

EARLY INTERVENTION PROGRAM

Under the Early Intervention Program, as a policyholder, you are entitled to request Intellectual Property Insurance Services Corporation (IPISC), or its attorneys, to contact a suspected infringer by letter and advise the suspected infringer of the existence of your patent, and the fact that it is insured.

You may request IPISC to respond under the Early Intervention Program irrespective of the frequency or number of suspected infringers. All that is required is that you contact IPISC and provide them the name and address of the suspected infringer and reasonable evidence which would cause you to believe there is or will be infringement of your Insured Intellectual Property.

You are not required to take advantage of this Early Intervention Program prior to making a claim. It is a free service which is performed by IPISC even before a claim form is filed and litigation is authorized. It is IPISC's experience that prompt action in the case of a newly discovered infringement frequently results in a quick resolution of the problem.

The Early Intervention Program is designed to avoid the possibility of a Declaratory Judgment being brought against you by suspected infringers by including the following two features:

1. The Early Intervention Letter simply advises the suspected infringer of the patent and the fact that the patent is insured. It then requests the suspected infringer to determine whether in his opinion there is a problem and communicate his response back to the patent holder or IPISC; and
2. The letter from IPISC is coming from a party that does not have the right to enforce your Insured Intellectual Property and is not your legal representative. Consequently, it is unlikely it could be considered a threat of an infringement action.

To date, the Early Intervention Program has resulted in a satisfactory resolution of the problem in more than 80% of the cases where the Insured has chosen to use it.