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PROTECTING INNOVATION

PERILS AND PITFALLS OF DO-IT-YOURSELF IP

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What Is A Trademark?

- Symbol used in commerce to indicate source of good or service
- Takes form of word, logos, shapes, colors, smells, and even combinations
- Can last forever if mark continues to be used



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Trademarks: Failure to Adequately Select Enforceable Trademark

- Descriptiveness
- Infringement of Third Party Mark



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What Makes a "Good" Trademark?



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Trademarks:
Failure to Meet USPTO Requirements

- Ownership Issues
- Intent-to-Use versus Use-Based Filing
- Accurately Describing Goods/Services



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Trademarks:
Failure to Adhere to "Less Is More"

- File Application for Most Detailed Version of Mark (Name, Logo, Slogan)
- Consider Filing Separate Applications for Name, Logo, and Slogan



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Trademarks: Failure to Complete or Maintain Registration

- Failure to File Statement of Use at Appropriate Time
- Failure to Respond to Office Action
- Failure to Properly Renew/Show Continuous Use



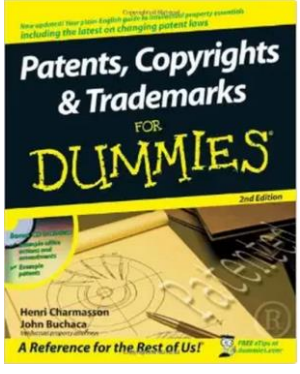
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WORLD PATENT MARKETING

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Patents: Misconceptions About Provisional Patent Applications

- Erroneous Belief that a Provisional Patent Application Is a Patent
- Failure to Appreciate Need to Convert Provisional Application Within 1 Year to Get Benefit of Filing Date



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Patents: Improperly Written Application Almost as Bad as No Application at All

- Failure to Describe Invention in Sufficient Detail
- Failure to Claim Invention Properly
- Over-Describing Prior Art

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Patents:
Marketing/Commercializing Invention



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