



BigBangLegal.com

Cultivating Teams as Brand Ambassadors

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Why are We Here?

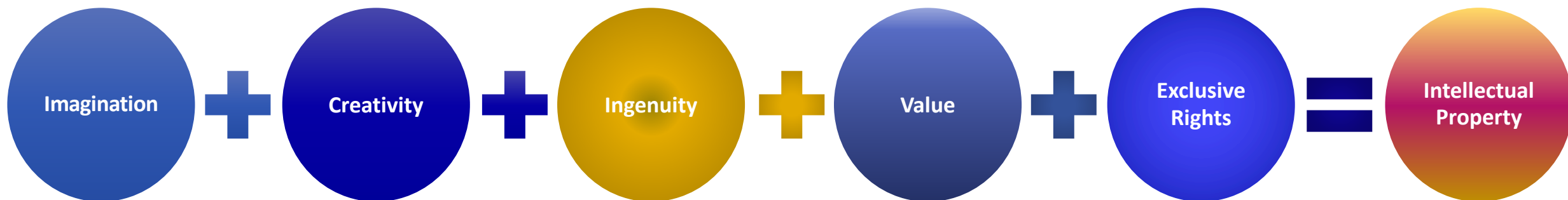
Three Takeaways

UNDERSTAND ...

- ➡ What intellectual property is and why it matters.
- ➡ What a strong IP culture looks like, and how to build it.
- ➡ How to make an IP culture contagious across teams.

What is Intellectual Property?

How do we know if something is IP?



Intellectual Property Sits at the Foundation of the U.S. Economy

Intellectual property drives competitive advantage.

U.S. Constitution – Article 1, Sec. 8, Cl. 8

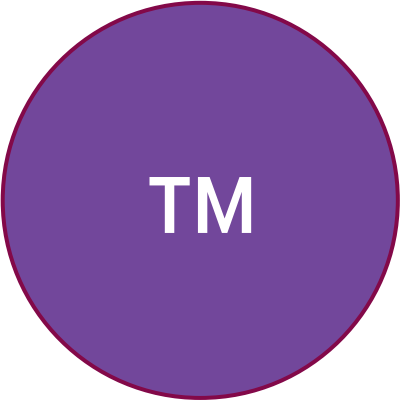
*“To promote the
Progress of Science
and useful Arts, by
securing for limited
Times to Authors and
Inventors the
exclusive Right to
their respective
Writings and
Discoveries”*



We the People
insure domestic Tranquility, provide for the common defence,
and our Posterity, do ordain and establish this Constitution for
the United States of America.

Every Business Has Intellectual Property

Intellectual property can be very valuable!



TM

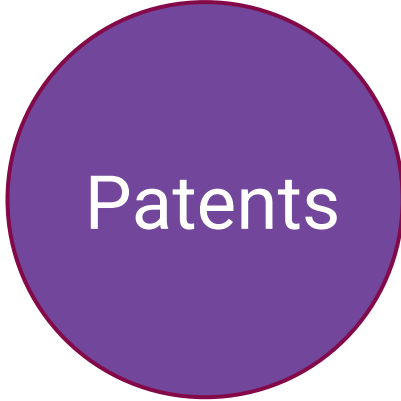
Trademarks

Brand names, logos, package designs ("trade dress"), sounds, colors



Copyrights

Original works including written works, music, art, photo, film



Patents

Patents

New or improved processes, machines, compositions of matter, articles of manufacture



Trade
Secrets

Trade Secrets

Recipes, systems, processes, customer lists, business plans, computer programs, & more

Common Ways Intellectual Property Adds Value to A Business

Intellectual property enables companies to...





TRADEMARKS

Build Brand Value

Trademarks Add to Brand Value

...And Increased Profits

Trademarks

1

BRAND NAME

LEGO
GOOGLE
AT&T

3

SLOGAN

Just do it.
What's in your wallet?
Taste the rainbow.

5

COLOR

Tiffany Blue
UPS Brown
T-Mobile Magenta

7

SCENT

Play-Doh
Verizon store scent
Cherry scented
synthetic oil

2

LOGO



4

TRADE DRESS



6

SOUND

NBC chime
Intel chime
MGM lion roar

Trademarks: Things to Know

To be protectable, a mark must be:

