



Animal Health

New Product Development & Acquisition – IP Diligence

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Introductions and Agenda

- Introductions
- Overview of TriPaw Health
- What Is IP?
 - Patents
 - Trademarks
 - Trade Secrets
 - Copyrights
- Why IP Diligence Matters
- Goals for the Webinar

TriPaw Health

Complete Care, From Nose to Tail

Nutrition | Animal Care | Therapeutics

TriPaw Health is a diversified animal healthcare company delivering science-backed solutions that support the full spectrum of animal wellness.

From nutrition and everyday care to veterinary services and prescription therapeutics, TriPaw serves pets and their people with innovation and integrity.

TriPaw sells directly to consumers, through retail platforms, and to veterinarians, through representatives who visit individual clinics, offer outings such as dinners or games, and other channels, such as marketing at veterinary conferences.

Intellectual Property

- **Patents**
 - Right to exclude others from making/using/selling/importing an invention (time limited, ~20 years from filing)
 - Protect new, useful, non-obvious inventions (products, processes, improvements)
- **Trade Secrets**
 - Protect valuable confidential information (e.g., formulas, methods, customer lists, algorithms)
 - Rights last as long as secrecy is maintained and reasonable steps are taken to protect it
 - No right to exclude others; others can independently develop
- **Trademarks**
 - Protect brand identifiers (names, logos, slogans, trade dress); help prevent consumer confusion
- **Copyrights**
 - Protect original creative expression fixed in a tangible medium (text, art, music, software, audiovisual)

Development vs. Acquisition

- TriPaw's Expansion Goals
 - New proprietary products developed internally
 - Acquisition of a smaller animal health innovator
 - Acquisition of a product from another company
- Key IP Questions
 - What do we own?
 - What do we need to acquire?
 - Where are the risks?
- IP Diligence Considerations
 - Internal R&D programs
 - M&A transactions

Patent Diligence Considerations

- Patent Diligence in the Animal Health Context
- Patent Landscape Analysis
 - What is a landscape analysis?
 - Type of product claims
 - Products (collars, instruments, nutraceuticals, drugs)
 - Formulations (nutraceuticals or probiotics; shampoos)
 - Method of treatment / therapeutic use
 - Dosing regimes
 - Combination therapy
- Freedom to Operate (FTO) Analysis
- Invalidity Analysis
 - Strength of patent and claims
 - Geographic coverage
- Purpose of Diligence Review



Trade Secrets & Know-How: The Invisible Assets

- What are Trade Secrets?
- Why Trade Secrets Can Be Valuable IP in Animal Health
- Common Trade Secret Assets
 - Formulations and Manufacturing Processes
 - Stability Data and Protocols
 - Supplier Relationships and Sourcing Strategies
- Diligence Red Flags
 - Inadequate Confidentiality Protections
 - Former Employee Risks
- Third-Party Ownership or Contamination
- Best Practices
 - Protecting Trade Secrets During In-House Development

Brand Protection & Market-Facing IP

- Role of Branding
- Trademark Diligence Considerations
 - Clearance of Potential Marks
 - Ownership & Maintenance
 - Scope & Coverage
 - Risk Assessment & Infringement
 - Usage & Validity
- Ensuring Brand Continuity Post-Acquisition
 - Clearing New Brands
 - Managing Legacy Marks



Practical Takeaways for Animal Health Companies

- Streamlined IP Diligence Checklist
 - In-House Development vs. M&A Transactions
 - Example of Due Diligence Checklist for In-House Development
 - Assess Potential Product, Technology, and Commercial Relevance
 - Conduct Landscape Analysis
 - Freedom to Operate Review
 - Patentability Analysis
 - Analyze Current IP Assets vs. Developing New IP
 - Evaluating licenses for manufacturing and supply contracts
 - Collaboration agreements with contract development & manufacturing organizations
 - Reviewing employment & consulting agreements



Practical Takeaways for Animal Health Companies (cont.)

- Streamlined IP Diligence Checklist
 - In-House Development vs. M&A Transactions
 - Example of Due Diligence Checklist for M&A Transaction
 - Assess Product, Technology and Commercial Information
 - Understand the Transaction's Structure, Scope, and Complexity
 - Analyze IP Assets & Address Issues
 - Ensure Ownership & Inventorship
 - Understand Relevant Agreements
 - Contested Proceedings Relating to IP Covering Product
 - Patentability / Trademark / Copyright / Trade Secret Issues
 - Freedom to Operate



Practical Takeaways for Animal Health Companies (cont.)

- When to involve IP counsel – how early is “early enough”?
- Using diligence not just to avoid risk, but to:
 - Strengthen negotiating leverage
 - Identify hidden value
 - Support long-term growth

Conclusions

- Key Takeaway Recap
- Questions?

Upcoming Webinars in the Series

- March 12, 2026: Barking Up the Right Tree: Navigating Enforcement Risks in Animal Health
 - *Speakers: [Valerie Cohen](#) (Commercial Litigation – NY) and [Warren Hamel](#) (Investigations & White Collar Defense – Baltimore)*
- April 16, 2026: Deals and Dollars: Transactions and Financing in Animal Health
 - *Speakers: [Jim Nelson](#) (Corporate – San Francisco) and [Bill Haddad](#) (Corporate – NY)*
- May 20, 2026: Do Animal Health Companies Need to Learn How to Speak to Animals? The Rise of Failure-to-Warn Claims
 - *Speakers: [Kathleen Hardway](#) (Product Liability & Mass Torts – Baltimore) and [Jason Rose](#) (Product Liability & Mass Torts – Baltimore)*

Introductions



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Chris Boreello is an intellectual property attorney who focuses on patent litigation and counseling clients on offensive and defensive patent strategies and patent portfolio development. Chris works on a broad range of technologies, including pharmaceuticals, biologics, biotechnology, computer technology, and mechanical devices.



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Jackie DiRamio's practice includes patent prosecution, intellectual property (IP) transactions, and litigation matters. Jackie's patent prosecution experience involves a variety of scientific areas, including the mechanical, electrical, biological, and chemical arts, as well as medical devices. She has worked on opinions, interferences, reexaminations, *inter partes* reviews, and a case before the International Trade Commission (ITC). Jackie also assists clients with IP and technology transactions, including due diligence reviews of potential IP. She advises clients on the licensing, acquisition, maintenance, and protection of their IP assets, and provides general counseling for developing and strengthening clients' patent portfolios.



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