



DISCLAIMER

These materials have been prepared for general informational purposes only and are not legal advice.



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These materials have been prepared for general informational purposes only and are not legal advice.

My Background

What is Intellectual Property?

Protecting Intellectual Property





VĂN LỒNG
BẢO QUẢN
HÀN CÀ PHÊ
Corruption Perpetrator
Party By Youself.
Phone 1

VINAMILK
SỮA CHUA VINAMILK
BÍ QUYẾT NGON KHỎE
TỰ NHIÊN

jewelry

TO



Categorizing Intangibles

Inventions / Innovations → **Patents**

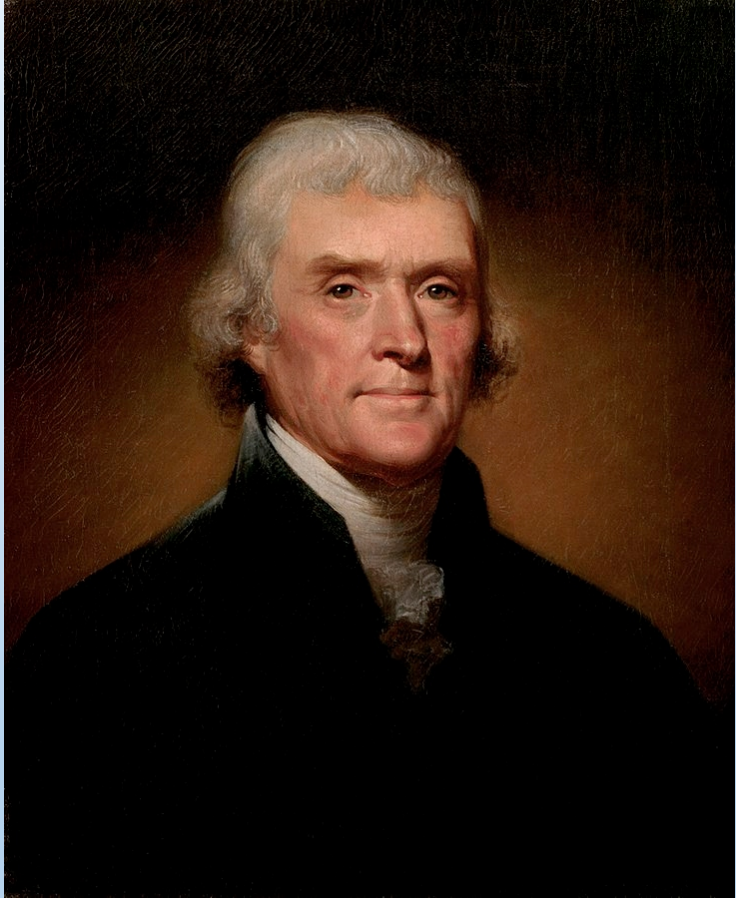
Brands → **Trademarks**

Expressions of Ideas → **Copyrights**

Secret Information → **Trade Secrets**

Name, Image & Likeness → **Right of Publicity**

Patent Law 101

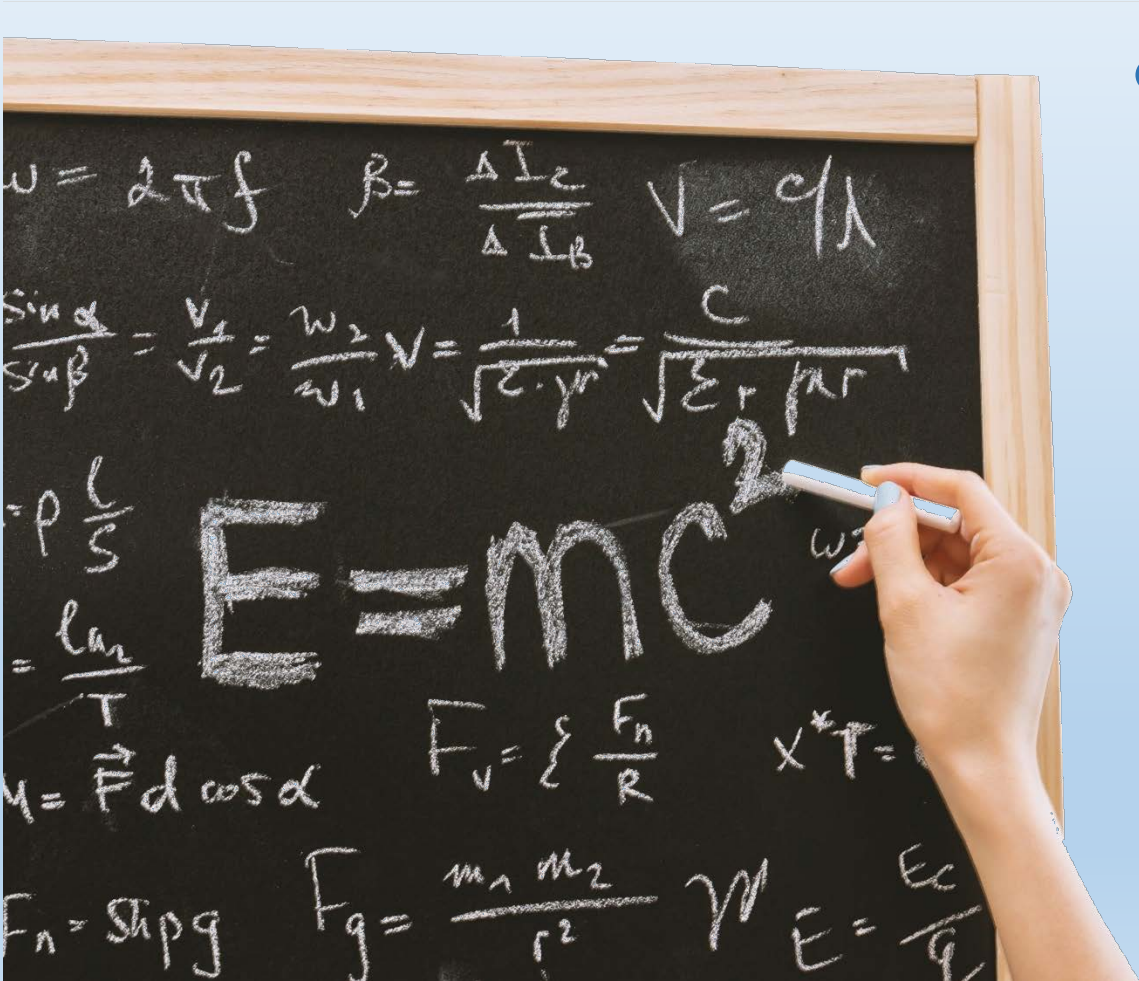


Thomas Jefferson

Commissioners for the Promotion of Useful Arts

- “To promote the progress of science and the useful arts...”
U.S. Const., Art. I, Sect. 8
- What Is Patentable?
“new and useful process, machine, manufacture, or composition of matter...”
35 U.S.C. § 101

