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Categories of Intellectual Property

• Patents
• Copyrights
• Trademarks
• Trade Secrets
Intellectual Property Myths

• You must have a bachelor’s degree in science

• Patents, Trademarks, and Copyrights are essentially the same thing
PATENTS
WHAT IS A PATENT?

= Contract between inventor and U.S. government

Full disclosure for Right to Exclude
What Is Patentable?

An invention must be:

• New
• Useful and
• Non-obvious
Patent Trivia

- No. of Patents: 0 = 1,093
- 1st USPTO Patent Examiner: Thomas Jefferson
- US 6,368,227 is a method to swing from a tree
- US 7,261,652 is a method to putt a golf ball
COPYRIGHTS
What are copyrights?

• Protects original works of authorship

• Copyrights cover expressions, not ideas
What Is Protectable?

“Original works of authorship” that are fixed in a tangible medium:

1. literary works
2. musical works
3. dramatic works
4. pantomimes and choreographic works
5. pictorial, graphic, and sculptural works
6. motion pictures and audiovisual works
7. sound recordings
8. architectural works
Trivia on Copyright

• Mike Tyson’s tattoo artist attempted to sue Warner Bros. Entertainment for copyright infringement for using the tattoo design in *The Hangover Part II*

• Most restaurants don’t sing the original “Happy Birthday” song to avoid paying royalty fees

• The word “uncopyrightable” is tied as the longest word spelled without repeating a letter
What Is A Trademark?

A brand name, slogan, logo, design or other symbol used to identify the owner’s goods or services and to distinguish them from those of others.

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Nontraditional Trademarks

Sound

Color

Fragrance
Trivia on Trademarks

- Donald Trump attempted to trademark “You’re Fired”: Denied
- Facebook attempted to trademark “Face”: Approved

Oldest Mark in the U.K.
1876 Registration

Oldest U.S. Mark
1884 Registration

U.S. Mark over 100 years old
1899 Registration
WORKING IN IP
Job Opportunities

- Technical Degree (or Equivalent)
  - Patent Bar
  - Law Degree + State Bar
  - Patent Attorney
  - Patent Agent

- Any Degree
  - Law Degree + State Bar
  - Trademark
  - Copyright
  - Multiple Applications
    - Media and Entertainment Law
    - Sports Law
    - Administrative Law
    - International Law

Patents, Trademarks, Copyrights . . . Oh My!
National Bar Association Intellectual Property Section
Intellectual Property Litigation

- Asserting a client’s IP rights against an infringer
- Defending a client against infringement claims
- Very expensive
Licensing Negotiations

• Negotiations can be highly complex
• Breadth of knowledge
  – Legal (IP, contract)
  – Business practices
  – Industry details
The Best Of This Career

• Working with bright and enthusiastic inventors and business people
• Exposure to many different technologies and markets
• Helping businesses achieve their goals
• High demand – exclusive club
Upcoming CIPLA Events

• IP in Action Week
  Late September

• Alumni Discussion Panel
  Thursday, October 9th

• Career Night
  Early November

More information on events and pro bono opportunities to follow!

http://studentorgs.law.unc.edu/cipla/
QUESTIONS?
RESOURCES

• **United States Patent and Trademark Office**
  • [www.uspto.gov](http://www.uspto.gov)
  • Inventor’s Assistance Center (IAC) - 1-800-PTO-9199
  • Trademark Assistance Center (TAC) - 1-800-786-9199

• **Federal Grants**
  • [www.grants.gov](http://www.grants.gov)

• **National Venture Capital Association**
  • [www.nvca.org](http://www.nvca.org) – online seminars and publications

• **Michigan Economic Development Corporation (MEDC)**
  • [www.michiganadvantage.org](http://www.michiganadvantage.org)
  • Capital Access Program (CAP) – loans to for-profit businesses

• **Detroit MicroEnterprise Fund**

• **SPARK**

• **Other websites**
  • [www.copyright.gov](http://www.copyright.gov),
  • [www.wipo.int](http://www.wipo.int),
  • [www.patentlyo.com](http://www.patentlyo.com)
  • [www.wikipatents.com](http://www.wikipatents.com)
  • [www.inta.org](http://www.inta.org)
  • [www.pat2pdf.com](http://www.pat2pdf.com)