FAQ — Unified Patents

unifiedpatents.com/faq

What is Unified?

Unified is a 350+ international membership organization that seeks to improve patent quality and deter unsubstantiated or invalid patent assertions in defined technology sectors (Zones) through its activities. Its actions are focused broadly in Zones with substantial assertions by Standards Essential Patents (SEP) holders and/or Non-Practicing Entities (NPEs). These actions may include analytics, prior art, invalidity contests, patentability analysis, administrative patent review (IPR/reexam), amicus briefs, economic surveys, and essentiality studies. Unified works independently of its members to achieve its deterrence goals. Small members join for free while larger ones pay modest annual fees.

Is Unified a law firm representing its members?

No. Unified is a deterrence entity that seeks to deter the assertion of poor quality patents in certain technology zones. Unified acts independent of its members or any other company. Unified is not a law firm, and does not have an attorney-client relationship with members. Unified's activities are not based on the interests of any particular member or members.

Does Unified ever settle with NPEs?

Yes. Should Unified determine that its goals can be better served by settling a post-grant challenge (or agreeing to never file any challenges), Unified will consider settling in exchange for a license, though never for money. As with all aspects of its challenges, Unified acts independently when settling, and never provides members with advance notice of negotiations, draft settlement agreements, or actual settlement. For this reason, Unified will not negotiate unless a nondisclosure agreement is in place. Unified's practice of settling disputes springs from its long-term Zone deterrence goals, as it saves legal fees, which can be reallocated for other future deterrence activities. In order to have discussions we require executing an NDA which can be obtained here: LINK

What are the primary differences between AST, RPX, and Unified Patents, LLC?

Unified is the only solution designed to deter NPE activity and, therefore, Unified never pays any money to NPEs, whether to purchase licenses or otherwise. This ensures that Unified never incentivizes further NPE activity. Additionally, by focusing on deterrence, Unified is

never put into the conflicted position of negotiating a licensing deal between NPEs and defendants in litigation.

How can members of particular zones be sure they aren't subsidizing other zones?

Subscription fees paid by a member with respect to one zone are not used by Unified for activities for other zones (excluding administrative overhead). If a patent or portfolio involves more than one zone, any activities and/or costs related to that patent or portfolio are allocated amongst the affected zones.

Is Unified interested in receiving demand letters and hearing about patents that are for sale in a particular zone?

Yes. For members and non-members alike, Unified invites and welcomes any and all non-confidential information regarding demand letters, threats of assertion, or patent licensing and sales.

Do members receive advance notice of Unified's actions?

No. Unified (including its employees, agents, and representatives) does not discuss details with its members concerning the preparation and prosecution of post-grant review challenges before the USPTO, including whether Unified will (or will not) file. To be specific, members receive no prior notice that Unified is preparing or filing any post-grant review challenge.

Do members have any control over Unified's use of post-grant proceedings at the USPTO?

No. Unified retains sole and absolute discretion regarding all aspects of any post-grant challenge.

This includes, but is not limited to:

1. Identifying any relevant prior art,
2. Conducting an invalidity/patentability analysis,
3. Deciding whether to file,
4. Preparing a petition,
5. Prosecuting a post-grant challenge once filed, and
6. Terminating that challenge (including settlement).

How does Unified successfully deter?

Unified uses the subscription fees collected for each Zone to provide a wide range of services. Unified conducts patent analytics and provides those analytics to subscribed members. Unified also monitors ownership data, secondary-market patent sales, demand letters, post-grant procedures, and litigation to track activity and risks in each Zone. Unified also files post-grant procedures against patents it believes are unpatentable or invalid.