IPI Academy

MANAGEMENT forum



Presented by
Management Forum

IP Due Diligence & Freedom to Operate in Practice

11 May 27
+ 2-3 November 27

Master IP due diligence and FTO analysis with expert guidance on portfolio evaluation, risk mitigation, and US/EU perspectives in this intensive training course.

Format:
Classroom, Live online

CPD:
6 hours for your records

Certificate of completion

Course overview

A properly conducted due diligence search can lead to many opportunities for both buyers and sellers, including long-term relationships and new business synergies. This intensive training course will give you invaluable insights into the best practice of organising and conducting an efficient and thorough IP due diligence project.

Attending this training course will ensure that you know how to mitigate the risks involved and will give you practical advice on balancing internal resources and outside expertise to the best advantage. The course will help you understand the vital aspects of an FTO analysis from a US and EU perspective.

You will also benefit from the experience of the expert faculty during the discussion session and get the solutions you need to your questions and challenges.

Key topics to be covered include:

- Types of IP due diligence
  - Mergers and acquisitions
  - Sale of IP assets
  - Freedom to operate (FTO)
- Best practices for organising an IP due diligence project
  - Developing comprehensive checklists
  - Aligning project scope with business goals
- Parts of a due diligence evaluation
  - Evaluating the patent portfolio
  - Mitigating the risks
  - Communicating results
- Focus on FTO projects
  - Best practices for when and how to do an FTO analysis
  - Validity and infringement analysis: US and European perspectives
  - US options for dealing with blocking patents
  - Dealing with FTO risks

Benefits of attending

By attending this one-day intensive training course, you will:

- **Gain** practical advice from highly rated experts on how best to prepare for your due diligence and FTO projects
- **Learn** to identify when due diligence and FTO projects are desirable and how to determine what the scope should be
- **Improve** your understanding of the risks around ownership and learn how to minimise these risks
- **Communicate** due diligence results effectively while protecting confidential and privileged information
- **Understand** your obligations if the deal doesn't go through
- **Be prepared** for the FTO questions that will be raised by your client/company when they want to use new technology or expand existing technology
- **Understand** which FTO questions you should ask to make the most of your time and budget
- **Discuss** best practices for setting up and conducting a thorough analysis
- **Gain** valuable insight into infringement and validity analysis in Europe and the US
- **Take away** practical advice on leveraging the European and US systems to your advantage
- **Learn** to evaluate, minimise and communicate risk effectively

Who should attend?

This training course has been specially designed for:

- Patent attorneys
- In-house lawyers
- Business development executives/managers
- IP and patent managers
- Licensing executives
- Trade mark attorneys

Programme

Best practices for organising and conducting an IP due diligence project

- Understanding the business goals
- Practical issues regarding accessing information
- Privilege and confidentiality issues
- Developing a comprehensive due diligence checklist to determine project scope under different deal conditions and budgets
- Awareness of relevant US IP issues frequently encountered
- Potential pitfalls when involving company's technical persons: a list of 'do nots'

In-house perspectives on conducting IP due diligence and FTO projects

- Role of IP – risk factor, nice to have or deal driver?
- Coordination of the projects within various business units
- Balancing internal resources with expertise of outside counsel
- Impact of IP due diligence and FTO projects on IP awareness within the business units

Mitigating the identified risks

- Real examples will be used to illustrate the types of risks that generally arise and how to restructure or end a deal having significant risks
  - How much risk is too much?
  - What if you are asked to make the deal happen even if the risk is high?
  - Can you mitigate that risk?

Communicating results and post-deal issues

- Confidentiality obligations if the underlying deal does not go through
- Handling negative information
- Obligations that remain if the deal is successful
- Practical aspects of file retention

Vital aspects of an FTO analysis – US perspective

- Tactics for recognising the products and processes to be cleared
- Timing and scope of the project
- Defining the search – common pitfalls
- Validity and infringement analysis – tactics for 'triage' on the FTO search results
  - US perspectives on relevant legal issues
- Cost-effective approach for dealing with potentially problematic or 'blocking' patents
  - US perspectives on relevant legal issues

Vital aspects of an FTO analysis – EP perspective

- Strategies for analysing whether EP infringement and validity issues in FTO context
- Recognising the risks in different EP jurisdictions
- EP options for dealing with competitor patents
- Best practices for EP counsel and in-house teams

FTO from the perspective of a licensing company

- Selection and prioritisation of technologies for FTO
- Interaction of FTO and trade secrets

Presenters



Tim May

Timothy May is a partner in the Washington, DC office of Finnegan LLP. He has over 20 years experience in the field of US patent law, with significant experience counselling clients on software patent matters. Tim currently manages the patent portfolios for several European clients in various software, medical device and electrical and mechanical technologies. He regularly speaks on software patent issues. Prior to joining the firm, he served as a Patent Examiner at the US Patent and Trademark Office, where he examined applications involving digital and software technologies. From 2006 to 2011, Tim was located in the firm's European office and continues to work with many European clients.