DISTINCTIVE

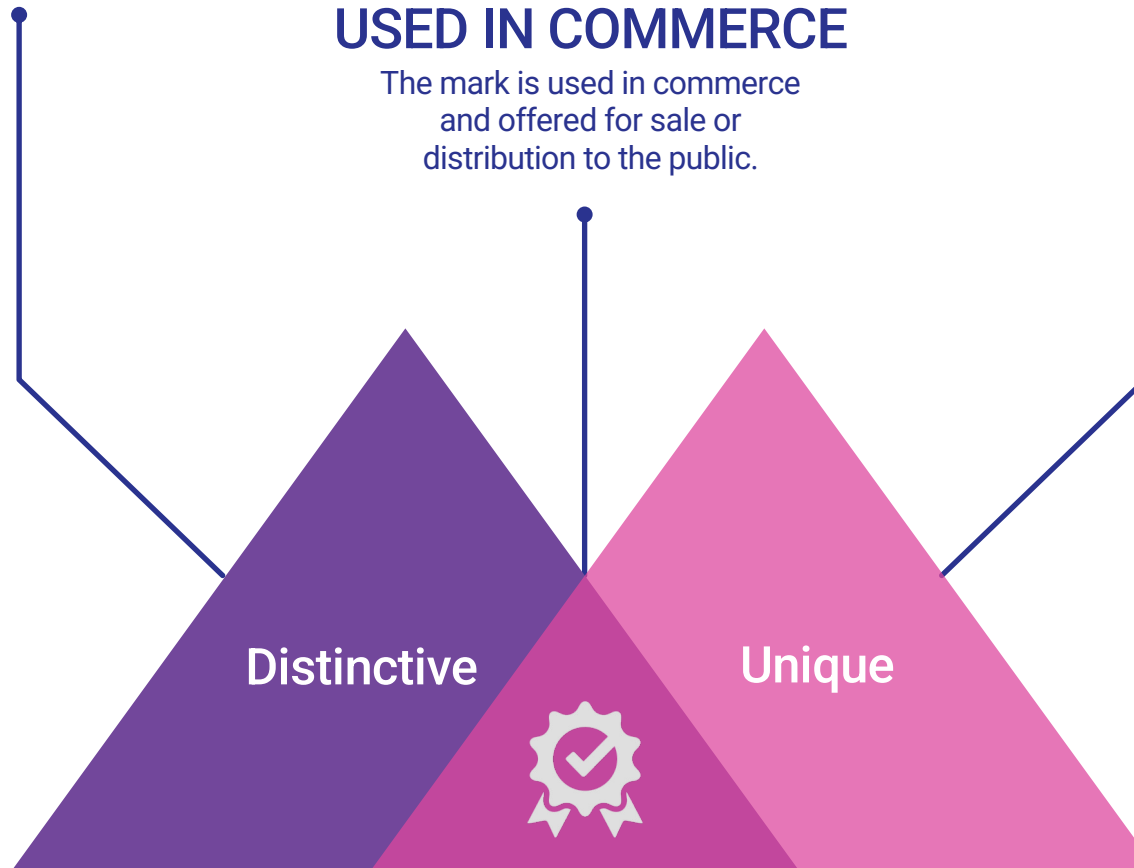
The mark does not describe the product or service it identifies.

USED IN COMMERCE

The mark is used in commerce and offered for sale or distribution to the public.

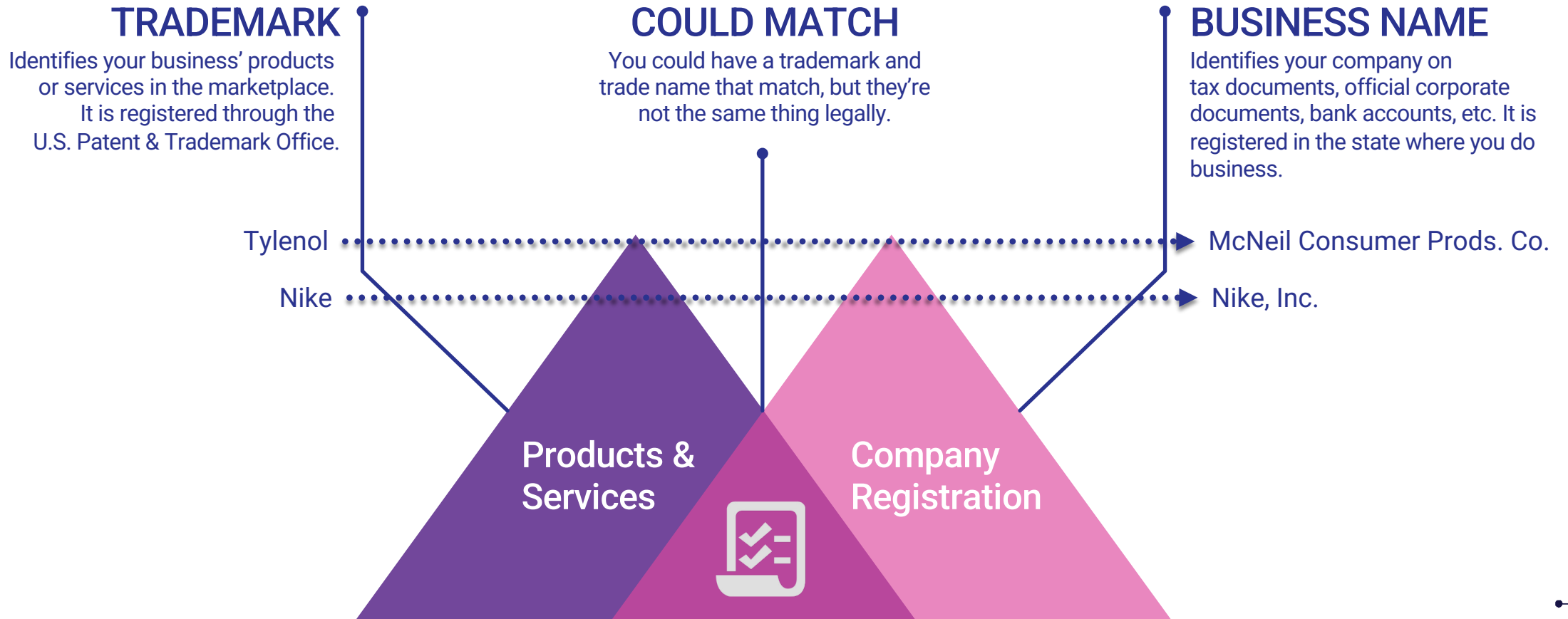
UNIQUE

The mark has been thoroughly researched and is clear and does not conflict with existing or applied for marks.



