

Patent Infringement Services

To prove infringement, the burden of proof is on the patent owner.

Infringement has to be documented, and that is done with a Claim Chart.

Before you develop Claim Charts, you should first have an Initial Infringement Analysis performed to identify the most likely infringers.

With Claim Charts that identify and document specific infringement, IPOfferings can connect the patent owner with a patent litigation law firm or patent assertion firm that can pursue the infringers and secure compensation for the patent owner.

An alternate to enforcing your patent is to sell it. A patent with Claim Charts is a very valuable property, and selling the patent eliminates the risks that come with litigation.

IPOfferings will advise you as to the smartest route based on several factors.

The purpose of a patent is to protect the invention covered by that patent. When a patent has been infringed, the patent owner is entitled to compensation. The challenge facing patent owners is determining exactly what constitutes "infringement." For a product to infringe a patent, the product must "read" on all aspects of at least one Independent Claim in the patent, and the patent owner must be able to prove it!

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Infringement of a patent is documented through what is known as a "Claim Chart." A Claim Chart is typically a two-column document in which one of the Independent Claims from the patent appears on the left, and on the right side of the page appears evidence that the infringing product does, indeed, "read" on that Claim. The work that is done to create a Claim Chart is to locate the smoking gun that documents infringement.



With a Claim Chart – or several Claim Charts if there are multiple infringers – a patent owner can engage a law firm or contract with a patent assertion firm to pursue the infringers and seek compensation for infringement. And if the infringing product is generating significant sales, compensation for the patent owner can – and often does – run into the millions!

Proving and documenting that your patent has been infringed is a two-step process.

◆ **Initial Infringement Analysis (\$1,500):** This service studies all possibly infringing products submitted by the patent owner as well as all concentric products identified by our research team. This report comes up with a list of possible infringing products, and ranks each as having a Low, Medium or High probability of infringing the patent.

◆ **Claim Chart Development (\$1,000 Each):** Based on the results of the Initial Infringement Analysis – and with advice from IPOfferings – the patent owner decides which specific products to have fully researched and documented in the form of a Claim Chart. You will not know how many Claim Charts you need until you review the results of the Initial Infringement Analysis. You can decide to develop two or three initially, and then develop additional Claim Charts at a later date.

LTE iPhone Claim Chart for Cellular Communications Equipment v. Apple Eastern District of Texas (CIVIL ACTION NO. 6:14-cv-31)

Acacia subsidiary Cellular Communications Equipment LLC won a \$22.1 million verdict against Apple using US8055820, which is acquired from Nokia.

Reference: LTE Patents for Standard Data 2Q 2016

Link: http://www.techipm.com/s/lead/b/LTE%20Patents%20for%20Standards%20Data%202Q%202016_Intro.pdf

Claim 12	Infringing Products
An apparatus, comprising: a processor; and a memory including computer program code, the memory and the computer program code configured to, with the processor, cause the apparatus at least to monitor a usage of a plurality of buffers;	The infringing Apple's iPhone 5 products are stated to be the LTE standard compliant equipments. See the following product information in https://support.apple.com/kb/sp655?locale=en_US . iPhone 5 – Technical Specifications 

An actual Claim Chart from the Apple-Samsung iPhone patent infringement trial in 2012

With Claim Charts to support the infringement of your patent, you now have options. IPOfferings can help connect you with a patent litigator or a patent assertion firm. If you would be better served with a lower-risk alternative – we can provide guidelines in this regard – IPOfferings can find a buyer for your patent or portfolio.

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