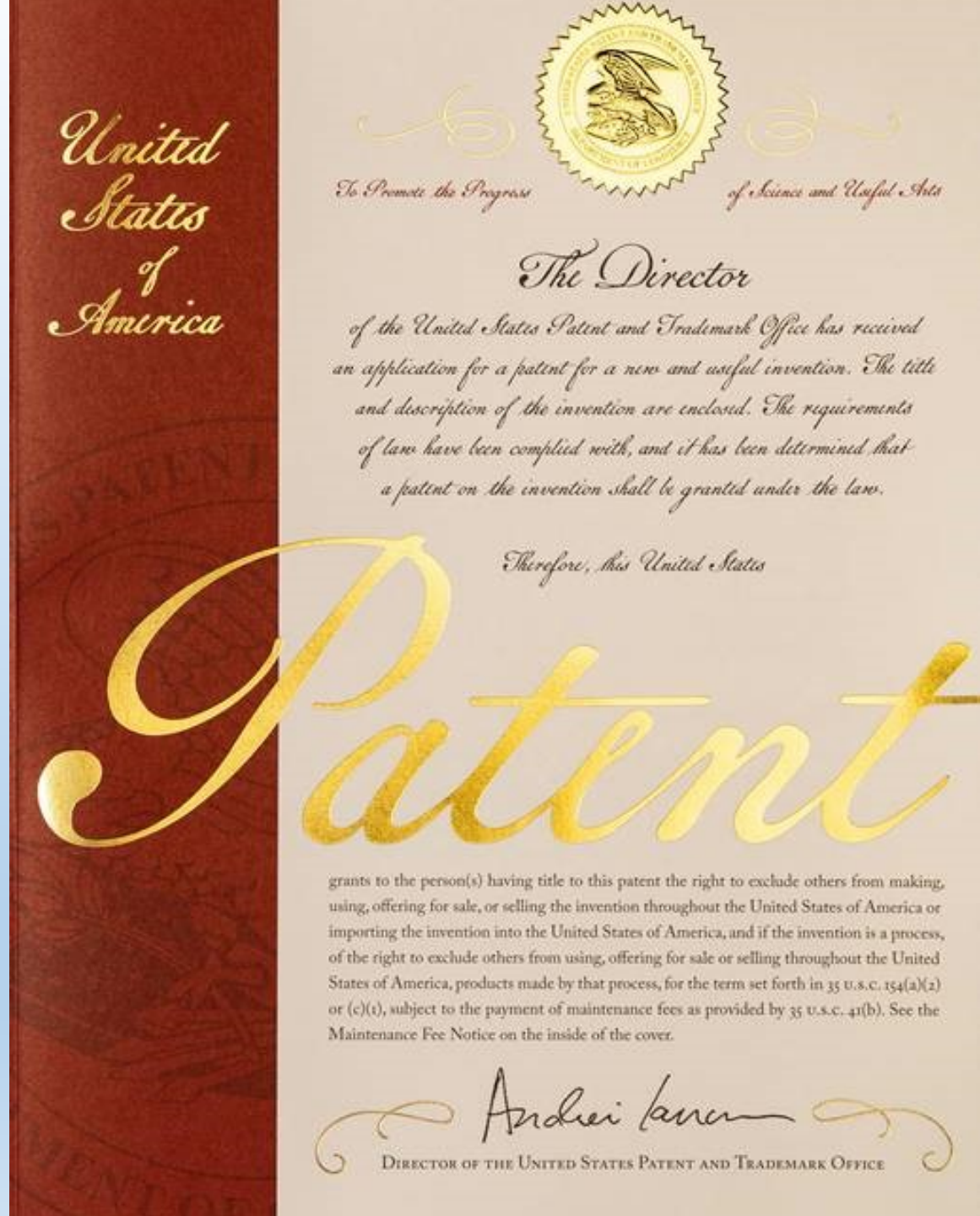
Patent Law 101



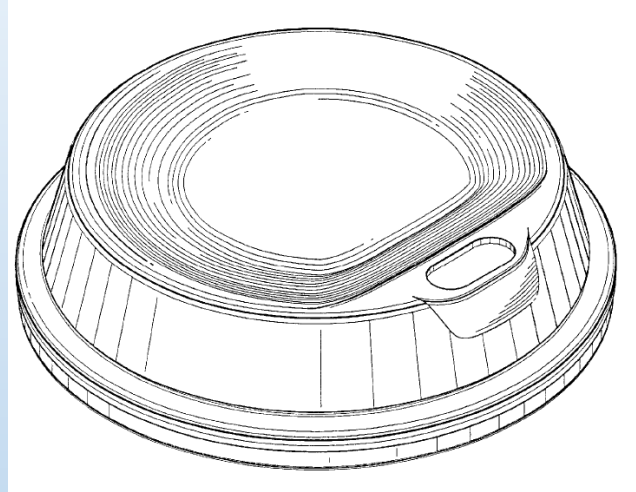
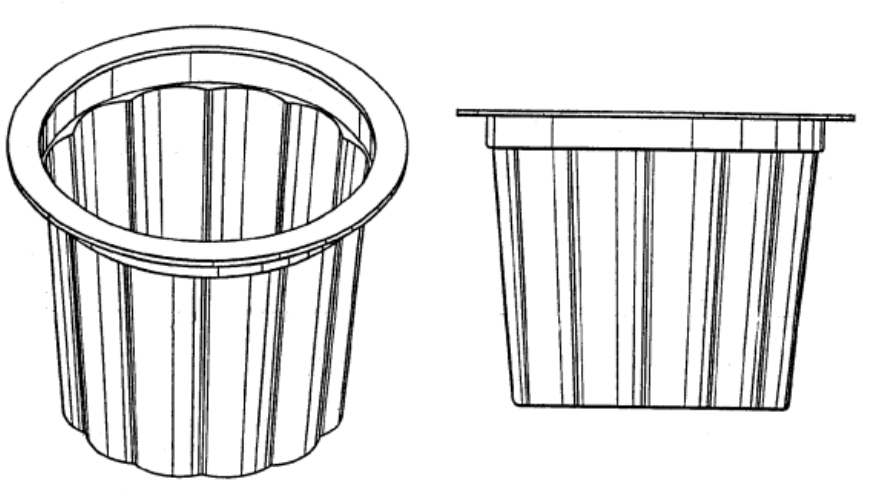
- What Cannot be Patented?
 - Abstract Idea = Software?
 - Purely Mental Process
 - Mathematical Formula / Law of Nature
 - Atomic Weapons