Trademarks and Trade Names

They are not the same thing legally!



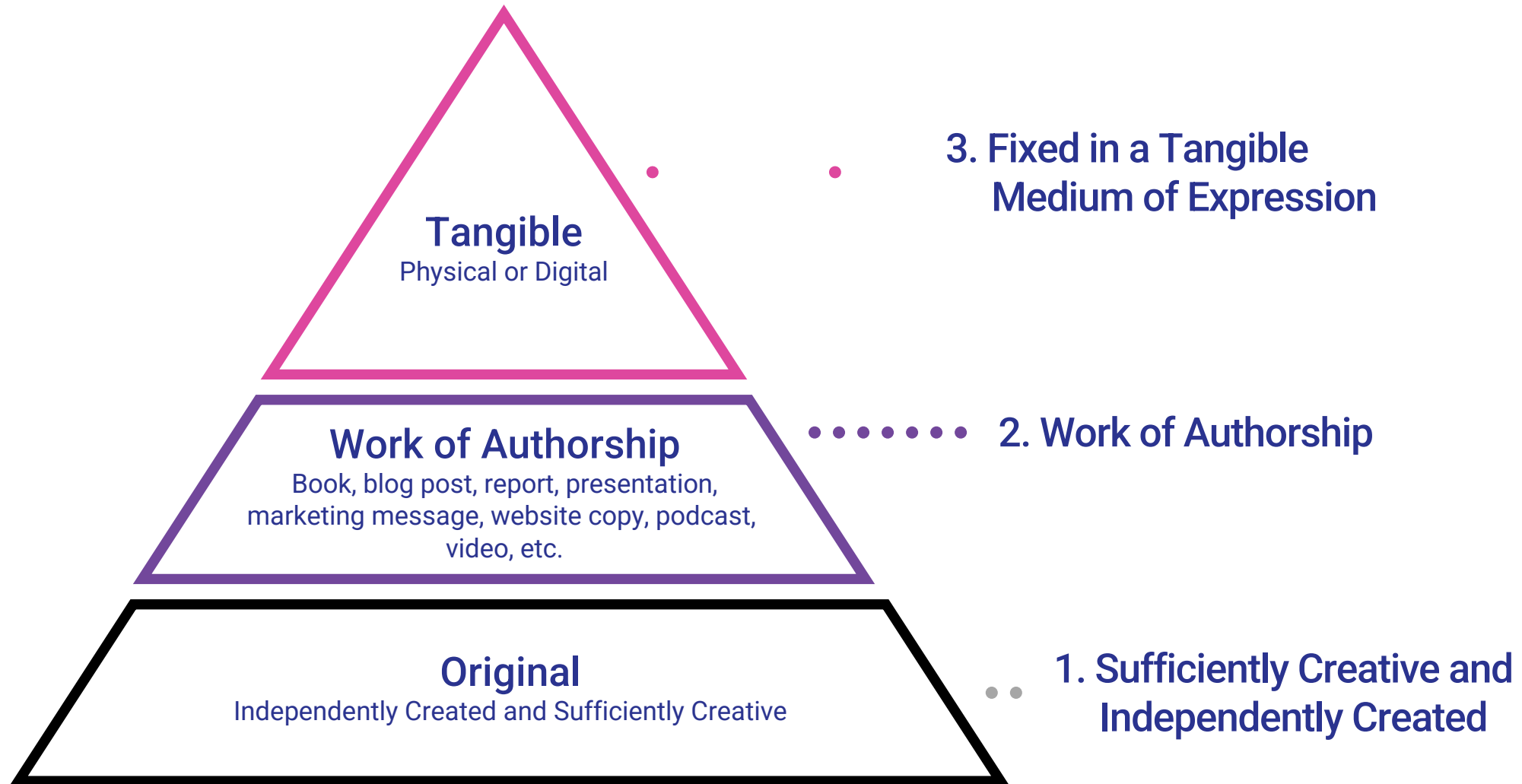


COPYRIGHTS

Protect Original & Valuable Work

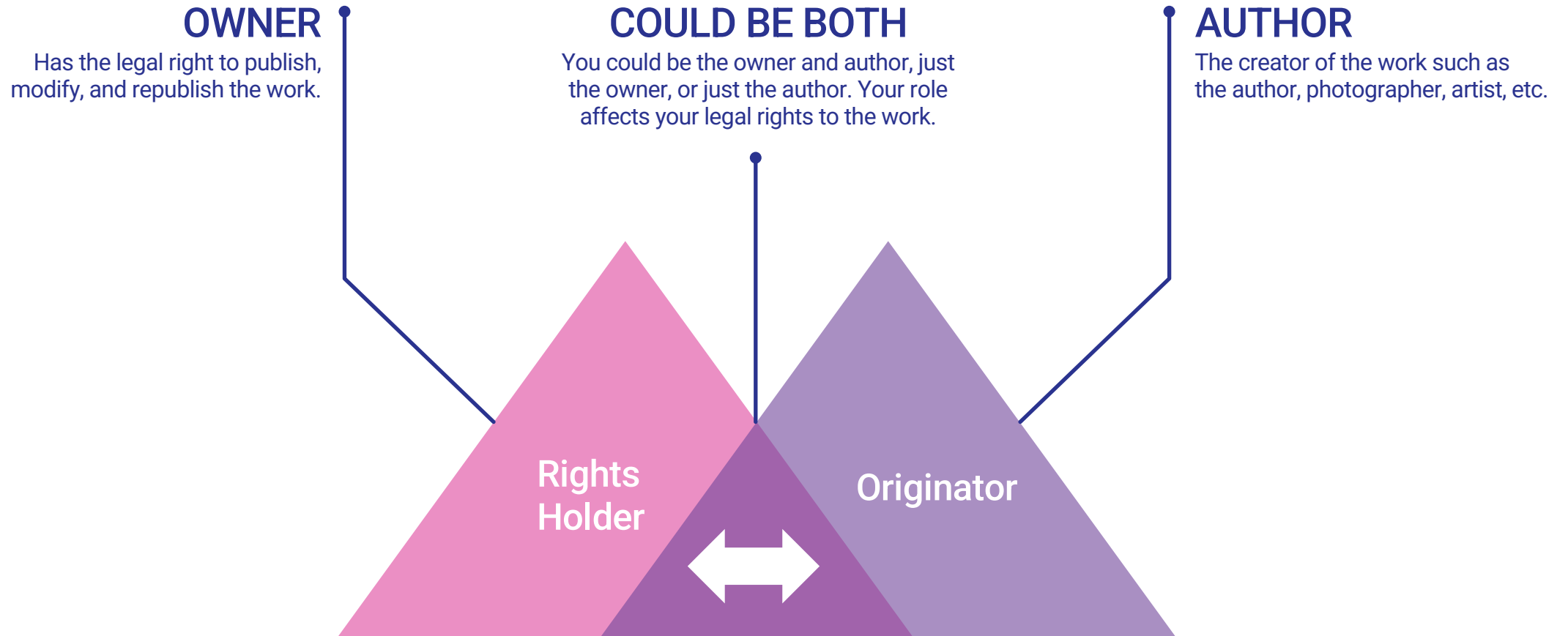
Creative Works Have Value

Copyright Them!



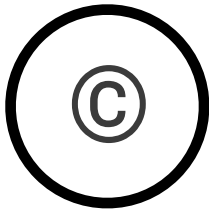
Copyrights: Things to Know

Understand Your Role and Your Rights



Next Steps

Protect copyrights. They hold great value for businesses.



Exclusive Rights

Distribute, modify, or publicly perform or display your original work.



Protection

Arises automatically but copyright registration is required to bring legal action and collect fines.



Ownership

Retain ownership of all of your original work so you can protect it and add value to your startup.

