

COMMERCIAL DUE DILIGENCE



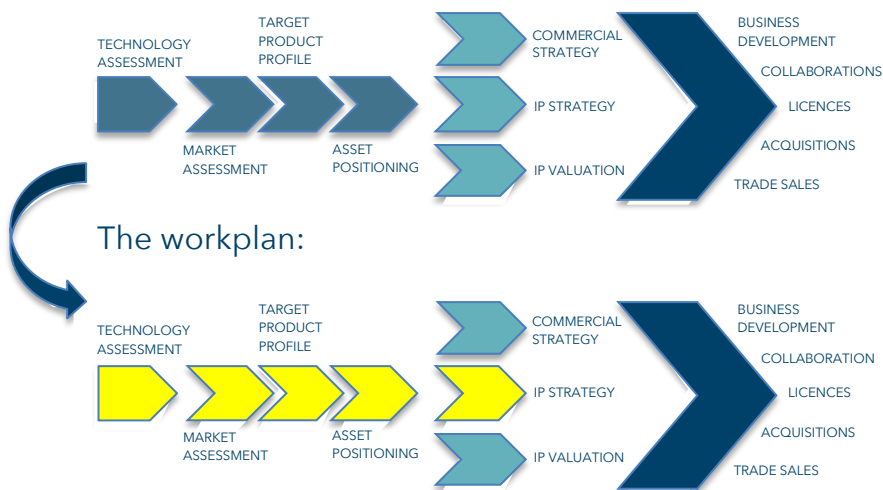
TREATMENT FOR THE SYMPTOMS OF A DEBILITATING AUTO-IMMUNE DISEASE

Auto-immune diseases (in which the host immune response goes awry) often present with a complex clinical profile. An investor had identified patents covering the treatment of seriously debilitating symptoms associated with a common but highly under-diagnosed auto-immune condition. At present there is no treatment for the disease or its symptoms.

Our role included an investigation into the scientific basis of the invention. Having done this we identified gaps in the IP coverage. Upon deeper investigation we reasoned, based on an understanding of the science behind the treatment, that there must be more to the IP. In due course we unearthed valuable trade secrets crucial to the potential commercialisation of the assets and thereby completed the IP audit. In addition, we assessed the market for the disease indication taking account of the nature of the product and how this would affect the regulatory pathway to its approval. We conducted interviews with patients and doctors to establish what would be expected of a novel treatment of symptoms in this area of medicine. This confirmed that the likely product profile of the potential new treatment was a good fit with the management paradigms in place for the disease. We took this intelligence into the review of all the science, IP, and regulatory activities that had been conducted at that time.

We worked in close collaboration with a major international law firm throughout to produce a single, unified due diligence document covering legal, patent, technical and commercial due diligence issues. This was well-received by the investor.

Based on the due diligence report, the client went on to acquire the assets and engaged us to lead and execute the negotiations.



CASE STUDY NOTES

Due diligence takes many forms. A critique of the science, the IP, and the product positioning was required here. We followed this up with the appropriate investigations which supported the legal team as they carried out the formal legal due diligence.

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