10 PROVEN TIPS FOR MANAGING INTELLECTUAL PROPERTY

Intellectual property is often the most significant driver of value among a company’s assets. Therefore, it is increasingly important for companies to actively manage their intellectual property assets to identify, categorize, register and enforce IP assets while minimizing the possibility of legal disputes.

Whether acquiring technology, developing new products or taking stock of the company’s intangible assets, companies must develop ways to protect their assets better, determine ways to realize more revenue from such assets, and reduce risks of costly litigation.

On the other side of this panel are ten intellectual property management tips that will help Companies and their counsel identify and protect IP assets and address infringement issues, among other key steps.

1. IDENTITY
Think about what copyrights, patents, trademarks and trade secrets you might have and categorize them appropriately. This includes ideas in development. Copyright and trademark assets can be found in creative content from marketing, advertising and branding efforts. Patent and trade secret assets can be found in R&D, product development and engineering efforts.

2. ORGANIZE
Once categorized, review the relevant creation and publication/use dates. Determine registration status. File necessary maintenance documents as appropriate and create calendar/docket future due dates for supplemental filings. Remember, the ability to “perfect” ownership of rights has a time component, e.g. patents.

3. MONITOR
Review the USPTO and Copyright office databases periodically to ensure no junior users may weaken your rights. Interview employees to learn about potential new initiatives and ask them to sign Invention Assignment agreements (if they haven’t already).

4. CONDUCT A USPTO “BASIC SEARCH.”
Start your search here. Individual results pages will include direct links to the mark’s records in TARR (best way to check current status of application/ mark), ASSIGN (best way to see if the mark has been assigned), TDR (best way to retrieve relevant documents), TTAB (search and review board proceedings).

5. CONDUCT A USPTO DOCUMENT SEARCH
Use this database to determine existence of and locate documents related to specific applications.

6. CONDUCT A COPYRIGHT.GOV SEARCH
This is the best place to start with any copyright related questions. Includes searched for copies of registered works.

7. GOOGLE- SEARCH
Great secondary, broad-stroke search. Tends to return higher percentage of irrelevant results, but good at finding that needle-in-a-haystack type rip-off/con artist.

8. CREATE GOOGLE ALERTS
Use these to stay abreast of relevant changes in the database. Narrow alert criteria to specific keywords/phrases.

9. CONDUCT A STATE TRADEMARK DATABASES SEARCH
Don’t forget your own back yard. Search state databases for d/b/as, etc. (IL=cyberdriveillinois.com).

10. ASK YOUR LAWYER ABOUT SPECIFIC CONCERNS
Every situation is different and the only way to properly assess the risks/costs of any course of action is to discuss your matter with a competent attorney who practices in this area.