



Hill & Schumacher
Patent & Trademark Agents



Building a Patent Portfolio in a Healthcare Startup

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Steps in Filing Patent Application

1. Identify disclosure deadlines
2. Prepare invention disclosure describing invention
3. Search
- 4. Determine scope of patent protection**
5. Draft claims
6. Draft description and figures to support claims
7. Confirm inventorship and ownership
8. File application



Your First Patent Application

- Likely a “US provisional patent application” but should be carefully drafted thoroughly
- Often a kitchen sink of many inventions
- Is key for leverage...try to get early US allowance
- Can de-risk early engagement with potential strategic/development partners
- Will likely not be assessed by seed stage investors
- May not be most the valuable IP for the company



What is Important Early On

- File before public disclosure
- Secure/clarify rights as early as possible
- Find good patent counsel and work hard with them to prepare a quality patent application
- Develop and refine a strategic patent narrative to excite investors and employees
- Avoid overquantifying IP risk early when other high-risk fires are burning and direction may change
- Be smart about how you spend your IP dollars



IP Strategy

- Important at all stages of company growth
- Considers all forms of IP and how they each provide strategic value to the company, and provides a plan for the future
- Goal is to maximize value creation by aligning IP protection with commercialization, financing and regulatory strategy
- Critical to consider IP through lens of customer, competitor, investor and acquirer