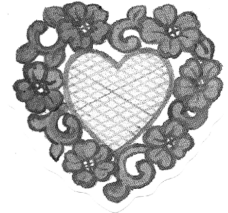




Happy Valentine's Day



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"Tip of the Month"

Business and Intellectual Property

The key assets of any business are its people, its innovations, its trademarks, its know-how, and its goodwill - in other words, its intellectual property. Intellectual property has value in that it can (1) be sold, licensed or franchised, (2) be an effective marketing tool and add credibility to a business, (3) assist in generating income streams, and (4) provide a competitive advantage and deter competitors. Business owners need to protect their intellectual property as much as they protect their tangible property such as machinery and buildings.

A simple way to do this is to incorporate a list of strategies into your business operation that you, as a business owner, can use to protect your company's intellectual property.

First, as a business owner, you should register your brands in the U.S. Patent and Trademark Office. Typical examples of brands include your company's name, logo and names of particular services and/or goods your company provides. State registrations only protect your brands within the State. Registration with the U.S. Patent and Trademark Office provides broader legal rights and greater remedies if your trademark is infringed.

Second, you should reserve your company name for your website as well as all social media domains such as Facebook, Twitter and LinkedIn.

Third, most companies have websites with content, as well as brochures, manuals, and maybe even some books and/or software. These content containing items should be registered with the U.S. Copyright Office. Registration is inexpensive, yet, registration is required to sue someone who infringes your copyright. Further, registration provides other important legal benefits.

Fourth, most companies at some point invent something to solve a particular problem or make an improvement to an existing product that should be protected by patent. If an invention or an improvement can be reverse engineered, then the only way to prevent a competitor from offering a similar product incorporating the invention or improvement is to obtain a patent. Because filing a patent application is costly and time consuming, you should have a plan that describes how the patent will support your business goals.

Fifth, once you've done the above steps, you should monitor your intellectual property for possible infringement. This can now be easily done monthly (or weekly) by using search engines. When you become aware of an infringement, you need to take action by contacting the infringer or an intellectual property attorney. If you delay, you could be accused of laches, which may prevent recovery of damages and weaken your rights. Once weakened, it will be more difficult to defend your rights later.

If you have questions about your business and its intellectual property, give us a call at 668-1971 or contact us by e-mail at *mailbox @ biz-patlaw.com*.

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