

# PatentPC Attorney Bao Tran discusses Key Business Trends and Portfolio Strategies for IP and Patents in 2024

*Navigating the Evolving IP Landscape in 2025: From AI Challenges to Global Strategies and Sustainable Innovation from creation to licensing - a paradigm shift.*

PALO ALTO, CA, UNITED STATES, January 6, 2025 /EINPresswire.com/ -- As the intellectual property landscape continues to evolve rapidly, [Patent](#) Attorney Tran, a seasoned patent attorney based in Palo Alto, has identified key trends that will shape IP law and strategy in the coming year. Drawing on his extensive experience, including creating patent portfolios for innovative companies like Invisalign and Shutterfly, Tran offers valuable insights into the most pressing issues facing the IP industry.



Patent Attorney Bao Tran of PowerPatent

"The most critical challenge for the intellectual property industry in 2024 is striking a balance between fostering innovation and maintaining a stable, predictable IP system," said Attorney Tran. "As technology advances at an unprecedented pace, we must ensure that our IP framework remains robust enough to protect and incentivize groundbreaking ideas while adapting to new realities."

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One bright area is AI streamlining work to help patent attorneys with patent drafting and responding to office actions, which can be particularly inefficient and time-consuming.”

*Bao Tran*

Key IP trends to watch in 2024 include:

\*[AI](#) and Patent Eligibility: The rapid advancement of artificial intelligence is raising complex questions about inventorship and patent eligibility. Attorney Tran

anticipates new guidelines and potential legislative action to address these issues.

\*Strengthening Patent Reliability: In response to concerns about patent validity and enforcement, there will likely be efforts to enhance the reliability and enforceability of patents, particularly for early-stage inventions.

\*Global IP Harmonization: With the Unified Patent Court now operational in Europe, there will be increased focus on streamlining international patent protection strategies.

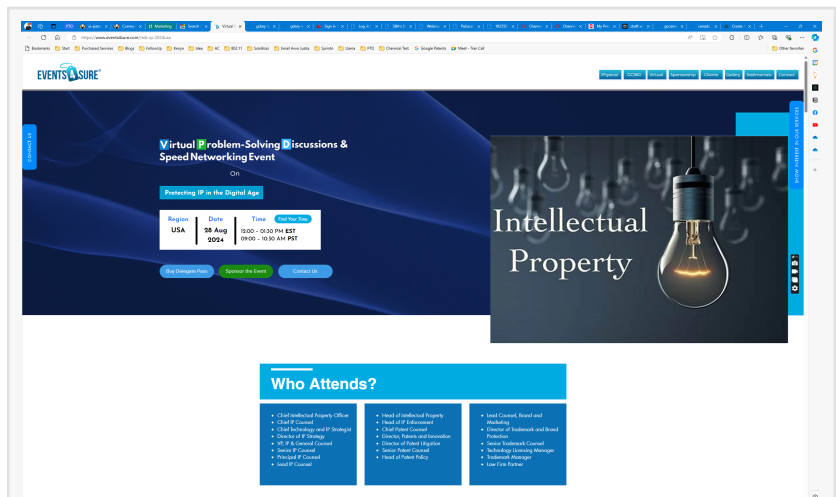
\*IP in Emerging Technologies: As new fields like quantum computing and biotechnology advance, novel approaches to IP protection may be necessary to adequately cover these innovations.

\*IP Valuation in Tech Transfers: Universities and research institutions will need to refine their approaches to IP valuation and licensing in technology transfer agreements.

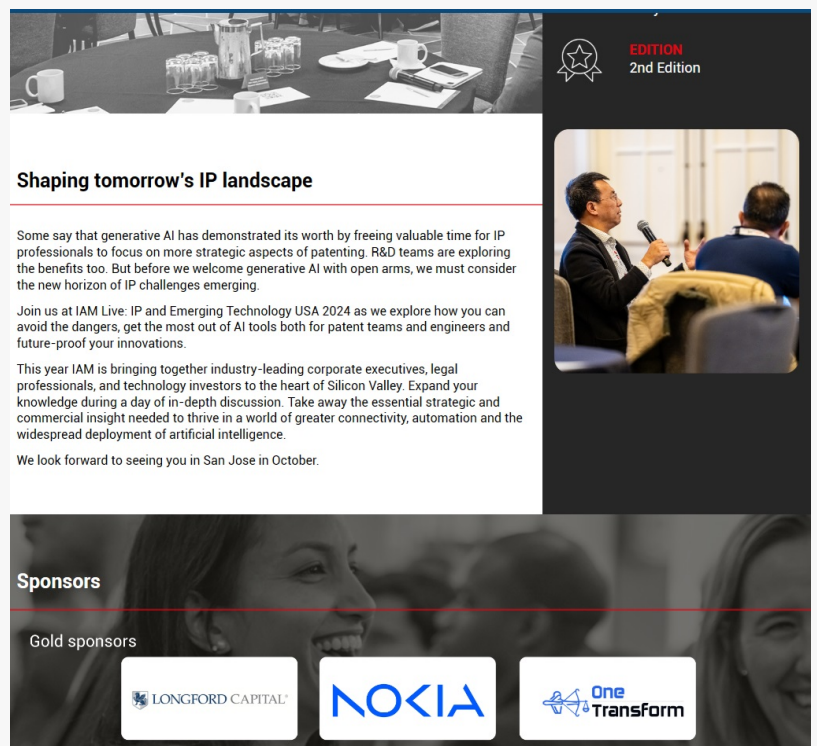
\*Increased focus on IP portfolio management and optimization: In-house counsel will need to strategically manage growing patent portfolios by conducting regular reviews, aligning patents with business goals, and leveraging analytics tools. This includes identifying valuable patents to maintain, pruning low-value assets, and exploring monetization opportunities for non-core patents.