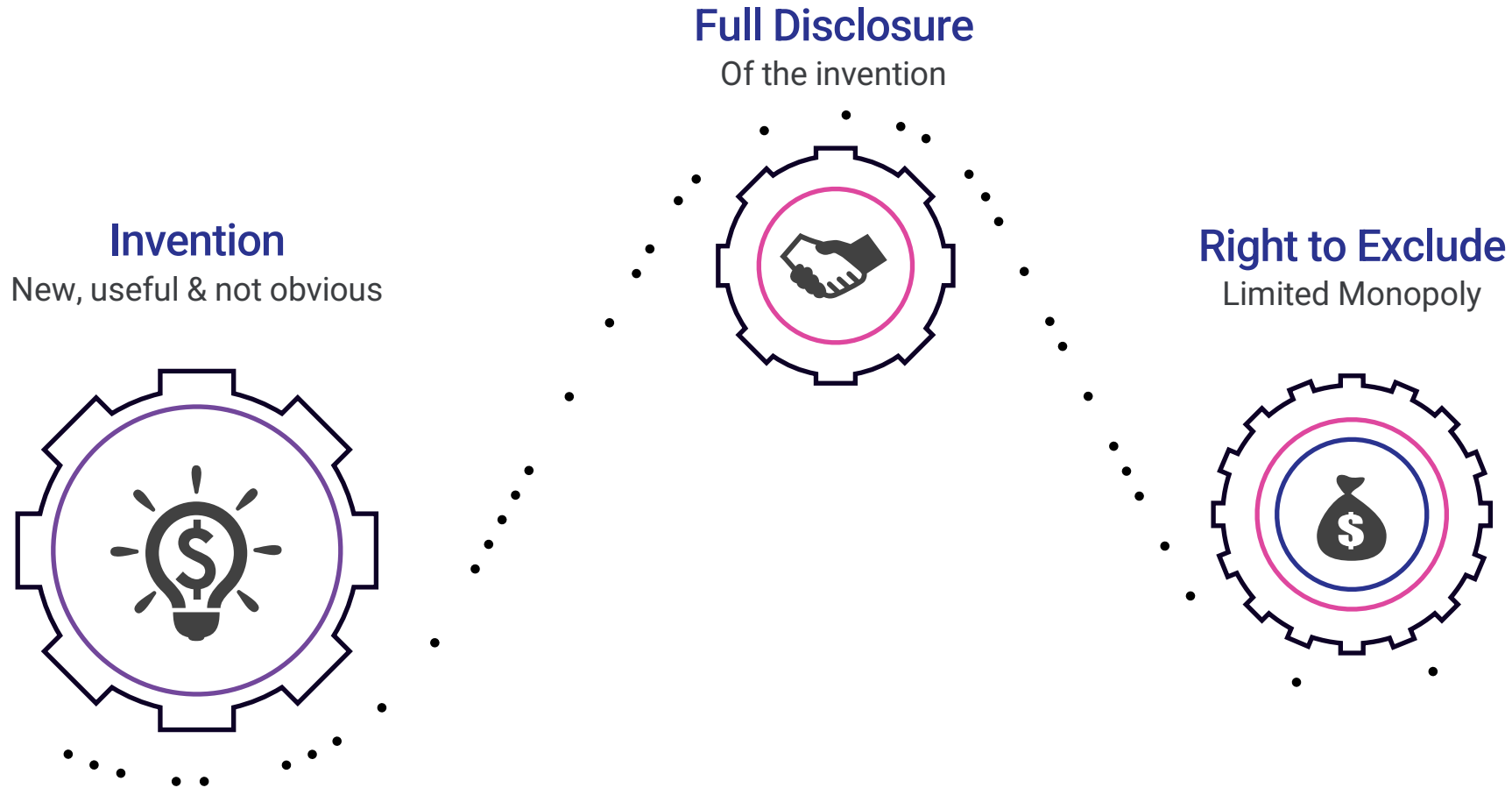


PATENTS

Drive Revenue from Your Inventions

The Value of Patent Protection

Prevents others from making, using, or selling your invention



Patents: Things to Know

There are four types of patents. File the correct application!



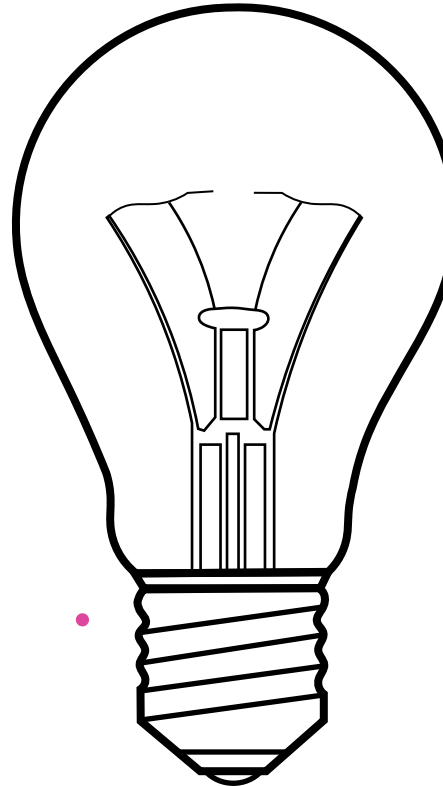
Utility

- ✓ A process or method
EXAMPLE: computer software
- ✓ A machine
EXAMPLE: printer
- ✓ An article of manufacture
EXAMPLE: pencil
- ✓ A composition of matter
EXAMPLE: pharmaceutical product
- ✓ An improvement of the above types



Plant

