

HELPING A BUSINESS IDENTIFY AND PROTECT INTELLECTUAL PROPERTY

Types of Intellectual Property	How Best to Protect It
<p>Patents a.) Utility – how an invention is built or works b.) Design – how an invention looks</p>	<p>File a Utility Patent Application File a Design Patent Application www.uspto.gov</p>
<p>Trademarks Logos, slogans, phrases used with services or products</p>	<p>File a Federal Trademark Application www.uspto.gov</p>
<p>Copyrights Original works – writings, computer software, designs, songs, movies</p>	<p>Register with the U.S. Copyright Office www.copyright.gov</p>
<p>Trade Secrets Business information that is valuable because it is unknown – customer and pricing lists, formulas, processes</p>	<p>Keep it secret, limit access to the information, use passwords and physical means to keep it from being freely available, use protective documentation South Carolina Trade Secrets Act, S.C. Code Ann. § 39-8-10, et seq.</p>

BUSINESS DOCUMENTATION DIRECTLY INVOLVING INTELLECTUAL PROPERTY

Employment Agreements – explains who owns intellectual property

Employment Policies – defines intellectual property and how it is protected and used by the employees or third parties, i.e., trade secret policies, use of trademarks policies, how employees should disclose new intellectual property to the company

Assignments – transfers ownership of intellectual property to the company

Non-Disclosure Agreements – used with third parties to protect information one intends to disclose

Restrictive Agreements – covenants not to compete and covenants not to solicit customers

Confidentiality Agreements – informs employees of trade secret protections, and how intellectual property should be protected

Collateral Assignments – intellectual property can be used as collateral for loans

Licenses – allows third parties to use your intellectual property by paying a royalty to you



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