd FL
150 E San Fernando St.
San Jose, CA 95112

*Free parking with validation is available at the Fourth Street Garage

Are you an entrepreneur or technology company interested in protecting your intellectual property (IP)?

Join our Silicon Valley SBDC event, in collaboration with the United States Patent and Trademark Office (USPTO) to learn about the different types of patents, including utility, design, and plant. In this session USPTO experts will discuss the difference between provisional patent applications and non-provisional patent applications and their use. Get connect to pro bono services for your IP.

Attendees will also learn about:

- The process of patent prosecution
- The role of patent examiners at the USPTO
- What to expect when working with the USPTO
- Resources available through the USPTO to protect your IP

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Reasonable accommodations for persons with disabilities will be made if at least 72 hours in advance. Contact: kimtung@sjsu.edu

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USPTO PowerPatent Seminar

intellectual property protection, its potential for market differentiation, and its ability to create a sustainable competitive advantage. Here are the key ways investors evaluate startups on their patent and trade secret strategies:

How Investors Should Evaluate Startups on Their Patent and Trade Secret Strategies

1. IP Due Diligence

Investors conduct thorough IP due diligence to assess the startup's intellectual property assets, including patents and trade secrets. This process involves reviewing patent filings, examining trade secret management practices, and identifying potential IP risks and challenges.



Patent Attorney Bao Tran of PowerPatent

IP due diligence helps investors understand the extent of the startup's IP protection, potential barriers to market entry, and any potential legal or regulatory issues that may affect the company's IP strategy.

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Attendees will learn the process of patent prosecution, the role of patent examiners at the USPTO, What to expect when working with the USPTO and Resources available through USPTO to protect your IP”

Silicon Valley SBDC

Identifying IP Assets and Coverage

IP due diligence allows investors to identify and evaluate the startup's IP assets, including patents, trademarks, copyrights, and trade secrets. This process helps investors understand the scope and coverage of the startup's IP protection.

For patents, the due diligence involves analyzing the patent claims, patent family, and geographical coverage to

assess the extent of market exclusivity and potential licensing opportunities. For trade secrets, investors seek to understand the nature of the confidential information, how it is protected, and its contribution to the startup's competitive advantage.

Assessing Patent Quality and Relevance

IP due diligence enables investors to assess the quality and relevance of the startup's patents. Investors may evaluate factors such as the novelty, non-obviousness, and usefulness of the patented technology.

Investors also look for patents that align with the startup's core technologies and business model, as well as patents that address key market needs and trends. High-quality patents increase the startup's ability to maintain market exclusivity and provide defensibility against potential infringement.

Evaluating Trade Secret Management IP due diligence involves evaluating the startup's trade secret management practices. Investors seek to understand the procedures and protocols in place to protect and preserve trade secrets. This evaluation includes assessing the startup's internal policies, confidentiality agreements, and employee training on trade secret protection.

Effective trade secret management demonstrates the startup's commitment to safeguarding its valuable proprietary information and maintaining a competitive edge in the market.

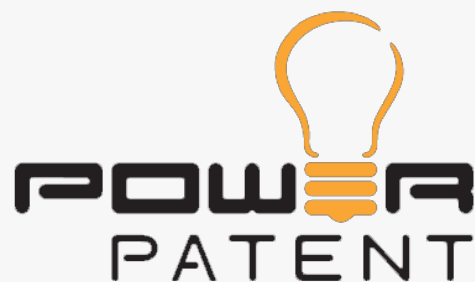
Reviewing IP Ownership and Infringement Risks

IP due diligence helps investors verify the ownership of the startup's IP assets and identify any potential infringement risks. Investors review the assignment and licensing agreements to ensure that the startup has clear and undisputed ownership of its intellectual property.

Additionally, investors examine whether the startup's IP assets infringe upon third-party patents or other intellectual property rights. Identifying infringement risks early on can help investors assess the potential impact on the startup's business and future growth.



Powerful Idea



PowerPatent Logo

Analyzing IP Litigation History

Investors review the startup's history of IP-related litigation to understand its past challenges and legal disputes. A significant history of IP litigation may indicate potential risks or weaknesses in the startup's IP strategy.

IP due diligence provides investors with insights into how the startup has handled past IP disputes, the outcomes of such disputes, and any ongoing litigation that may impact the startup's future operations.

Assessing IP Strategy Alignment with Business Goals

IP due diligence allows investors to evaluate the alignment between the startup's IP strategy and its overall business goals. An effective IP strategy should support the startup's growth objectives, market positioning, and revenue generation plans.