New varieties of plants that are created (not from the wild)
EXAMPLE: New flower, fruit tree or vegetable plant created through asexual reproduction, like grafting or cutting, or genetic engineering



Design



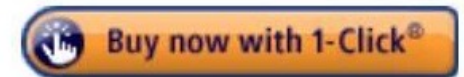
New, original, and ornamental designs for an article of manufacture

EXAMPLE: Coca-Cola glass bottle or Crocs sandals

Covered Business Method

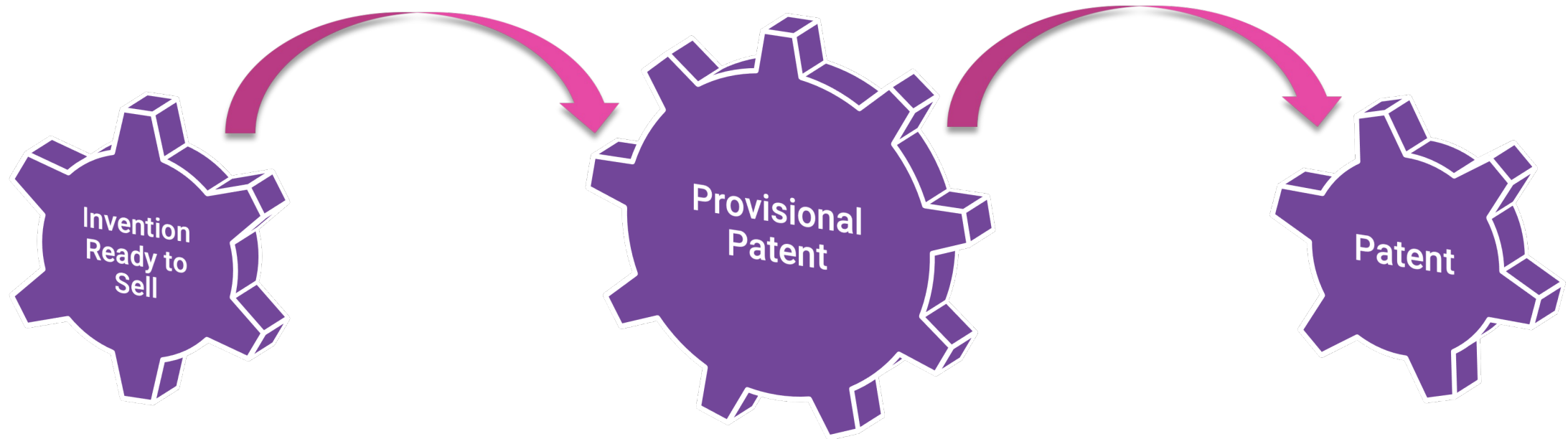
Particular method, apparatus, or operation that is used in the practice, administration, or management of a financial product or service

