



One Firm WorldwideSM



NANOTECHNOLOGY: Thinking Small in a Big Way

Quality intellectual property services in emerging technologies, like nanotechnology, are vital. Not only should new developments be protected and unauthorized copying prevented, but freedom to operate must be ensured as well.

How would your nanotechnology patent portfolio stand up to scrutiny? Who is presently encroaching on your nanotechnology intellectual property?

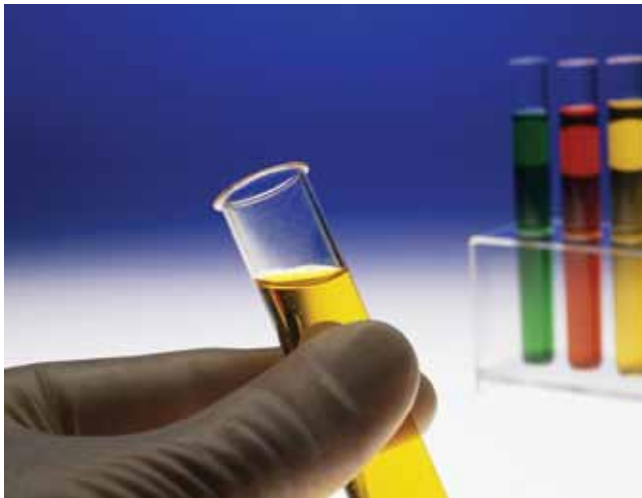
Nanotechnology is inherently interdisciplinary, and this is an important consideration when planning or implementing a patent strategy. Recently, the U.S. Patent and Trademark Office implemented a new nanotechnology cross-reference classification to facilitate prior art searching and examination for nanotechnology patent applications, which can span many disciplines. Consistent with the interdisciplinary nature of nano-

technology, Jones Day has lawyers with technical experience across a variety of disciplines to form the right team, whatever the need.

PATENT ACTIVITY IN NANOTECHNOLOGY

Patent activity in nanotechnology is at an early stage. Its development path is similar to that which occurred in biotechnology and semiconductors, but at an accelerated pace. The number of patent applications being filed in the area has skyrocketed over the last few years.

Periods of vigorous patent acquisition in emerging technologies are often followed by periods of patent interference proceedings and litigation, as witnessed in biotechnology over the past 20 years. This pattern is



A nanotechnology invention will likely have applications in multiple industries. Efforts to bring a nanotechnology product to market in certain crowded fields will likely encounter patent thickets. Legal experience and creativity will be invaluable in these situations for crafting business and legal solutions that will allow a company to move rapidly into new areas and navigate smoothly to market.

expected to repeat in nanotechnology, especially considering the large numbers of patent applications that are being filed with similar claims on similar technology.

Jones Day has both a strong technical background in nanotechnology and superior litigation experience, and we are in an ideal position to assist you in developing and maintaining a healthy nanotechnology intellectual property portfolio. Our clients range from *Fortune* 500 companies and academic institutions to technology-based start-ups. Drawing on our experience in the biotechnology industry, we are especially sensitive to the needs of smaller companies to develop patent portfolios that protect both their initial discoveries and the resulting commercial applications.

NANOTECHNOLOGY PATENT PROCUREMENT

The business model of many nanotechnology companies consists of intellectual property creation, holding, and enforcement. Some develop patent thickets around their core products and technologies. Others develop intellectual property for licensing. Jones Day can help you determine which model is best for you and assist you in your patent procurement needs.

Patenting inventions in nanotechnology requires experienced lawyers with advanced and diverse technical backgrounds to advise management on strategies for protecting a company's intellectual property. Lawyers who are competent in the sciences can communicate efficiently with the company's scientists and engineers and develop a portfolio of assets that will support corporate growth.

Jones Day offers an interdisciplinary nanotechnology practice comprising lawyers with advanced degrees and experience in biotechnology, physics, electronics, engineering, materials science, and chemistry. In addition, the Jones Day legal-intern program recruits doctoral and postdoctoral fellows in various scientific disciplines who complete their legal studies while training in patent practice. Jones Day's lawyers draw on firsthand experience in all of these fields in order to help clients secure their rights and maximize the commercial potential of their inventions.

NANOTECHNOLOGY BUSINESS DEVELOPMENT

A nanotechnology invention will likely have applications in multiple industries. Efforts to bring a nanotechnology product to market in certain crowded fields will likely encounter patent thickets. Legal experience and creativity will be invaluable in these situations for crafting business and legal solutions that will allow a company to move rapidly into new areas and navigate smoothly to market.

Jones Day can assist you with the acquisition, transfer, and exploitation of technology and intellectual property assets through commercial transactions, such as licensing, strategic alliances, and joint development. Our global scope and the availability of patent practitioners in offices in the U.S., Europe, and Asia enable us to help companies execute and coordinate intellectual property procurement and enforcement strategies.

In addition, Jones Day can provide you with corporate legal services. As a general-practice law firm, we are well positioned to provide assistance with financial offerings and with merger and acquisition activity.

PROTECTING YOUR NANOTECHNOLOGY

Intellectual property boundaries require serious defense and enforcement. Experienced trial counsel are the linchpin in every complex case, from initial motion practice, through discovery, to presenting evidence and cross-examining witnesses at trial.

Patent litigation is one of Jones Day's strengths. Jones Day lawyers have tried cases ranging from the largest International Trade Commission proceeding in history, which lasted months and involved hundreds of lawyers opposing Jones Day for the numerous defendants, to more routine single-patent trials lasting days or weeks.

Many of the Firm's clients choose patent litigation to enforce their patent rights. Companies that have successfully implemented such programs have recovered millions or billions of dollars in licensing revenues.

Our intellectual property litigators consistently rank at the top of industry surveys. Jones Day ranked No. 1 in U.S. patent suits initiated and No. 2 in U.S. patent cases overall based on number of new patent cases initiated or defended, according to the Patent Litigation survey published in the July 2007 issue of *IP Law & Business*.

ONE FIRM WORLDWIDE

Since 1893, Jones Day has grown, in response to our clients' needs, from a small, local practice to a truly global firm with more than 2,500 lawyers in 32 offices around the world. Today, Jones Day is one of the largest international law firms, and we count more than 250 of the *Fortune* 500 among our clients.

The Firm's success stems from key strengths:

- Client focus
- Legal skill
- Depth of knowledge, experience, and resources
- Team orientation
- A "One Firm" organization

RECENT RECOGNITION

- Top 5 in Client Service – The only firm to have earned top ratings year after year in the BTI Client Service Ranking (The BTI Consulting Group, Inc., 2002-2010).
- National "Band 1" Recognition in U.S. Intellectual Property (*Chambers Global*, 2008).
- Shared top honors for the Intellectual Property category in "Who Represents America's Biggest Companies" (*Corporate Counsel*, 2008).
- Among the "Upper Crust" in "Who Represents America's Biggest Companies" (*Corporate Counsel*, 2007).

ADDITIONAL INFORMATION

For additional information regarding the nanotechnology practice, please contact your principal Firm representative or one of the lawyers listed in this publication. General email messages may be sent using our "Contact Us" form, which can be found at www.jonesday.com.

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