Investors assess whether the startup's IP assets align with its target markets, product development roadmap, and competitive landscape. A coherent IP strategy strengthens the startup's potential for long-term success and attracts investor confidence.

2. Patent Portfolio Analysis

Patent portfolio analysis is a crucial method used by investors to evaluate startups on their patent and trade secret strategies. This analysis provides valuable insights into the startup's innovation capabilities, market exclusivity, competitive advantage, and potential for revenue generation. Here are the key aspects of patent portfolio analysis and how it helps investors make informed investment decisions:

Quality of Patents

Investors assess the quality of the patents held by the startup. Quality patents are those that are well-drafted, clearly defined, and cover innovative and non-obvious technologies or inventions. Patents with strong claims and broad coverage are more likely to provide robust protection and market exclusivity.

A high-quality patent portfolio indicates that the startup is committed to innovation and has a strong IP strategy, increasing its attractiveness to investors.

Scope of Patents

The scope of patents refers to the extent of protection they offer in terms of technology



USPTO San Jose Office

coverage and geographical reach. Investors analyze whether the patents cover the startup's core technologies and align with its business goals.

Patents with broad claims that cover key market needs indicate a strong IP strategy and a higher potential for market dominance.

Relevance to Market

Investors consider the relevance of the patents to the target market. Patents that address current market trends, solve significant problems, or cater to unmet needs are more likely to have commercial value and generate revenue opportunities.

Startups with patents that align with market demands are well-positioned for success and attract interest from investors looking for high-potential investment opportunities.

Duration of Market Exclusivity

Investors evaluate the duration of market exclusivity provided by the patents. Patents offer a limited period of market exclusivity, typically 20 years from the filing date. The length of market exclusivity determines the startup's window of opportunity to capitalize on its innovations without direct competition.

Investors consider the remaining life of the patents to understand the timeframe for potential revenue generation and market dominance.

Patent Filing Strategy

The startup's patent filing strategy is also an essential aspect of the analysis. Investors evaluate whether the startup focuses on protecting its core technologies and key innovations or if it files a large number of patents without a clear strategic direction.

A well-executed patent filing strategy demonstrates the startup's ability to identify and protect its most valuable innovations effectively.

Patent portfolio analysis provides valuable insights into the startup's innovation capabilities, market exclusivity, competitive advantage, and potential for revenue generation.

3. Licensing Opportunities

Investors evaluate the startup's potential for revenue generation through patent licensing. Startups with valuable patented technologies can license their IP to other companies, generating licensing fees and royalties that contribute to the startup's revenue stream.

The evaluation includes identifying potential licensing partners and assessing the market demand for the startup's patented technology.

Licensing opportunities play a crucial role in how investors evaluate startups on their patent and

trade secret strategies. The ability of a startup to leverage its intellectual property through licensing agreements can be a strong indicator of the company's potential for revenue generation and market influence. Here are the ways in which licensing opportunities are assessed by investors.

IP Strength and Competitive Advantage

A startup's ability to license its IP assets demonstrates the strength of its patents and trade secrets. Strong and defensible IP assets indicate that the startup has developed valuable technology or know-how that is unique and has a competitive advantage in the market.

Investors are more likely to consider startups with robust IP assets for licensing opportunities, as such agreements can create a win-win situation for both parties involved.

Intellectual Property Scalability

Licensing opportunities also indicate the scalability of a startup's intellectual property. If a startup's technology or trade secrets are easily adaptable to different industries or applications, it opens up a broader range of licensing possibilities.

Investors look for startups with IP assets that have the potential for cross-industry applications and can be leveraged in various market segments.

Strategic Value

Licensing agreements can add strategic value to a startup's IP portfolio. For example, licensing a technology to a larger and established company can validate the startup's technology and market potential.

Investors assess the strategic value of licensing opportunities to understand how they can enhance the startup's position in the market and increase its attractiveness to potential acquirers or partners.

4. Trade Secret Protection

Investors examine the startup's trade secret protection measures to gauge the level of confidentiality and security. A well-managed trade secret strategy indicates that the startup is effectively safeguarding its proprietary knowledge, processes, or customer lists.

Understanding how the startup identifies, protects, and leverages trade secrets can provide insights into its ability to maintain a competitive edge.