EXAMPLE: Amazon 1-click ordering or Priceline "reverse auctions"



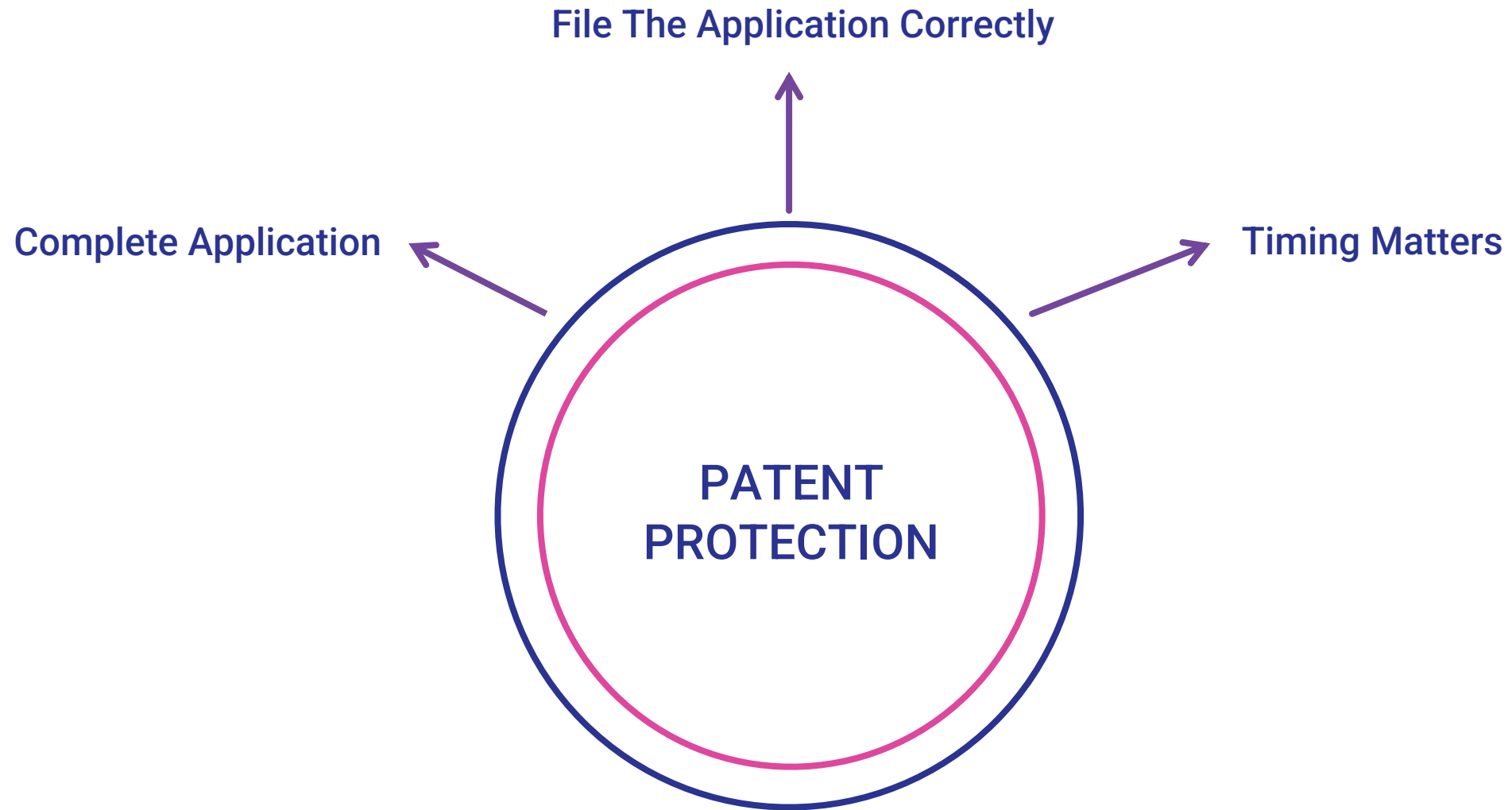
Secure Your Rights with a Provisional Patent

Timing Matters!



Next Steps

A patent is only as good as the application and the timing of its filing.





TRADE SECRETS

Generate Profits from Business
Secrets

Trade Secrets Provide a Competitive Edge

Their value can be significant and long-lasting!



