

Services & Industries

Trademarks/Service Marks

We assist clients in all aspects of the trademark process, including, but not limited to:

- Perform trademark clearance searches
- File trademark applications on a State, federal and worldwide level
- Prosecute trademark applications on a State, federal and worldwide level
- Maintain registered trademarks for required renewal fees
- Perform trademark audits for clients
- Assist in protecting trademarks through contracts and licensing
- Represent clients in Trademark Trial and Appeal Board (TTAB) proceedings
- Trademark litigation
- Counseling and negotiation as relates to trademark disputes
- Domain name registration
- Represent clients in dispute resolution proceedings for Internet domain names
- Represent clients in proceedings before the World Intellectual Property Organization ("WIPO")

What is a Trademark?

A trademark is a word, phrase, symbol, design, a combination of words, phrases, symbols or designs, and sometimes sound, that identifies and distinguishes the source of the goods of one party from those of others. A service mark, on the other hand, identifies and distinguishes the source of a service as opposed to a good. The term trademark and service mark are used interchangeably in the marketplace.

Why Can Obtaining Trademarks Be Valuable?

It is currently estimated that eighty percent of corporate assets in the U.S. are intangible assets, which includes intellectual property such as trademarks/service marks.

- Trademarks/service marks build customer loyalty.
- Trademarks/service marks can prevent competitors from using a confusingly similar mark in conjunction with a good or service.
- Registration of a mark provides constructive notice to the public of your claim of ownership of the mark
- A trademark/service mark portfolio can increase the value of a company, making the company more attractive to potential purchasers and stock holders.
- Individuals can benefit from holding trademarks/service marks by selling or licensing their trademark/service mark rights to other entities for a negotiated compensation, such as royalties.

Trademark Disputes

There are two distinct types of trademark disputes: those filed before the TTAB in the United States Patent and Trademark Office and those filed in a court of law. The TTAB proceedings are similar to civil litigation, including initial, expert and pretrial disclosures.



Of the TTAB proceedings, there are two types: an "opposition filing", which is filed during the prosecution of an application, and a "cancellation proceeding", which is filed against a registered trademark. Trademark litigation commonly refers to the disputes, or cases, filed in a court of law. Such infringement cases may be based upon common, State or Federal law rights.

Our attorneys help clients develop and protect their IP assets and are able to prosecute and obtain protected trademarks in the United States and around the world.