

Intellectual Property

Intellectual property is one of a business' most valuable assets. Our Intellectual Property group helps our clients protect their trade secrets, trademarks, copyrights and patentable discoveries from infringement in the marketplace—both the physical marketplace and the virtual marketplace of the Internet.

Trade Secret. The strongest intellectual property protection is to maintain complete secrecy. Our Intellectual Property group has extensive experience in showing its clients how to best keep important business information secret, and therefore, protected. When a trade secret is taken, we use our experience to litigate trade secret theft; where our clients are accused of trade secret theft, we apply our experience in defending against these claims.

Trademark. Every business has a trademark or a service mark that distinguishes it from the competition, whether it is a business name, product name or name for a specific service. Trademark protection prevents other businesses from using marks that are so similar to our clients' marks that they improperly lure away our clients' customers.

We work with our clients to register trademarks locally, nationally and internationally. We assist clients in policing their trademarks to prevent infringements. We also help our clients to license the use of their trademarks to other businesses. If necessary, we litigate trademark infringement to protect our clients' rights to profit from this important part of their intellectual property, and we defend clients who have been accused of infringing on other companies' trademarks.

Copyright. Once an idea is expressed in writing, speech, software or an image, the creator owns that copyright. A copyright gives the owner the right to reproduce, display and license the use of the creation, and prevents others from using it for their own purposes and profit. We advise clients about the advantages of registering a copyright with the U.S. Copyright Office, how to register copyrights and how to monitor their copyrighted works. When a copyright is infringed, we will negotiate the cessation of the improper use or will negotiate a license of certain rights for use. If needed, we do not hesitate to litigate to protect our clients' rights in their copyrights.

Patent. We counsel our clients in licensing patents and identifying similar and different fields of use to maximize income from patents. Many times patent licensing negotiation occurs in an amicable environment (also known as "carrot" licensing), but also occurs when patent infringement has been identified (also known as "stick" licensing). We provide guidance to clients in both licensing approaches. In addition, our litigators prosecute and defend patent infringement cases on a regular basis.

Internet Law: The law of the Internet is akin today to the law of the "Wild, Wild West" a hundred years ago. Lawlessness significantly outpaces law enforcement. While the law in the "real" world has developed over centuries, the courts today are struggling not only with enforcement issues, but with how to adapt the real world law to "cyberspace." This absence of legal clarity aids and abets the lawlessness.

We have significant experience with the issues unique to the Internet: trademark infringement in areas such as domain name registrations, the use of trademarked meta tags and ad words, and false comparative advertising; copyright issues arising from the design of web sites; and defamation and the attendant free speech issues related to consumer gripe sites and commercial disparagement on competitor web sites, to name a few.

For more information on intellectual property litigation, [click here](#).