COCA-COLA RECIPE

Recipes and Ingredients •

Designs, Blueprints, etc. • •

Systems and Algorithms • •

Data Models and
Methods • •

Manufacturing Processes • •

CITIBANK'S CREDIT SCORING

THOMAS' ENGLISH MUFFINS – NOOKS & CRANNIES

GOOGLE'S ALGORITHM

• Customer Lists

• Vendor
Agreements

• Business Plans

• Marketing
Strategies

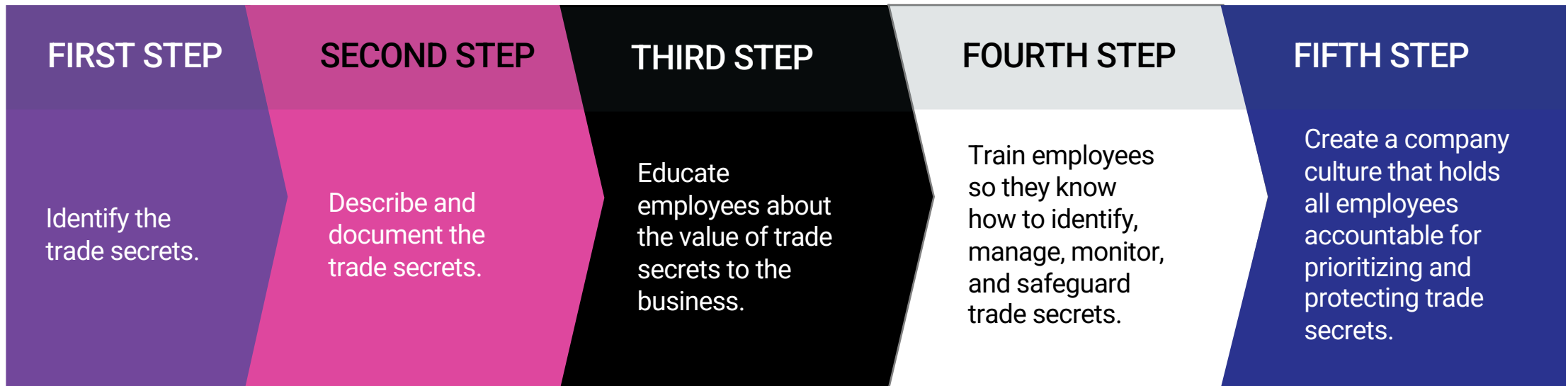
• Research and
Development

APPLE'S RESEARCH & DEVELOPMENT

TRADE SECRET EXAMPLES

Trade Secrets: Things to Know

Take the right steps to protect your client's competitive advantages.



Next Steps

Trade secrets drive sales and profits.



Not protecting trade secrets puts your entire business at risk!

Don't open your company up to a disaster.

Employee accountability:

Make sure all employees understand and play their role in protecting trade secrets.

Leadership Buy-in:

Trade secret protection starts with leadership.

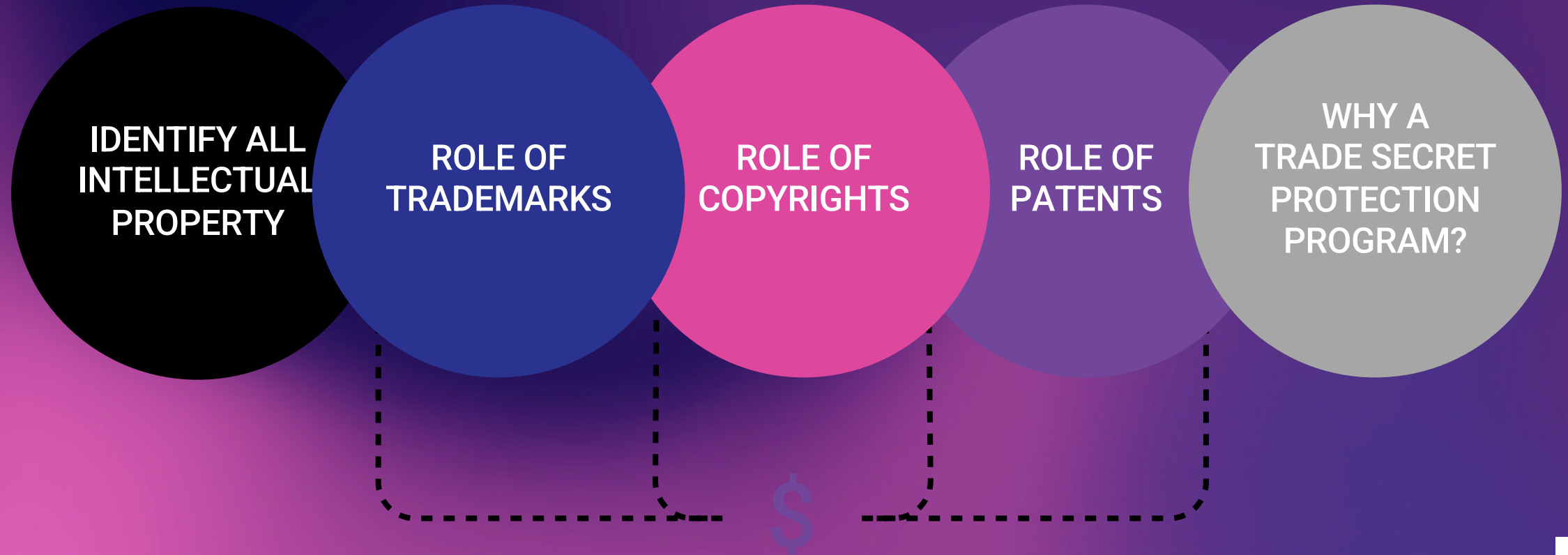
Company culture shift:

Leveraging the value of trade secrets requires a company culture commitment.

