

IPISC's Litigation Management Services assists the client in managing legal services and costs associated with costly intellectual property (IP) litigation. Litigation Management Services, combined with IPISC's extensive experience in managing IP litigation, often saves the policy holder real dollars in excess of the amount paid in premium. Litigation Management Services monitors the legal activities of litigating counsel to ensure that pre-negotiated billing rates and guidelines are followed, and makes certain that litigation tactics are case-driven and not fee-driven. Counsel will provide detailed litigation reporting to the client and IPISC, which will ensure that the client is aware of and understands the impact of litigation tactics and ever-changing timetables.

Technology Evaluation

- Evaluate technology
- Review patent assignment history and continuity data
- Check for proper assignment to opposition
- Check for accurate inventor-ship acknowledgments
- Assist client with selection of appropriate opinion counsel

Opposition Strength Evaluation

- Assess if literal infringement or doctrine of equivalents could be argued
- Perform internet or PACER search on opposition's company
- Obtain history of opposition's prior litigation
- Perform detailed product description searches to obtain and review the most relevant patents
- Perform a validity study of opposition's patent
- Measure the scope of opposition's patent

Technology Search Evaluation

- Evaluate technology search findings and research possible outcomes for the client (post-grant review, settlement or litigation)
- Recommend possible strategies and offer insight concerning possible outcomes and how coverage may apply
- Investigate case specific representation needs, then recommend proper match of litigation counsel to each specific case

Manage the Litigation

Typical Services requested include:

- Assist Client with selecting litigating counsel suitable for representing Client in subject lawsuit
- Assist Client in negotiating hourly rates of litigating counsel, local Counsel, document discovery services, etc. (if needed)
- Use of customized Litigation Management and Billing Guidelines for selected counsel with respect to Client's lawsuit
- Require agreement by counsel of Litigation Management and Billing Guidelines prior to retention of litigating and/or local counsel
- Monitor counsel's invoices, make adjustments needed to comply with Billing Guidelines and make recommendations of payment after adjustments, if needed
- Monitor counsel's services; requests regular verbal and written updates and any changes to counsel's litigation strategy; assists Client, if requested, in monitoring the strategy decisions and assists in keeping litigating counsel focused on the Client's case
- Discuss litigation benchmarks and associated costs
- Supervise all litigation or other proceedings involving the lawsuit and, when requested, attend any judicial or administrative hearing involving the lawsuit if Client so desires

IPISC, the intellectual property (IP) insurance industry leader, is pleased to announce that Litigation Management Services (LMS) are an included service to all IPISC policyholders. The Litigation Management Services team assists policyholders by managing the legal services, processes and costs associated with IP infringement litigation. The Litigation Management team, combined with IPISC's extensive IP litigation management experience, time and again saves the policyholder more than the amount paid in premium.

Here's how [Litigation Management Services](#) works. In the recently adjudicated [Octane Fitness](#) case, our Insured, Octane, won a unanimous verdict and also enjoyed the benefit of saving \$344,000 in legal fees, considered outside of the billing guidelines that counsel accepted at the onset of the case,

At the time of a claim, IPISC's LMS team monitors the legal activities of the litigating counsel to ensure the adherence to pre-negotiated billing rates and guidelines while also making sure that litigation tactics are case driven- not fee driven. The LMS team works with the policyholder, ensuring that they are aware of and understand the impact of litigation tactics at every stage, so they can effectively litigate their lawsuit while keeping hard-earned money in their pockets.

Robert Fletcher, President of IPISC, explains, "I personally do not know of any other insurance company that is a bigger advocate for their policyholders than IPISC through its Litigation Management team. The services they provide are a tremendous value-add to our policyholders when they find themselves involved in a multi-million dollar lawsuit. Generally, our policyholders do not have the resources and are not prepared to handle the ins and outs of a time-consuming litigation process." Fletcher emphasizes, "The [costs](#) to litigate IP infringement cases are high and continue to rise. Our affordable insurance products and valuable services offer real solutions for managing IP risks that companies just can't find anywhere else in the insurance market."

IPISC's Litigation Management team's depth of experience, in conjunction with IPISC's IP-specific insurance policies, ensures that companies have the monetary resources, and the support needed in the event of an IP infringement lawsuit.

