

# Intellectual Property

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## **Protecting your intangible assets with copyright, trademark and litigation support.**

Many individuals – and all businesses – have intellectual property, including everything from names and brands to inventions and works of art. Too often, however, those assets go unprotected.

The Mitchell Williams Intellectual Property team helps emerging businesses, Fortune 100 companies, financial institutions, insurance companies, agriculture businesses, environmental businesses, transportation companies, hospitality businesses and marketing agencies develop, commercialize and strategically protect their intangible assets. Even better, we do it proactively saving clients significant time, trouble and expense. Our practice is comprised of an integrated team of attorneys with extensive experience offering intellectual property counsel, compliance counsel and enforcement legal services. We work closely with our firm's investment, business, tax, data rights, regulatory and employment teams to offer our clients comprehensive support.

## **HIGHLIGHTS**

- Integrated team of highly-skilled lawyers to leverage in-depth legal knowledge and experience across the firm
- Industry-specific knowledge and business support for intellectual property clients
- Sophisticated team of attorneys with vast experience managing complex, high-stakes intellectual property disputes

## **CAPABILITIES**

### **Intellectual Property**

- Trademark registrations, patent applications and copyright matters
- Intellectual property licensing and enforcement
- Content and technology development
- Rights acquisition
- Advertising
- Privacy
- International trade
- Media licensing policies and influencer agreements
- Website terms of use and privacy policy development
- Software-related agreements and advice
- Intellectual property disputes and litigation
- Claims of intellectual property infringement
- Breach of contract claims
- Declaratory judgments before state, federal, administrative and alternative dispute resolution bodies

- Trade secret disputes

## Trademark

A strong corporate identity is one of the most important assets to a company's brand strategy. Our experienced trademark attorneys help clients make informed business decisions in the adoption, protection and enforcement of their brands. When trademark license disputes arise, we represent clients in complex federal trademark litigation.

- Advise and counsel clients on trademark creation, registration, protection and enforcement
- Negotiate and give structure to licensing, franchise and commercialization agreements
- Use cutting-edge docketing software and a global network of IP practitioners to effectively manage our clients' local and international trademark portfolios
- In cases of large-scale counterfeiting, work with U.S. Customs and Border Protection and other partners to enforce brands and maintain product safety
- Prosecuted countless trademark applications domestically and around the world
- Serve as attorneys of record for many well-known brands
- Prepare and prosecute trademark applications with state trademark offices and the U.S. Patent and Trademark Office
- Extensive experience representing clients in complex federal trademark litigation
- Due diligence in corporate acquisitions involving trademarks
- Trademark searches
- Select, clear and protect trademarks, service marks, trade names, collection marks and certification marks
- Manage domestic and international trademark portfolio management
- Domain name acquisition and disputes
- Brand management and development
- Trademark licensing agreements, along with prosecution and defense of trademark licensing disputes in state and federal courts
- Trademark portfolio audits
- Trademark enforcement strategies and litigation
- Defense of trademark infringement, false advertising and unfair competition disputes in federal and state courts
- Prosecution and defense of oppositions, cancellations and appeals before the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office
- Coordination of multistate and international enforcement and defense actions

## Copyright

Creative works drive enterprises of all sizes. At Mitchell Williams, we understand that copyright is behind the products, platforms, marketing strategies and delivery systems our clients depend on. Our copyright team provides a full range of copyright registration, transactional and litigation legal services.

- Copyright registrations, assignments and security interests
- Copyright portfolio audits
- Structuring master service agreements for technology providers
- Negotiating and documenting chain of title for the development and distribution of software and media content
- Assisting publishers and platforms with fair use concerns
- Advising on software and cloud service transactions involving both open source and proprietary technology
- Structuring media and book publishing agreements

- Entertainment and talent agreements
- Anti-piracy advocacy before state, federal and international authorities
- Litigation regarding copyright infringement and non-infringement declaratory actions
- Leading substantive copyright strategy in complex federal litigation