Start
Today.

Intellectual Property Is A Company's Most Valuable Business Asset

You Can Help Protect it!





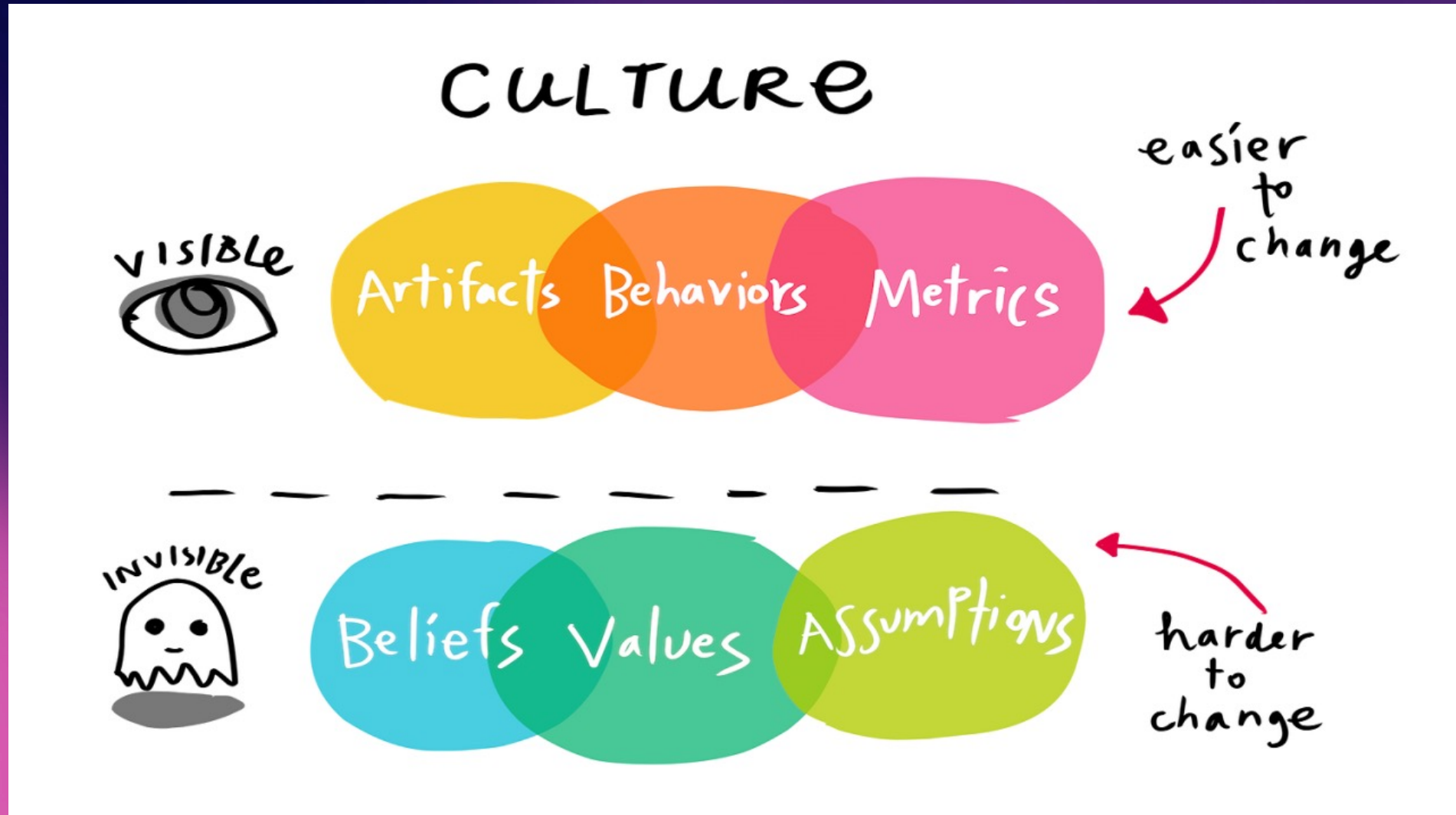
IP CULTURE

Make IP Matter For Everyone

What is Culture?



What is Company Culture?



What is an IP Culture?

- ➔ Persistent **Belief System** About IP
- ➔ Foundational **Basics** of IP
- ➔ Organizational **Practice of Protection**
- ➔ Infrastructure of **Eyes and Ears**

How Do We Build a Healthy IP Culture?

- ➡ The “Everyday Employee” **Buy-In**
- ➡ **Relate IP** to Specific Teams
- ➡ Catalyze **Compliance & Creativity**
- ➡ Put **IP at the Heart** of the Mission

How Do We Make Culture Contagious?

- ➡ **Facilitate** Feedback
- ➡ **Recognize** the Value of Everyone
- ➡ **Reward** Effort
- ➡ **Celebrate** Wins Large & Small



THANK YOU!
Questions?