

*STRATEGIES TO PROTECT YOUR REVENUE  
BY SECURING INTELLECTUAL PROPERTY (IP) RIGHTS  
BEFORE LAUNCHING*

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# *types of IP*



# *why protect your IP*

increase valuation / secure investment



deter infringement & lawsuits



protect prices & profits



improve the likelihood of an exit



# *before launch*



The First  
100 DAYS

// protect your brand (logos, names, taglines, domain names, social)

// consider the role of designs and copyright

// any inventions worth protecting?

// trade secret protection

# *trade secrets*



// confidential info

// CDAs, NDAs

// trade secrets– product, technology, service, etc.



# *copyrights*

// expression



// source code/manuals

// exact/almost exact duplication

// does not protect technology



# *trademarks*



// logos



// words

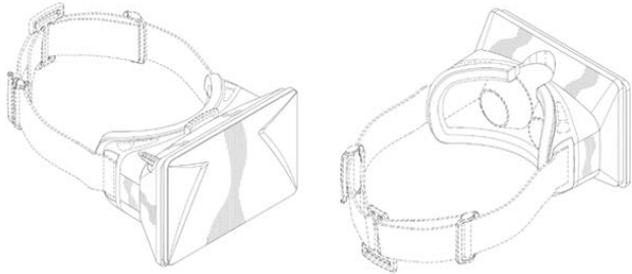


// taglines

// packaging



# *industrial designs*



// shape, appearance, patterns

// the way it looks



// does not protect functionality

// a must for easy knock-offs

# patents

(12) **United States Patent**  
**Ataee et al.**

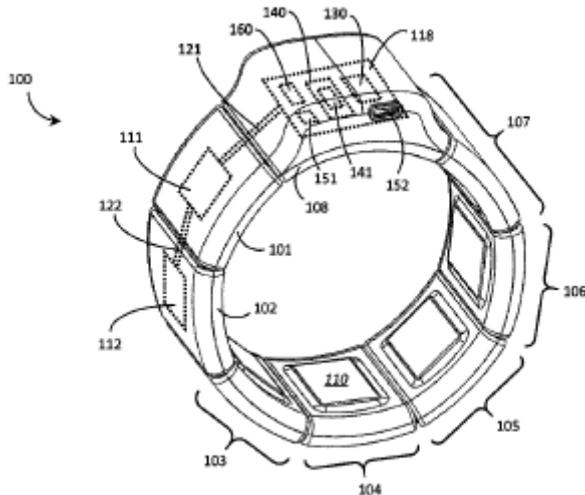
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(54) **SYSTEMS, ARTICLES, AND METHODS FOR GESTURE IDENTIFICATION IN WEARABLE ELECTROMYOGRAPHY DEVICES**

(71) Applicant: **Thalmic Labs Inc.**, Kitchener (CA)

(72) Inventors: **Pedram Ataee**, Waterloo (CA); **Idris S. Aleem**, Pickering (CA); **Matthew Bailey**, Kitchener (CA)

(73) Assignee: **THALMIC LABS INC.**, Kitchener (CA)



// functionality of an invention

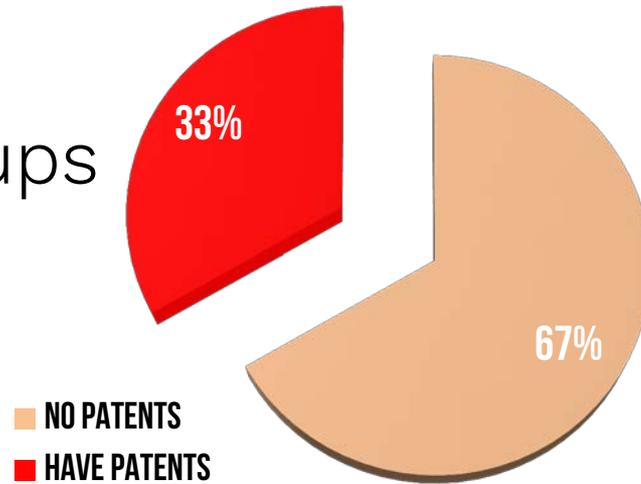
// negative right – excludes others

// machine, process, composition of matter, manufacture, improvement

// a patent expires 20 years from filing

# *to patent or not to patent*

funded start-ups



**19%** filed at least one patent application prior to receiving any funding

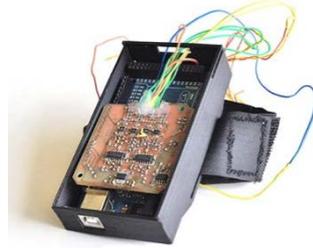
# *IP strategy*

- // protect commercially meaningful inventions
- // business alignment ( opportunity/infringers, licensing)
- // concentrate on US & Canada
- // defer patenting costs (provisional applications, PCT)
- // accelerated patent examination (PPH)

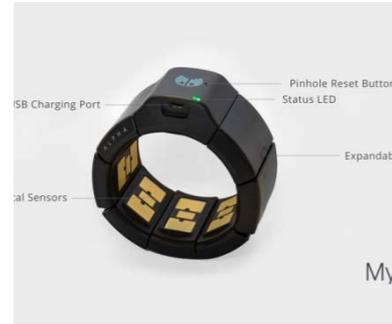
# when to file your application



proof of concept I



proof of concept II



alpha ---beta



product Launch

2012



idea

Jan 2013



>> File provisional  
+  
Trademarks/Designs

Sep 2013



First public disclosure

Jan 2014



>> File non-provisional / PCT

US 2014-0198034 A1  
US 2014-0198035 A1  
US 9,299,248 B2  
US 2014-0240103 A1  
US 2014-0249397 A1  
US 2014-0334083 A1

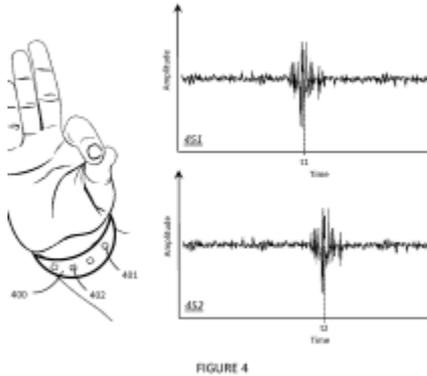
July 2014



Patent Examination



# *when to file your application*



June 2015

File additional patent applications

US D717,685 S  
US 2015-0051470 A1  
US 2015-0057770 A1  
US 2015-0070270 A1  
US 2015-0148641 A1  
US 9,367,139 B2

US 2015-0234426 A1  
US 2015-0261306 A1  
US 2015-0277575 A1  
US 2015-0296553 A1  
US D742,272 S  
US 2015-0370333 A1  
US 2016-0156762 A1

Sept 2016

\$120m in Series B Funding

# *common IP mistakes*

re-inventing the wheel



premature disclosure



forgetting key dates



overlooking IP ownership



ONE OWNER

not asking for help





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saβeta | IP  
patents & trademarks