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Five Strategies Business Owners Can Use to Protect Their Intellectual Property

Tuesday, November 09, 2010
by: [David Lilienfeld](#)

1) Register your brands with the United States Patent and Trademark Office. Brands which should be registered are typically your company's name, logo and names of particular services or goods your company provides. Many owners either fail to register their trademarks or only register them at the state level. However, registering with the Federal Trademark Office provides broader legal rights and greater relief in the event a trademark is infringed.

2) Reserve your name and company name for your website, as well as all social media domains, such as Facebook, Twitter and LinkedIn. This prevents a competitor or someone with the same or similar name from claiming it before you do.

3) Register books, website content, marketing collateral, manuals and software with the United States Copyright Office. There is a filing fee of \$35 for the registration application. Most people assume they are legally protected by the automatic copyright that occurs upon writing a document. However, registration is required before a lawsuit can be filed to redress infringement of your copyright.

4) Apply for patents judiciously. Filing a patent application is costly and time consuming. Therefore, most businesses should have a plan for how the patent will support their business goals. For instance, will the patent help launch a product or is it worth selling? Sometimes restraint—not filing at all—is the best strategy.

5) Monitor your intellectual property for possible infringement. Once you have taken the above steps, you should monitor for infringement of your intellectual property weekly by using search engines. As soon as you are aware of an infringement, take action by contacting the infringer or an intellectual property attorney. If you unduly delay, you could be accused of laches, similar to statute of limitations, which may prevent recovery of damages. Once your rights are weakened, it will be more difficult to defend them later.

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