

Patent Strategy & Prosecution

Polsinelli helps clients protect innovations, manage risk and maximize the commercial value of intellectual property (IP) through coordinated patent, trade secret and strategic IP counseling.

Recognized nationally for intellectual property by *IAM Patent 1000*, *Best Law Firms* and *Juristat*, Polsinelli's registered patent attorneys, patent agents and scientists combine advanced technical training with practical business insight to advise across the full innovation lifecycle, from invention development and patent procurement to freedom-to-operate analysis, due diligence, enforcement strategy and portfolio monetization.

IP Strategy for Complex Technologies and Competitive Markets

We work with clients in industries where effective IP strategy requires a deep understanding of the underlying science, engineering, technology and competitive landscape, including:

- Artificial Intelligence
- Chemical manufacturing and materials science
- Computer science, software, telecommunications and emerging technologies
- Consumer products
- Electrical and mechanical engineering
- Life sciences and biotechnology
- Medical devices
- Robotics, aerospace and transportation

Integrated Patent and Innovation Capabilities

Patent Procurement and Innovation Protection: We prepare and prosecute utility and design patent applications, helping clients identify the best approach to protect technical, visual and functional innovations tied to product development and commercialization strategies. We also advise on invention harvesting, patent drafting, prosecution, continuation strategy, patent mining and portfolio development.

Freedom-to-Operate, Validity and Strategic Patent Opinions: Innovation strategy requires understanding not only what can be protected, but also the risks posed by third-party intellectual property rights. We counsel clients on freedom-to-operate (FTO), non-infringement, invalidity and patentability analyses to support product launches, research initiatives, transactions and competitive positioning. Our team also conducts targeted prior art, competitive landscape and white-space analyses to assess risk and identify strategic opportunities.

Global Patent Strategy: Polsinelli helps clients develop and coordinate international patent strategies through trusted foreign associates and global filing systems, including Patent Cooperation Treaty (PCT) applications, World Intellectual Property Organization (WIPO) procedures and jurisdiction-specific filing strategies across key global markets. We work with clients to prioritize international filings, manage cross-border prosecution and align global protection strategies with business objectives.

Trade Secret and Confidential Innovation Strategies: In situations where patent filings may not be the best approach to protecting an innovation, we help clients evaluate and implement trade secret and confidential information strategies for proprietary technologies, processes, algorithms, data, formulas, manufacturing methods and technical know-how that may be better protected outside the patent system. We also advise on confidentiality protocols, internal protection measures, employee and contractor agreements and trade secret risk management and practices.

IP Due Diligence and Transaction Support: IP often plays a central role in mergers, acquisitions, financings, licensing and strategic transactions. Polsinelli conducts IP due diligence and portfolio assessments to evaluate the strength, scope, ownership, enforceability and strategic value of patent and technology assets. We advise buyers, sellers, investors and operating companies on portfolio prioritization and rationalization, competitive positioning, licensing opportunities and IP strategy tied to fundraising, acquisitions, partnerships and exit transactions.

Patent Disputes and Post-Grant Strategy Support: Patent strategy increasingly requires coordination with enforcement, defense and administrative proceedings. We advise on pre-litigation risk assessment, patent assertion strategy, invalidity analysis and technical support on patent disputes and competitive conflicts. We also counsel on *inter partes* review (IPR), post-grant review (PGR), *ex parte* reexamination and related proceedings before the U.S. Patent and Trademark Office.

Operational Support for High-Volume Portfolios: Our operational support teams assist with filings, docketing, reporting and portfolio administration across jurisdictions to reduce administrative burden, improve portfolio visibility and efficiently scale patent activity for clients, while aligning legal protection, business objectives and innovation strategy.

Publications

August 12, 2026

Rise in IP Litigation Brings Patent vs. Trade Secret Strategy Back Into Focus

November 25, 2024

USPTO Finalizes Fee Hikes and New Fees for 2025: Key Tips for Patent Applicants

February 29, 2024

The USPTO's AI Inventorship Guidance

May 8, 2023

USPTO's New Electronic Grant System Shortens the Time to File Continuing Applications