Trade secret protection is a crucial aspect that investors consider when evaluating startups on their patent and trade secret strategies. Trade secrets are valuable confidential information that provides a competitive advantage and differentiation in the market. Here's how trade secret protection influences investors' evaluation of startups:

Competitive Advantage and Differentiation

Trade secrets encompass proprietary knowledge, formulas, processes, algorithms, customer lists, or any valuable information not generally known to the public. Startups that effectively protect their trade secrets gain a competitive advantage and differentiation from competitors. This advantage can be a key factor in a startup's ability to succeed and grow in a crowded marketplace.

Investors recognize the strategic value of well-protected trade secrets and how they contribute to a startup's long-term sustainability and market positioning. Startups with unique and confidential insights are more likely to maintain their market share and attract customers seeking innovative and distinctive solutions.

Legal Protection

Investors evaluate a startup's trade secret protection measures to gauge the level of legal protection the company has in place. A startup that demonstrates robust trade secret management and documentation is better prepared to enforce its rights in case of any misappropriation or breach.

Investors want to ensure that the startup has implemented strong confidentiality agreements, access controls, and non-disclosure policies to safeguard its trade secrets effectively.

Risk Mitigation

Investors consider trade secret protection as a risk mitigation strategy. Startups that fail to protect their trade secrets adequately may be vulnerable to leaks, security breaches, or employee departures that could lead to the loss of valuable information.

A startup with a comprehensive trade secret protection plan showcases its ability to identify and mitigate potential risks effectively, increasing investor confidence in the startup's long-term viability.

IP Strategy and Market Positioning

Trade secret protection is an integral part of a startup's overall IP strategy. Investors assess how the startup balances its IP portfolio with both patents and trade secrets to achieve market positioning and competitiveness.

A well-rounded IP strategy demonstrates the startup's understanding of which innovations to patent for public protection and which aspects to keep as trade secrets for sustained market advantage.

Overall, startups that effectively safeguard their trade secrets demonstrate a commitment to long-term sustainability and market positioning. A comprehensive trade secret protection plan can significantly influence investors' investment decisions and strengthen the startup's potential for success in the competitive business landscape.

Trade secret protection is a crucial aspect that investors consider when evaluating startups on their patent and trade secret strategies.

5. IP Strategy Alignment with Business Goals

Investors evaluate the alignment between the startup's IP strategy and its overall business goals. A coherent IP strategy that supports the startup's growth objectives and market positioning indicates a well-thought-out approach to intellectual property management.

The alignment of a startup's IP strategy with its business goals is a crucial aspect that investors consider when evaluating the startup's patent and trade secret strategies. An effective IP strategy should be integrated with the overall business objectives and support the startup's growth, market positioning, and long-term success. Here are the reasons why investors emphasize the alignment of IP strategy with business goals:

Demonstrates Strategic Thinking

A startup with an IP strategy aligned with its business goals demonstrates strategic thinking and a clear vision for its future. It shows that the company has carefully considered how intellectual property can contribute to its growth and competitive advantage in the market.

Investors are more likely to support startups that can articulate a coherent IP strategy that complements their broader business plans and enhances their market positioning.

Supports Market Differentiation

A well-aligned IP strategy helps startups differentiate themselves from competitors in the market. By protecting innovative technologies and unique know-how, the startup can create a distinct value proposition for customers and investors alike.

Investors recognize that market differentiation driven by strong IP protection can lead to increased customer loyalty, higher profit margins, and sustainable growth.

Enhances Market Exclusivity

An IP strategy that aligns with the startup's business goals ensures that the company secures appropriate intellectual property protection for its core innovations. This protection translates into market exclusivity, where the startup can operate without immediate competition.

Market exclusivity allows the startup to establish a strong market presence, capture a significant market share, and attract potential partners and customers.

Strengthens Revenue Generation Opportunities

Investors assess how a startup's IP strategy supports revenue generation. Patents can be monetized through licensing agreements, and trade secrets can be leveraged to create valuable business processes and efficiencies.

An IP strategy aligned with revenue generation goals ensures that the startup can maximize the value of its intellectual property assets and generate additional income streams.

Demonstrates Long-Term Vision

An IP strategy that aligns with business goals demonstrates the startup's long-term vision and commitment to building a sustainable business. It shows that the startup is not only focused on short-term gains but is also strategic in planning for future growth and market expansion.

Investors are more likely to invest in startups that have a clear roadmap for leveraging intellectual property to achieve long-term success.

Conclusion

Investors evaluate startups on their patent and trade secret strategies to assess their potential for market differentiation, sustainable competitive advantage, and revenue generation opportunities. A comprehensive IP evaluation involves conducting due diligence, analyzing the startup's patent portfolio, assessing its market exclusivity and licensing potential, and understanding the management of trade secrets.

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