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“Tip of the Month”

Information Protection – Is Your Company Proactive or Reactive?

All companies possess commercially important or competitively sensitive materials and information. An effective company information protection system should be established and maintained to insure that these sensitive materials and information are protected adequately and remain useful and beneficial to the company. Any effective company information protection system must include three important steps.

1. Identification of competitively and commercially sensitive company documents and information.
2. Determination of the appropriate areas of law to be used to protect specific documents and information identified.
3. Establishment of necessary company policies and procedures.

Under Step 1, it is important that company identifies the items to be protected both in generic and specific terms. The broad categories of materials that a company should consider protecting include all technical, scientific, business, personnel, accounting, financial, research, and customer items. Within these broad categories, specific items include corporate strategic reports, industry or business forecasts, marketing studies, plans, recommendations, new product announcements, corporate inventions, all items connected with research and development efforts and strategies, personnel files, technical materials, and competitive analyses. As the list indicates, the identification process requires involvement and cooperation of every department and division of the company.

Under Step 2, the appropriate areas of law involve utilizing the areas of patents, copyrights, trade secrets, and trademarks. In addition, this step involves determining the area of law that can be most effectively and efficiently utilized by the company. Check lists are an easy and handy method of making these determinations.

After Steps 1 and 2 are complete, company policies and procedures must be established in order to utilize a particular legal area effectively.

Once an information protection system is established, the system is never really finished. A company must perform periodic reviews to insure that newly created or obtained information and materials are adequately being protected by the existing system.

If you have questions about establishing a company information protection system or about other business-related concerns, please give us a call at (603) 668-1971 or send an email to mailbox@biz-patlaw.com.

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