Three Patent Requirements

1. New
2. Useful
3. Non-Obvious



Design Patent Examples

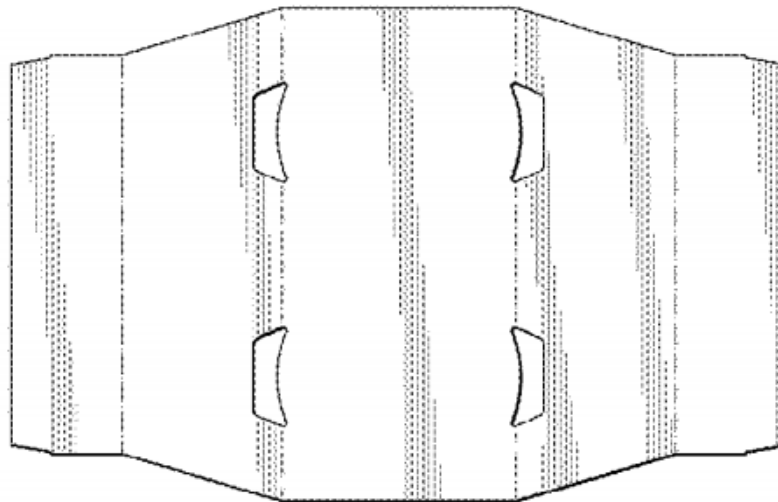
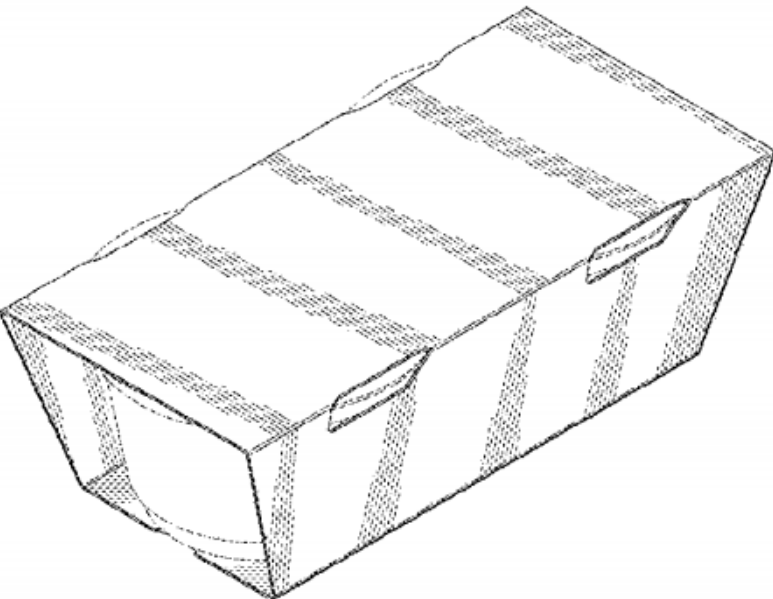
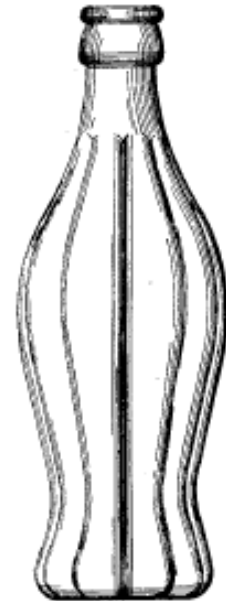


48,160.