\*Growing importance of global patent strategy: As markets become more global, developing a coordinated international patent strategy is crucial. In-house counsel should strategically select filing jurisdictions, navigate differences in patent laws across countries, leverage programs like the Patent Prosecution Highway to accelerate prosecution, and monitor policy changes in key markets.

\*Rise of [open](#) source and need for IP compliance: With increased use of open source software,



Bao Tran speaking at IP Event



Bao Tran speaking at IAM Live: Patent Transactions 2024

ensuring compliance with open source licenses is critical to avoid IP risks. This involves implementing review processes, conducting code scans and audits, educating developers on best practices, and managing open source components in the software supply chain.

\*Emphasis on IP risk management: In-house counsel are taking a more proactive approach to identifying and mitigating IP risks. This includes conducting freedom-to-operate analyses before product launches, implementing processes to avoid inadvertent infringement, developing defensive patent strategies, and exploring patent insurance options.

\*Integration of IP strategy with ESG initiatives: As ESG becomes a priority, in-house counsel are aligning IP strategy with sustainability goals. This may involve focusing on green/cleantech patent filings, participating in patent pledges for climate-friendly technologies, and considering social impact in patent enforcement decisions.

\*Adapting to remote/hybrid work models: With the shift to remote and hybrid work, in-house counsel need to implement secure systems for remote patent work, develop processes for virtual invention disclosures, and address cross-border invention and filing issues with distributed teams.

\*Preparing for potential changes to patent subject matter eligibility: Given ongoing debates around eligibility standards, especially for software and life sciences inventions, in-house counsel should stay informed on potential changes, adapt drafting and prosecution strategies, and reassess existing portfolios in light of evolving standards.

\*Design Patents: Design patents are becoming increasingly important in 2024 and beyond for several reasons. First, as products become more technologically complex, their visual appearance often becomes a key differentiator in the marketplace. Design patents allow companies to protect these unique visual elements that may drive consumer purchasing decisions. Additionally, design patents can be easier and faster to obtain than utility patents in many cases. The recent Federal Circuit decision in LKQ Corp. v. GM Global Tech. Operations LLC, which adopted a more flexible obviousness standard for design patents, may make them even more attractive by potentially broadening their scope of protection. Other legal developments,



Powerful Idea



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such as the USPTO's new design patent practitioner designation and CIPO's expansion of design protection to buildings and structures, further underscore the growing importance of design patents across industries. As companies seek to protect their innovations holistically, design patents are likely to play an increasingly crucial role alongside utility patents and other forms of IP protection.

"In this dynamic environment, businesses and inventors must adopt a proactive and strategic approach to intellectual property management," Attorney Tran advised. "This includes conducting regular IP audits, diversifying protection strategies, and staying informed about evolving legal and policy developments across various jurisdictions."

In 2024, in-house patent counsel will need to navigate several key trends to effectively manage their companies' intellectual property portfolios. A major focus will be on strategic IP portfolio management and optimization, including conducting regular portfolio reviews, aligning patents with business objectives, and exploring monetization opportunities. With markets becoming increasingly global, developing a coordinated international patent strategy will be crucial, requiring counsel to strategically select filing jurisdictions and navigate differences in patent laws across countries.

The rise of open source software usage necessitates robust IP compliance processes, including implementing policies, conducting audits, and educating developers on best practices. In-house counsel are also taking a more proactive approach to IP risk management, conducting freedom-to-operate analyses and developing defensive strategies. As ESG initiatives gain prominence, aligning IP strategy with sustainability goals, such as focusing on green technology patents, will become important.

Adapting to remote and hybrid work models presents new challenges, requiring secure systems for remote patent work and processes for virtual invention disclosures. Additionally, in-house counsel must stay informed about potential changes to patent subject matter eligibility standards, particularly for software and life sciences inventions, and be prepared to adapt their strategies accordingly. By staying attuned to these trends, in-house patent counsel can better position their companies to protect valuable innovations and navigate the evolving IP landscape in 2024 and beyond.

Attorney Tran will be offering a series of workshops throughout 2025 to help clients and fellow professionals navigate these critical IP trends and develop effective strategies for protecting and monetizing their innovations.

About PATENTPC:

PatentPC ([www.patentpc.com](http://www.patentpc.com)) is a distinguished patent law firm based in Santa Clara, California. With a passion for new technology and extracting value from innovative ideas, founder Bao Tran has successfully created foundational patent portfolios for groundbreaking companies such as Align and Shutterfly. His expertise spans various technological fields, and he is committed to

helping clients navigate the complex landscape of intellectual property law.

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