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## “Tip of the Month”

### IS YOUR INTELLECTUAL PROPERTY WORKING FOR YOU?

A company’s well-executed intellectual property (IP) strategy is an ongoing effort that can be critical for becoming and remaining an industry leader as well as for preventing others from misappropriating the fruits of its labor. The importance of having and executing an IP strategy applies to small companies and to multi-national corporations alike.

**Trade Secrets** — does your company have any confidential information that would be damaging to its success if that information ended up in the hands of a competitor?—names of suppliers, manufacturing processes, methods of doing business, and other information that enables the company to deliver better a product or service, offer a lower price, or more effectively compete in the marketplace.

- *Does your company have an intellectual property strategy to preserve its trade secrets and prevent them from walking out the door?*

**Trademarks** — has your company registered its trademarks in the US and foreign countries where it is currently doing business and where it plans to do future business? Will prior user rights be a problem? Does the company properly use its trademarks and trademark designators on its website and company literature? Is the company actively policing its trademarks? Has the strength of the company’s trademarks increased or decreased?

- *How does your intellectual property strategy address protecting, maintaining, and enforcing its trademarks?*

**Patents** — for which inventions will your company file a patent application? Does the company’s IP strategy address publication of new results? Does your IP strategy include a disclosure and incentive program for inventions made by its employees? Could the company’s patents generate income through licensing agreements? Is your company infringing the patent of another or is your company’s patent being infringed?

- *How does your intellectual property strategy address new inventions, disclosure, licensing, and infringement?*

**Copyrights** — Does your company have intellectual property policy that addresses works of authorship by its employees? What about works created by independent contractors? Are your company’s works of authorship registered with the US Copyright Office? Is your company’s software subject to open source licensing terms?

- *How does your company’s intellectual property strategy address copyrights?*

If your company needs to establish an intellectual property strategy, wants to review its intellectual property strategy with an IP attorney or you have any other questions about intellectual property, please call the attorneys at Mesmer & Deleault, PLLC, today at (603) 668-1971 or send an email to [mailbox@biz-patlaw.com](mailto:mailbox@biz-patlaw.com).

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