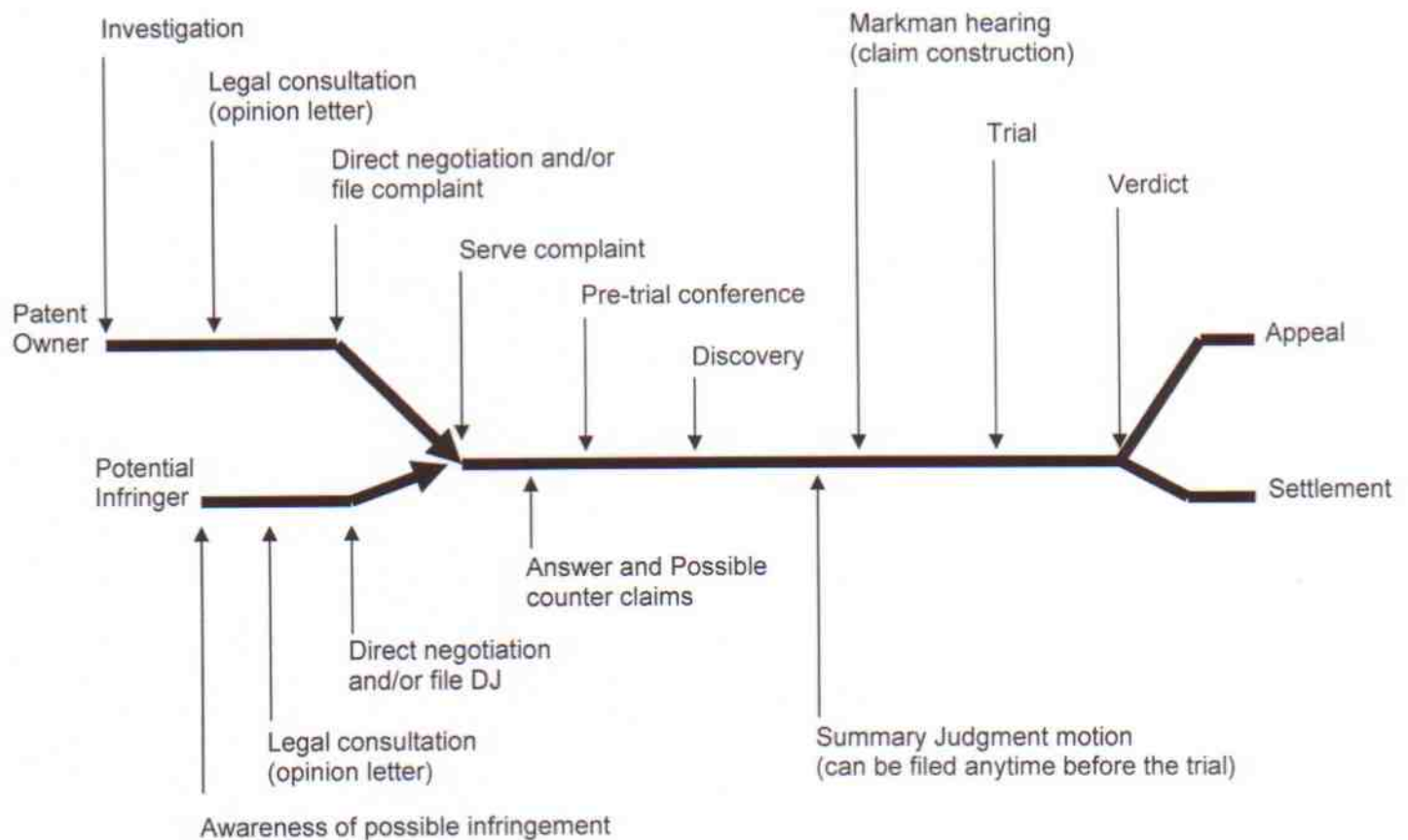


THE US PATENT LITIGATION PROCESS



- Patent owner:

- ❖ Investigation
- ❖ Legal consultation (3rd party opinion letter preferred)
- ❖ Be careful with communication to the other side (to prevent Declaratory Judgment action)

- Potential infringer:

- ❖ Get clearance before designing competing products (opinion letter)
- ❖ Legal consultation (opinion letter) is a must after receiving threat of infringement
- ❖ File DJ action if appropriate seeking non-infringement/invalidity

- During litigation:

- ❖ Summary Judgment motion can be filed before the trial
- ❖ Preferably get experts for infringement and damages
- ❖ Be prepared to respond to discovery requests

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