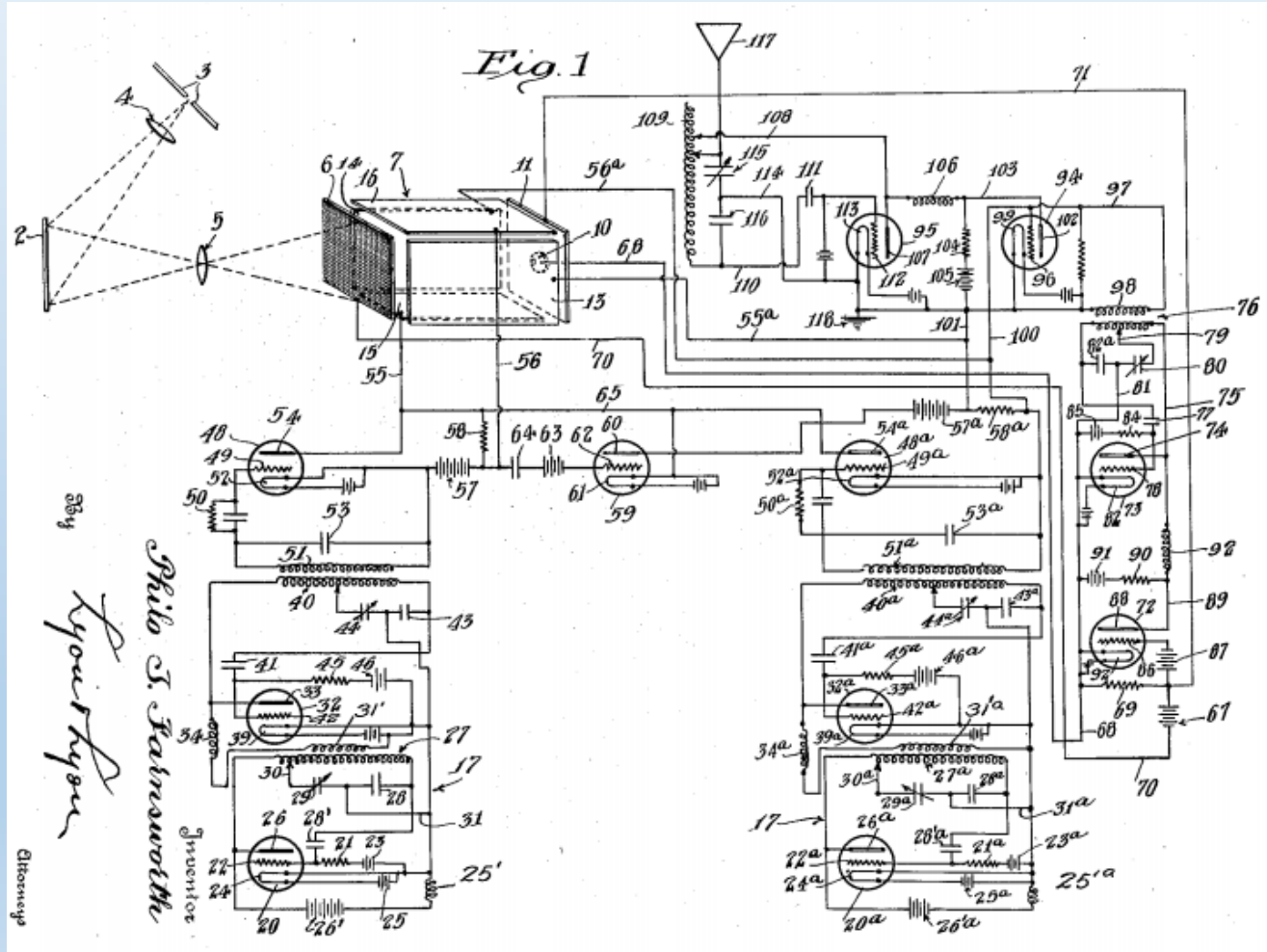
DESIGN.
A. SAMUELSON.
BOTTLE OR SIMILAR ARTICLE.
APPLICATION FILED AUG. 18, 1915.

Patented Nov. 16, 1915.

FIG. 1.



Utility Patent Examples





A sitting device
Right to Exclude
comprising:

- (a) a seat;
- (b) a ~~back~~;
- (c) four legs;

Right to Practice
(d) two slides and
(e) two arms.

