

IPISC's mission is to promote efficient and effective claim resolution by building a strong working relationship with the Insured, and by doing all that is possible, within the terms of the policy, to help support the Insured in enforcing and/or defending their Intellectual Property (IP) rights. The following are actual Abatement claims experienced by IPISC policy holders. In an effort to protect the identity of our clients, names have been omitted, except for those giving express permission to disclose. For additional questions about IPISC's Litigation Management Services and claims, please contact IPISC or an IP insurance professional.

Personal Fitness Industry

The Insured produced a mechanism for personal fitness machines. Because they had an Abatement Policy to enforce their patents, they were able to sue a competitor for using that mechanism in their production and sales. Ultimately, the competitor was forced to withdraw from the market and to pay a financial settlement to the Insured. The Insured recently won the appeal in the Federal Circuit Court.

Medical Device Industry

The Insured purchased a policy for their invention that was in the application stage pending registration. Before the patent issued, a large competitor began producing an infringing product. Once the patent issued, the Insured was able to pursue the alleged infringer and assert their patent rights. Without the insurance policy providing the funds to enforce their rights, the Insured would have continued to lose market share or possibly gone out of business.

Construction Industry

The Insured sued a competitor for literal infringement of their major structural patented product. They asked for a permanent injunction, an award of damages and lost profits due to the infringement. The inability to enforce their patents would have seriously impacted their market share and their reputation.

Wireless Technology Industry

Insured was a small company pursuing a much larger company with considerably deeper pockets. The Insured won a confidential settlement.

New Consumer Products- Pet Industry

The Insured was a small company enforcing their patents, trademarks and copyrights against a large company who was accused of copying its product and infomercial. The Insured filed suit and gained a favorable settlement by mutual agreement upon terms that are confidential.

Manufacturing Industry

The Insured pursued multiple parties including a manufacturer of an infringing product who ended production and negotiated license agreements with multiple former purchasers. This Insured used the same Policy three times to go after multiple infringers. Once one suit was settled, they paid back the amount of the Policy used to the carrier, thus reinstating the Policy limits. Once limits were reinstated, they pursued another infringer.

Claimant Testimonial- Irrigation/Electrical Industry

Long-time Insured, King Technology of MO, Inc. (King), experienced patent infringement of one of its largest income producing patents by one of its competitors. This left King no choice but to take legal action to protect itself, a process which lasted several years. Without the insurance, King would not have been able to successfully enforce its patents. King was pleased with the lucrative settlement and the ease and efficiency of working through the claims process with IPISC. The insurance helped King mitigate the potential high costs and consequences associated with IP litigation, as well as preserve the value of the company.

"There are several benefits to having intellectual property insurance," says Herb King, King's President. "In our case, our greatest assets are our pieces of intellectual property. We need to be continually prepared to enforce our IP against any adversary. Having the financial support via this type of insurance through IPISC provides us a more equal financial footing with our huge competitors. And today, having previously enforced our patents successfully, our competitors take us very seriously."

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