

## PRACTICE

# Licensing, Trademark & Copyright

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## OVERVIEW

## LICENSING, TRADEMARK & COPYRIGHT

Businesses rely on our corporate team to protect their trademarks and other intellectual property. We advise clients on the likelihood of trademark registration with the United States Patent and Trademark Office, and the strength of their marks and prosecute trademark applications before the United States Patent and Trademark Office and internationally. We also advise on protection of copyrightable material and draft and negotiate license agreements for licensing intellectual property.

In the event of infringement, we evaluate potential claims and draft cease and desist letters, as well as respond to infringement claims and negotiate settlements. Should clients find themselves in a trademark dispute, we provide advice and if necessary, we work closely with our litigation colleagues to resolve such disputes in the most advantageous manner for our clients.

### How we can help

- Licensing arrangements and general contract matters
- Trademark and copyright registrations
- Website terms of use and privacy policies
- Non-disclosure and assignment of inventions agreements
- Non-competition and non-solicitation agreements
- Transfers of IP assets into newly formed entities
- Intellectual property infringement

## EXPERIENCE

### Resolving a trademark infringement matter

An existing client came to Bowditch & Dewey when it became aware that a competitor was infringing its trademark. We successfully negotiated a settlement agreement which provided that the competitor could no longer use its infringing trademark.

## **Prosecuting a trademark application and general corporate advice**

We assisted the founder of a retail establishment in negotiating the terms on which a partner would join the company, negotiating commercial leases, prosecuting a trademark application and reviewing copyright issues related to protection of designs.

## **License agreement**

Outdoor toy company worked with our corporate team in the negotiation of several license agreements regarding the sale of certain products under its brand.

## **Prosecuting a trademark application and general corporate advice**

We advised three founders in a newly-formed software company with negotiation and drafting of an Operating Agreement, negotiation of commercial contracts, issuance of equity to raise capital and prosecution of a trademark application.

## **Transfer of IP assets**

We represented a corporation in the transfer of U.S. and foreign trademark rights related to corporate restructuring.