Trademarks





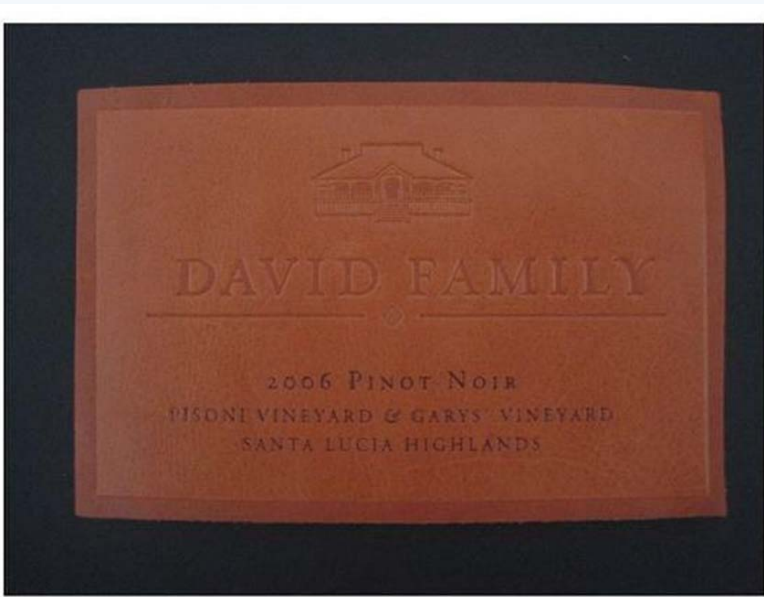
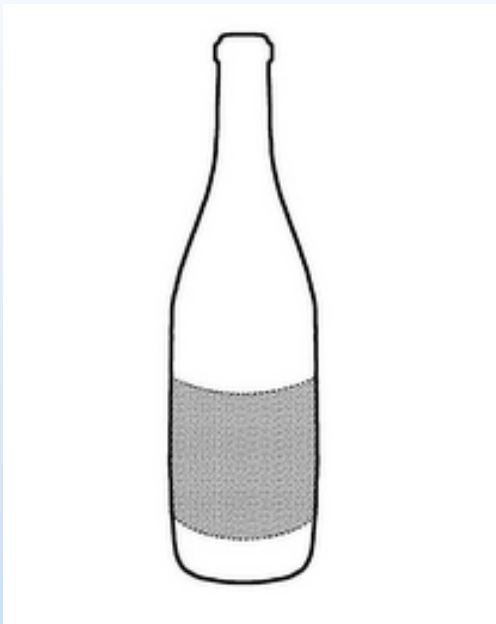
Trademarks

- Indicia of Ownership
- Rationale = Prevent Consumer Confusion
 - Property Right in Trademark = Self Enforcing



COCA-COLA

Coca-Cola





United States of America

United States Patent and Trademark Office

The mark consists of the sung words CH CH CH CHIA in the notes E4, E4, E4, A4, G4.



Reg. No. 6,104,660

Registered Jul. 21, 2020

Int. Cl.: 21

Trademark

Principal Register

Joseph Enterprises, Inc. (CALIFORNIA CORPORATION)
425 California Street, Suite 300
San Francisco, CALIFORNIA 94104

CLASS 21: Clay planters for flowers and plants

FIRST USE 10-20-2003; IN COMMERCE 10-20-2003

The mark consists of the sung words CH CH CH CHIA in the notes E4, E4, E4, A4, G4.

