

A black and white photograph of an elephant standing in a savanna, looking directly at the camera. The background is a soft-focus landscape with trees and a bright sky.

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## INTELLECTUAL PROPERTY

In this digital day and age of competitive global and transnational business, a company's most valuable commodities may be its intellectual property, trade secrets and confidential business information. Harrington, Ocko & Monk, LLP has a broad intellectual property practice which encompasses several key aspects of intellectual property. The lawyers at our Firm regularly advise a diverse group of clients on how to cultivate and protect their important intellectual property, including trademarks, service marks, trade dress, copyrights, trade secrets and proprietary business information.

### Trademark, Service Mark and Copyright Protection

Lawyers at the Firm represent clients in all facets of trademark, service mark, trade dress, copyright and brand protection. We have extensive experience assisting our clients in obtaining Federal and state trademark and service mark registrations, as well as trade dress and copyright registrations, in order to assist clients to effectively protect their brands, products, advertising and customer good will. Such advice and counseling include:

- Review, search, due diligence and clearance of trademarks, service marks and trade dress;
- Preparation, filing and prosecution of trademarks and service mark registrations;
- Litigating opposition and cancellation proceedings before the Trademark Trial and Appeal Board;
- Trademark and service mark portfolio management; and
- Copyright registration and portfolio management.

### Transactional Services

Firm lawyers also work with clients in negotiating purchase, sale and licensing agreements relating to trademarks, service marks, copyrights, patents, trade secrets and proprietary business information. We provide our clients with legal advice and opinions which allow them to understand and assess the strength and value of their marks, copyrights and trade secrets, and facilitate opportunities for clients to effectively leverage the value of these intellectual property assets in their business.

We also advise clients on how to protect their intellectual property against misuse and disclosure by internal and external sources, through creation and implementation of various kinds of protection programs. Such programs include review, revision, negotiation and enforcement of employee/partner agreements and B2B contracts relating to intellectual property

and proprietary business information; e.g., non-competition, non-solicitation and non-disclosure contracts and provisions, and employee handbooks regarding ownership regulation and use of company intellectual property.

### Intellectual Property Litigation

Harrington, Ocko & Monk, LLP's intellectual property litigation practice allows clients to strategically protect their intellectual property through diverse means, in a wide array of venues and forums. Firm lawyers have a depth of expertise in successfully and aggressively litigating and defending claims related to trademark, service mark, and trade dress infringement, unfair competition, misappropriation of trade secrets, false advertising and copyright infringement, to name just a few. Our intellectual property lawyers routinely appear on behalf of clients in disputes before state and Federal courts throughout the United States, as well as before various Federal and state regulatory bodies in all kinds of administrative and enforcement proceedings.

The Firm's intellectual property lawyers have successfully litigated numerous high stakes legal actions for clients involving disagreements as to misuse or misappropriation of trademarks, trade dress, trade secrets and other intellectual property. Some examples of Firm successes involving intellectual property litigation include obtaining a judgment after trial, in favor of a Firm client in excess of \$8 million for misappropriation and theft of trade secrets, successfully defeating numerous requests for injunctive relief in Federal court regarding a client's largest selling product, successfully moving to have a case involving claims of trademark infringement against a client transferred from Federal Court in Wisconsin to Federal Court in New York (saving the client significant litigation expenses), and obtaining insurance coverage for a client to pay for litigation costs in defending an underlying action involving a dispute over trademark, trade dress and copyright ownership.

Lawyers at Harrington, Ocko & Monk, LLP understand that a client's intellectual property is a key and critical component to business success, and the Firm has the depth of expertise and experience to assist clients in protecting their intellectual property.



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