



## Patent & IP financing

Burford helps clients and law firms with intellectual property assets to manage legal risk, finance litigation and unlock capital to reinvest in the business.

In the past, patent owners could share those costs and risks with any number of law firms that would take IP cases on full contingency. But in today's heightened risk environment, even the most successful of those firms are re-thinking their willingness to absorb pure contingency risk in patent matters.

Litigation finance enables clients with meritorious positions in IP litigation matters—and their law firms—to pursue claims and protect assets without adding cost or risk to balance sheets. Burford provides financing secured by the underlying asset value of pending intellectual property claims, unlocking capital that clients and law firms can use to meet their business needs.

For clients, litigation finance helps ensure that the company is able to protect IP with the best counsel, without worrying about the impact of litigation on earnings and profits. Financing also offers accounting and financial reporting benefits.

For law firms with significant IP practices, Burford's financing provides a foundation to work with existing clients under pressure to lower fees, and to pursue new business with competitive terms locked in.

Burford is by far the largest provider of litigation finance capital, with the deepest expertise and broadest portfolio of experience in financing IP litigation. Clients and law firms benefit not only from Burford's size, speed and expert insight, but also from our unique IP offerings and flexibility. We offer patent fee shifting protection to mitigate the risks faced by plaintiffs, and our financing is provided on a non-recourse basis, with our return tied to litigation outcomes, not collateralized by underlying IP assets.



## How clients and firms use our finance

- Fund litigation fees—including full fees, partial fees, or case expenses—as plaintiff or defendant
- Non-recourse funding of legal fees and expenses provided to client or law firm
- Adverse cost coverage in patent and IP litigation
- Finance portfolios of pending patent and IP litigation
- Enable clients to work with firm of choice
- Allow firms to expand new business without increasing cost or risk
- Accelerate receipt of fees
- Improve accounting outcomes

## Success story

A leading IP boutique had historically worked with its clients on a contingent basis. But as the firm continued operating in a heightened risk environment, it was no longer able to absorb pure contingency risk—which halted the firm's growth.

Burford worked with the firm to provide financing that gave the firm the ability to warehouse the cost and risk of litigation as a contingent fee arrangement. As a result, the firm was able to take on new cases while mitigating risk.

## Why Burford?

- **Team:** Burford has the deepest bench in IP litigation finance, with senior leaders named among the top global IP strategists by IAM Strategy 300
- **Expertise:** In-house diligence led by former IP litigation partners from AmLaw100 firms
- **Scale:** With more than \$3 billion invested and ready to invest in commercial litigation and arbitration finance, Burford is the largest player by far and has capacity to make significant investments in IP
- **Experience:** Burford has an appetite for risk, and a track record demonstrating we'll be there for the duration of the case
- **Specialized offerings:** Burford provides fee-shifting protection for patent owners through its affiliate Athena FSP.

*Patent holders seeking new risk partners have driven an increase in demand for litigation finance, which effectively offers the same ability to warehouse the cost and risk of litigation as a contingent fee arrangement*

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