OWNER OF U.S. REG. NO. 3825682, 3804865, 5098146

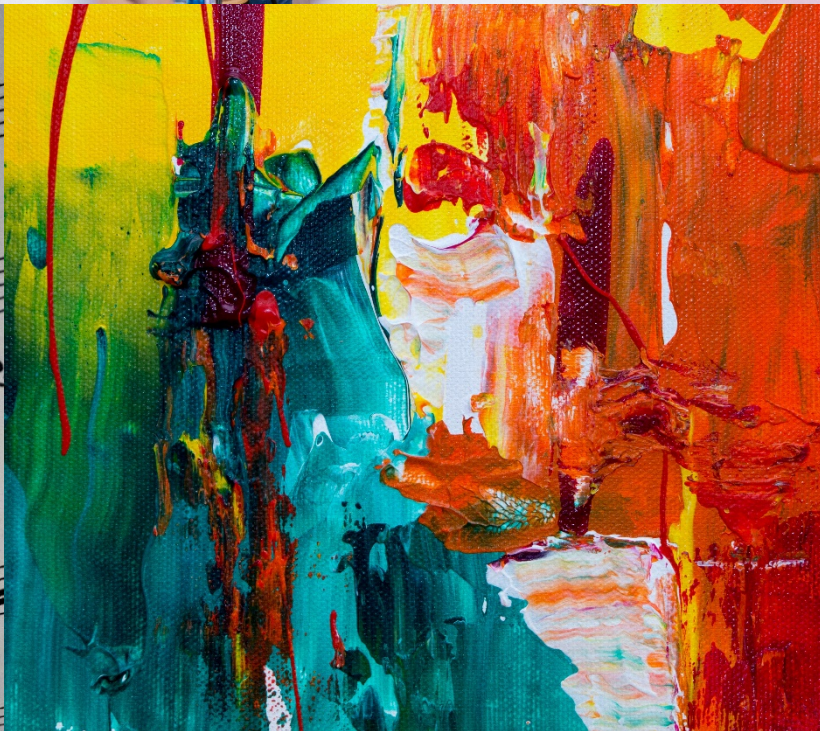
SER. NO. 88-145,283, FILED 10-05-2018

Copyright Law 101

- Original Works of Authorship
 - Independently Created (not copied from other works)
- “possesses at least some **minimal degree of creativity.**”

Feist Publications, Inc. v. Rural Tel. Serv. Co., 499 U.S. 340, 345 (1991)







1. Logo?

3. Hashtags?
(Trademark)

Hf Henderson, Franklin, Starnes & Holt, P.A. 913 followers 3w • 📢

Henderson Franklin's most popular seminar, "HR Law & Solutions" returns to Sanibel Harbour Resort & Spa on Friday, February 25, 2022 with a new twist. The main room will offer the firm's most popular workshop, HR Law & Solutions. New for 2022, attendees will have the option to attend breakout sessions focusing on niche corporate matters and contracts, family businesses, startups and how to make informed real estate decisions.

#SHRM and #HRCI credits are available.

Speakers include Henderson Franklin Attorneys (in order of appearance): [Scott Atwood](#), [Robert Shearman](#), [Scott Beatty](#), [Richard Mancini](#), [Mark Niede](#), [Colby Keefe](#), [Amanda \(Keener\) Barritt](#), [Amanda Ross](#), [Jeff Wright](#), [David Roos](#), [Russell Whittle](#), [Matthew Brust, Esq., LL.M.T.](#), [Luca Hickman, Esq.](#), [Anthony J. Cetrangelo, Esq.](#) and [Eric Gurgold](#).

We honored to have guest speakers [Leslie Rippley](#), [Christopher Tritt](#), [AAI](#) for the workers' compensation and employment law session.

We will conclude the day with an uplifting keynote by national speaker [Elizabeth McCormick, CSP®](#), [CVP \(Certified Virtual Presenter\)](#).

Thank you to our sponsors: [BKS Partners](#), [Insurance Management Consultancy Group](#), [CopyLady](#), and [Claims Investigation Agency](#).

#swfl #law #FL #HR #employmentlaw #workerscompensation #familybusinesses #corporate #startups #intellectualproperty #realestate #estateplanning #managementtraining #csuite #leadership #resilience

AN EVENT FOR EXECUTIVES AND MEMBERS OF C-SUITE (CFO, COO, CMO), DECISION-MAKERS, SENIOR HR PROFESSIONALS, AND SMALL BUSINESS OWNERS

**SOUTHWEST FLORIDA
LEGAL SUMMIT**

SANIBEL HARBOUR MARRIOTT
FEBRUARY 25, 2022
www.henlaw.com/news-insights/
Henderson|Franklin
ATTORNEYS AT LAW