About IPISC

IPISC is the most-trusted name in the intellectual property (IP) insurance market, offering the longest-standing, established [insurance products](#) to help fund IP litigation. Being in the business of IP insurance for 24 years, you can trust the reliable experience of IPISC's [team](#) to help ensure successful outcomes for our policyholders.



Litigation Management Services Billing Example

IPISC's Litigation Management Services assists the client in managing legal services and costs associated with costly intellectual property (IP) litigation. Litigation Management Services, combined with IPISC's extensive experience in managing IP litigation, often saves the policy holder more than the amount paid in premium. The following Billing Example reflects the real adjustments made utilizing Litigation Management Services. Actual Litigation expense savings is greater than shown, since this example represents billing after guidelines and rates had already been negotiated and accepted by the law firm. The total original invoice amount includes the charges that were not reduced. These prior steps resulted in an even greater savings to the client. Additionally, savings of your client's time monitoring the case and the billing are also not reflected in the Billing Example below.

Billing Example

Statement Date	Firm/Party	Original Invoiced Amount	Amount NOT Allowed under Billing Guidelines	Adjusted Invoice for Payment
11/17/2011	XXXXXX	\$78,841.25	(\$39,420.63)	\$39,420.62
3/28/2012	XXXXXX	\$91,173.00	(\$45,586.50)	\$45,586.50
4/24/2012	XXXXXX	\$45,992.70	(\$22,996.35)	\$22,996.35
5/21/2012	XXXXXX	\$27,418.91	(\$13,709.46)	\$13,709.45
BALANCE OVER Shared SIR of \$250,000 (\$125,000 each) = \$13,180.42 LESS 10% COPAY				
7/12/2012	XXXXXX	\$8,849.50	(\$4,424.75)	\$4,424.75
10/13/2011	XXXXXX	\$11,325.00	(\$175.00)	\$11,150.00
11/15/2011	XXXXXX	\$40,347.00	(\$686.61)	\$39,660.39
1/11/2012	XXXXXX	\$10,576.94	(\$800.74)	\$9,776.20
BALANCE OVER Shared SIR of \$250,000 (\$125,000 each) = \$17,886.10 LESS 10% COPAY				
3/16/2012	XXXXXX	\$37,030.73	(\$293.75)	\$36,736.98
8/30/2012	XXXXXX	\$442.75	\$0.00	\$0.00
9/18/2012	XXXXXX	\$3,261.00	\$0.00	\$0.00
9/25/2012	XXXXXX		\$16,587.25	\$16,587.25
10/9/2012	XXXXXX	\$1,012.90	\$0.00	\$0.00
11/9/2012	XXXXXX	\$291,574.60	(\$158,029.18)	\$133,545.42
9/26/2012	XXXXXX	\$269.95	\$0.00	\$0.00
6/22/2012	XXXXXX	\$17,518.85	(\$8,804.93)	\$8,713.92
11/16/2012	XXXXXX	\$158,012.33	(\$79,596.92)	\$78,415.41
11/13/2012	XXXXXX	\$45,616.50	\$0.00	\$0.00
12/12/2012	XXXXXX	\$45,305.00	\$0.00	\$0.00
12/17/2012	XXXXXX	\$167,040.00	(\$83,572.75)	\$83,467.25
1/18/2013	XXXXXX	\$149,570.17	(\$1,601.46)	\$147,968.71
2/2/2013	XXXXXX	\$3,045.28	\$0.00	\$0.00
2/22/2013	XXXXXX	\$120,704.55	(\$10,248.00)	\$110,456.55
3/19/2013	XXXXXX	\$174,259.35	(\$4,695.33)	\$169,564.02
2/28/2013	XXXXXX	\$142,525.60	(\$84,408.67)	\$58,116.93
3/12/2013	XXXXXX	\$96,415.12	(\$48,560.06)	\$47,855.06
4/15/2013	XXXXXX	\$150,494.25	(\$3,826.00)	\$146,668.25
TOTALS:		\$2,565,091.56	(\$735,906.69)	\$1,829,184.91

Total Savings to the Policyholder: 29%