Andy Spurr

Andy Spurr is a patent attorney at Canon Europe, specialising in software related inventions with a particular focus on video encoding and standard essential patents. Before joining Canon, Andy spent 8 years at a private practice IP firm where he worked with numerous software start-ups, advising on how to best leverage their IP to create commercial value.



Tim Whitfield

Tim Whitfield is a partner with Powell Gilbert LLP. He advises clients in contentious IP matters across all IP rights with a strong focus on patent litigation and strategy, across a wide range of technologies, especially disputes having an international element in the pharmaceutical sector. He represents clients in cases before the English Courts and the European Patent Office. He has very extensive experience of advising clients on the co-ordination of international patent litigation strategy including in the pharmaceutical, medical devices and electronics fields. Tim also advises on related issues arising from international technology standards, patent pools and licensing, as well as pharmaceutical regulatory issues and SPCs. Tim also has experience of patent portfolio due diligence projects, contentious design right issues and trade mark infringement disputes.

Course dates

11 May 27	**Classroom** Venue TBC *Course code 17168*	GBP **699** ~~799~~ EUR **979** ~~1,119~~ USD **1,123** ~~1,279~~ **Until 16 Mar**
2-3 November 27	**Live online** 13:00-17:30 **UK (London)** (UTC+00) *Course code 17448*	GBP **599** ~~699~~ EUR **839** ~~979~~ USD **963** ~~1,119~~ **Until 07 Sep**

How to book

Online:
ipi.academy/2377

Alternatively contact us to book, or if you have any queries:

Email:
info@ipiacademy.com

Phone:
+44 (0)20 7749 4749

Discounts

- Booking more than one delegate on any one date qualifies for a **30% discount** on the second and subsequent places.
- Most events qualify for an **early booking discount** prior to 6 weeks before the course date. Be sure to check on our website, where the latest discounts will be shown.

Further information

Fee
The fee includes all meals and refreshments for the duration of the course (for venue-based courses) and a complete set of course materials (provided electronically). If you have any particular requirements, please advise customer services when booking.

Please note
IPI Academy (and our training partners) reserve the right to change the content and timing of the programme, the speakers, the date and venue due to reasons beyond their control. In the unlikely event that the course is cancelled, we will refund the registration fee and disclaim any further liability.

Terms and conditions
The rest of the our terms, the event cancellation policy and the terms and conditions are on our website, please visit ipi.academy/content/terms-and-conditions

Reviews

★★★★☆

All great, will recommend to my colleagues and have already done so!

Frank van Bouwelen
Dutch and European Patent Attorney
Hoffmann Eitle Patent
May 12 2026

★★★★☆

Overall very good. Very experienced speakers with different experience and expertise that was complementary to one another.

Tuba Yamac
Partner, Patent Agent
BCF Business Law
May 12 2026

★★★★★

I was hoping to gain a deeper insight on how other Attorneys and Lawyers pursue Due Diligence and FTO.. it was pretty much perfect, and certainly lived up to my expectations. I thought the speakers provided great variety, informative and clear. They also tailored the presentation to the people who attended, and very patient, and open to answering a wide range of questions. Overall, it was a great day- insightful and highly engaging. I recommend attending the face-to-face session, as it was well tailored to the audience.

Timothy Goodman
Patent Adviser
e-therapeutics
Jul 1 2025

★★★★☆

I thought the speakers were excellent did a good job preparing and presenting the content. Very open to taking questions and following up with answers. I found the Presentation of results to senior management the most practical and useful part.

Kevin Cosgrave
Director, Intellectual Property
Alkermes Pharma Ireland Limited
Nov 4 2025

Run this programme in-house for your whole team

Coming to IPI Academy for your in-house training provides an all-inclusive service which gives you access to a wide variety of content, learning platforms and delivery mechanisms as well as your own personal training adviser who will work with you from the initial enquiry through to feedback and follow-up after the programme.

With over 600 trainers, all practitioners and experts across a huge range of fields, we can provide the training you need, where you need it, when you need it, and at a price which suits your budget. Our approach to tailored learning and development consists of designing and delivering the appropriate solution for each client.

For your FREE consultation and to find out more about how we can work with you to solve your training needs, please contact our training advisers:



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IPI Academy

IPI Academy is a training initiative of Falconbury and Management Forum; leading providers of industry training for over 30 years, based in the UK.

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