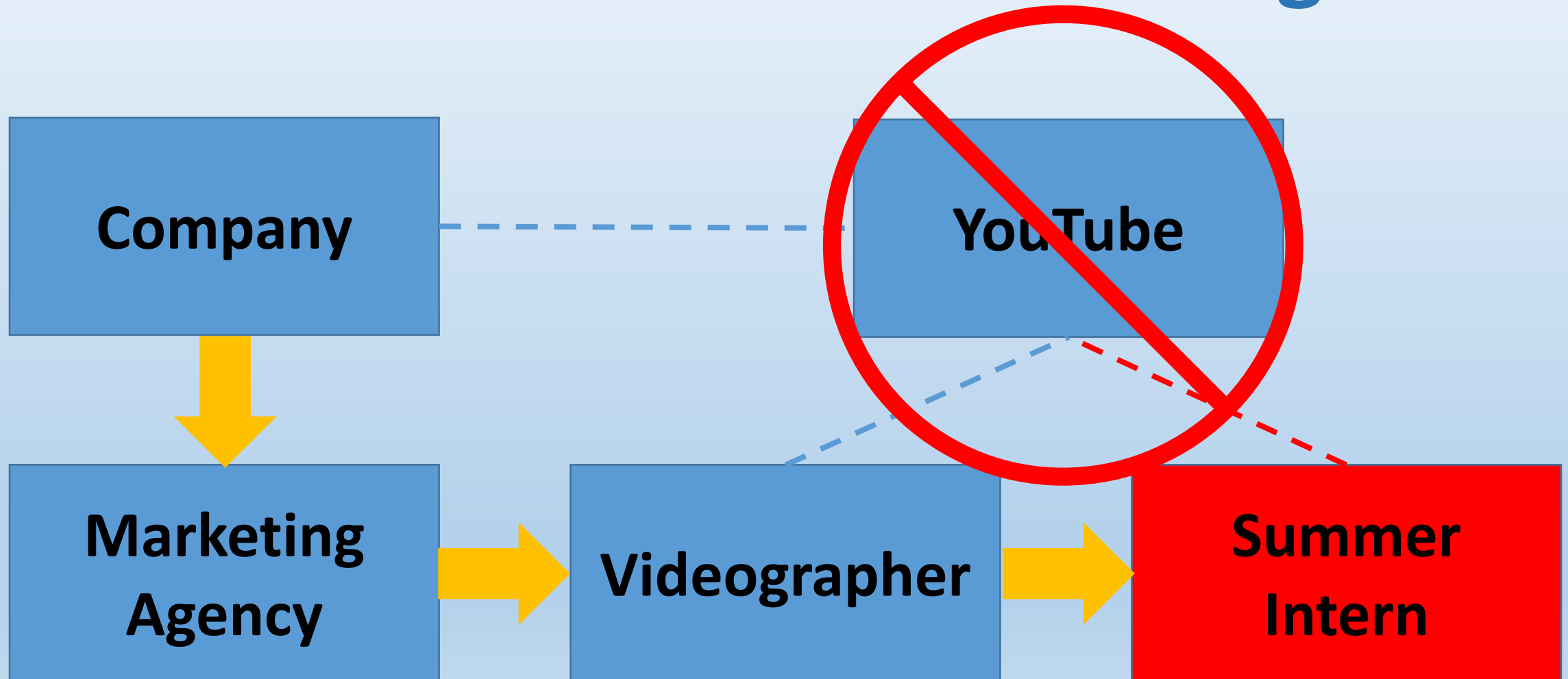
Registration is Open: Southwest Florida Legal Summit
Henderson, Franklin, Starnes & Holt, P.A. on LinkedIn • 5 min read
Henderson Franklin's legal team returns to Sanibel Harbour Resort & Spa on Friday, February 25,...

Jeff Wright and 8 others

2. Text?

4. Photos /
Videos?

Case Study: YouTube Nightmare





Right of Publicity

- Rationale = Moral Rights & Consumer Confusion
 - State Law – Not Federal Law



Coca-Cola  @CocaCola · Mar 9, 2020

We're loving and living for this flavor mashup. 🍒🍦 #SoGoodTogether



Britt
@brittpina

cherry coke is love, cherry coke is life. ❤️

9:24 PM · Feb 10, 2018 · [Twitter for iPhone](#)

 250

 474

 4.4K



cherry
vanilla 🍦

Trade Secrets

- Forgotten Secrets
 - Customer Lists?
 - Supplier Lists?
- Steps to Maintain Secrecy
 - Physical Security Protocols
 - Confidentiality / Non-Solicitation / Non-Competition Agreements



Thank You



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