

# Patent Insurance

## Summary of Coverage

### Insurer

RPXIS policies are written on A rated paper (AM Best)

### Program Manager

- RPX Insurance Services, LLC, a wholly owned subsidiary of RPX Corporation
- Manages sales and distribution, product design, underwriting, marketing, risk mitigation, and claims adjusting

### Form

- Claims-made
- Litigation expense and settlement reimbursement

### Covered Claims

- Patent infringement litigation

### Coverage Trigger

- Insured named as defendant in patent infringement case filed in US District Court
- Declaratory judgment or reexamination/IPR/CBM actions (when approved in advance by RPXIS)
- Previously disclosed assertion letters that mature into suits after insurance is placed are usually covered

### Covered Costs

- Litigation expenses, including fees for outside counsel and other service providers
- Approved reexamination, IPR, CBM, counterclaim, and declaratory judgment expenses
- Settlement payments

### Obligations of Insured

- Report claims, reportable events, and resolution events within 30 days
- Submit litigation expenses for reimbursement monthly
- Submit litigation settlement agreements for approval prior to execution



# Additional Risk Management Services

As an RPX policyholder, you are automatically entitled to a majority of our Risk Management services at no additional charge. The services support, inform, and prepare your organization to manage patent risk while delivering cost-savings.

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## Claims Management Support

RPX's Claims team will save you time and money in handling patent litigation claims, typically reducing litigation resolution costs ~60% by minimizing legal spend and using volume-discount patent buying strategies. We leverage proactive claims management along with our defensive patent acquisition capabilities, proprietary data, and in-house patent expertise on every claim through the following services:

- Litigation Campaign Assessment reports (on reported claims) include patent analysis, plaintiff research, campaign history, and lead case status
  - RFP management for selection of defense firm(s) and preparation of case budget
  - Panel Counsel and Preferred Provider program (i.e. eDiscovery, prior art vendors) provide access to best-in-class support at discounted rates
  - Monthly review of legal fee invoices for compliance with billing guidelines
  - Consultation with RPX's patent Acquisitions team to review case status, refine case budget, and optimize resolution/settlement costs
  - Claim Management Support is available to Insureds for non-covered litigation such as pre-policy cases or indirect/indemnity issues.
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## Pre-litigation Support

RPXIS works closely with Insureds to understand and manage patent risk before litigation occurs. In most cases, our support eliminates the need to hire outside counsel.\*

- Proprietary data and patent market intelligence result in an average savings of ~\$40K per incident, significantly less than typical legal fees
  - Patent analysis and valuation, case status, plaintiff research, provided as appropriate
  - Triggered by invitations to license, offers to buy or sell patents, or indemnification requests from the Insured's clients
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## RPX Insight

Insureds can access RPX's proprietary web-based database to search millions of patents, litigations, and entities (patent owners and companies involved in litigations) to understand the scope of their potential patent litigation risk.

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## RPX Prior Art

If a litigation is filed against an Insured, RPX often conducts prior art searches for the patents in litigation.

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