

The logo consists of the letters 'FR' in a white, bold, sans-serif font, set against a teal square background. This square is positioned on a larger, overlapping teal and yellow square.

FISH & RICHARDSON  
RISC return™

The 'RISC/return' logo features the word 'RISC' in a bold, white, sans-serif font, followed by a vertical double-headed arrow, and then the word 'return' in a white, lowercase, cursive script font. A trademark symbol (TM) is located at the top right of the 'return' word.

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*How an organization manages risks and opportunities related to intangible assets can have a crucial impact on its viability and growth.*

Nearly 80% of the average corporation's value now resides in intellectual property and other intangible assets. Most companies recognize the need to address IP-related problems as they arise, but only a few—less than 5% according to a study by Accenture—employ systematic procedures and controls to maximize the value of those assets and to minimize threats.

**The Tangible Benefits of Intangible Assets** Adopting a comprehensive approach to IP management right now will help avoid issues and lay the groundwork for successful results, improving your company's bottom line. And due to recent developments in corporate governance, proper oversight of intellectual property provides other immediate benefits:

- Active oversight of company assets and risks is now the duty of all directors and officers; failure in this “duty of oversight” can lead to personal liability for company losses. Putting in place proper “reporting or information systems or controls”—the “RISC” in RISC/*return*—helps immunize directors and officers from personal liability.
- Rating agencies such as Moody's and S&P now include “risk management” as a criteria in evaluating credit rating. Systematic management of intellectual property can help satisfy these criteria, enhance your credit rating, and decrease the cost of capital.
- New SEC regulations require disclosure of a company's risk management processes in proxy statements. A proactive, company-wide approach to IP can accentuate those reports, improve investor perceptions, and differentiate your company from competitors.

**Fish & Richardson's RISC/*return* Program** Fish & Richardson's RISC/*return* program does more than just deal with issues as they arise. It is designed to work with the company, its management, and legal team to identify risk and design active systems and controls that fit the company's needs.

We offer three steps to success.

**Comprehensive Survey of IP Systems** We examine the company's IP activity to determine where potential risks exist. We look at business plans, operating procedures, and written policies; interview key individuals; and report findings to management or the board. This low-cost survey immediately begins to satisfy the “risk management” functionality so crucial to regulators, agencies and shareholders, and identifies broad areas of need.

**Specific Modules to Address Company Needs** With management approval, we meet with managers and lawyers at the operations level to implement specific modules in areas of need. Our proprietary modules touch upon everything from handling patent notice letters to managing company trademarks to protecting customers' private data. We can even assist in setting up the appropriate board committee to handle intellectual property and other intangibles. You pick the modules you want, and we work with the people on the ground to make your company stronger.



**Periodic Updates to Ensure Compliance** It's not enough to simply put procedures in place. They need to be monitored for compliance, and updated periodically in response to changes in business or the law. We provide an annual or other periodic review to make sure your systems are up-to-date and working well.

**Why Fish & Richardson?** As the world's leading intellectual property law firm, and with its sophisticated practice in the world's leading business courts, Fish & Richardson is uniquely positioned to help corporations and their boards address these issues.

- ◆ *Our attorneys handle more IP lawsuits than anyone. We develop best practices through the crucible of litigation, and through intimate knowledge of IP laws and regulations.*
- ◆ *With over 65 PhD's and hundreds of attorneys with technical degrees, we have the depth to understand how your IP integrates into your business.*
- ◆ *Our business litigators handle suits in the premier business courts in the country. We understand the legal standards facing offices and directors and how to satisfy them.*

No other law firm brings our depth and expertise to this unique intersection of business and technology. By implementing best practices through RISC/*return*, corporate managers can minimize the risk of catastrophic liability for the corporation and its managers, increase the return on the company's R&D investment, and thrive under the scrutiny of regulators and agencies alike.

**Lower risk. Higher return. RISC/*return*.**



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