

Intellectual property dispute finance:

A tool for staying at the leading edge of innovation

Substantially reduces the risks of IP Litigation

Intellectual property (IP) cases are often expensive, lengthy, and complex, with multiple defendants, parallel proceedings and lengthy appeals. With so much at stake, IP owners who are interested in protecting and unlocking the value of their innovations need a way to reduce the risks of using litigation to do so.

IP dispute financing can serve that role. It helps IP owners cover the significant expenses associated with IP cases, including legal fees and costs. This facilitates their ability to assert meritorious claims without depleting capital intended for research, development and other business purposes.

A comprehensive solution

IP dispute financing is available for all types of IP cases, including patent, trade secret, copyright and trademark disputes. It can be used to initiate and pursue new claims or to continue the pursuit of advanced cases. Experienced funders are willing to work closely with IP owners and their counsel to design a plan for financing both current and future claims and defenses, as well as further development of the IP and related business operations.

“To realize the full value of patents and other intellectual property, often one must enforce those rights in court.”

SARAH TSOU, OMNI BRIDGEWAY
INVESTMENT MANAGER, LEGAL COUNSEL

Why Omni Bridgeway

- ✓ **TRACK RECORD** We have achieved significant recoveries over decades for hundreds of clients facing challenging circumstances around the world.
- ✓ **REPUTATION** The world's leading organizations and their counsel choose Omni Bridgeway.
- ✓ **CAPITAL** We have significant funds to support cases all the way through judgment and recovery.
- ✓ **TECHNICAL EXPERTISE** Our IP funding team includes experienced IP litigation lawyers from premier international law firms.
- ✓ **TENACITY** Patience and persistence is important in this field. We are relentless and unintimidated by litigious and well-resourced opponents.



Omni Bridgeway is a global leader in financing and managing legal risks, with expertise in civil and common law legal and recovery systems, and with operations around the world. Omni Bridgeway offers dispute finance from case inception through to post-judgment enforcement and recovery. Since 1986, it has established a record of financing disputes and enforcement proceedings.

omnibridgeway.com

How we work

Omni Bridgeway offers more than just financial means to pursue IP litigation. IP owners rely on Omni Bridgeway to help identify their most valuable innovations, determine whether and when litigation is the right strategy, and secure counsel best suited to drive the case to success.

Our IP funding specialists offer value from the moment they consider a case or portfolio of cases proposed for funding. We leverage our deep, in-house expertise—honed from years spent working as IP litigation lawyers and bolstered by our continual visibility into the IP monetization market—to evaluate cases accurately and efficiently, and to deliver competitive, tailored deal terms. And we offer our unparalleled experience as a resource through the life of the investment.

Flexible financing arrangements

When litigation is the right path forward, our financing is typically provided on a non-recourse basis. This means we are only paid from the actual recoveries secured by our clients. If a case we fund is unsuccessful, we are owed nothing.

While this type of non-recourse arrangement is best suited for parties seeking to recover monetary damages, we recognize complex IP disputes often involve non-monetary outcomes. We offer bespoke arrangements to accommodate such litigation goals as well.

The risks we assume in financing litigation for our clients at no up-front cost compel us to be highly selective about the cases we finance. Our IP dispute finance solutions are available for opportunities that meet the following criteria:

- Strong prospects of the funded party achieving successful results in the dispute on the merits
- Clear ability for the opposing party to pay (enforcement services available from our team)
- Anticipated judgments exceeding 10x the requested funding amount (exceeding 20x the requested funding amount in patent disputes)
- Patents with a successful history of commercialization, licensing and/or litigation preferred

Intellectual property litigation is risky, time-consuming and complicated.

Finding financing to pursue it doesn't have to be.