



The Law Offices  
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## 3 Ways to Protect Your Brand NOW!

### **DO NOT DISCUSS ANY CONFIDENTIAL OR INTELLECTUAL PROPERTY RIGHTS WITH ANYONE UNTIL THEY HAVE SIGNED A NON-DISCLOSURE AGREEMENT (NDA).**

An NDA can protect all of your confidential business information, including your intellectual property rights. It's not advisable to talk to any vendors, co-packers, investors, or employees/contractors without one. Have your attorney draft an NDA for you. It can be one NDA that you present to each party before you talk to them about any proprietary information. Failure to do so may jeopardize any intellectual property rights you might have.

### **CONSIDER FILING YOUR TRADEMARK APPLICATION AS SOON AS YOU KNOW YOU MIGHT BE USING THE MARK IN THE FUTURE.**

In the United States, we are fortunate because we are able to file Federal trademark applications before we use the trademark in interstate commerce as long as the owner has a "bona fide intent to use the mark." As soon as your business plans are somewhat solidified and you know what you plan to do, get the application on file as soon as possible (of course, subject to a preliminary or comprehensive trademark search). Hire qualified trademark counsel to assist you and protect your trademark rights.

### **MAKE SURE ALL OF YOUR COMPANY'S INTELLECTUAL PROPERTY IS OWNED BY THE COMPANY.**

This often becomes an issue when you are working with graphic designers, photographers, and creative services providers. As a function of copyright law, the author of the original work of art owns the copyright rights; but with a contract, these rights can be and should be assigned to your company at the end of the engagement. Make sure your master service agreements and engagement letters assign all rights to your company.

This guide constitutes attorney advertising material. The information contained within this guide is intended to provide helpful tips to readers based on important issues they may face in their everyday business dealings. It does not constitute legal advice. You should not rely on the information to make any decisions that could affect your legal rights without first consulting an attorney. By downloading and viewing this guide, there is no attorney-client relationship with The Law Offices of Asia Marie Woods. If you require further assistance, or have additional questions regarding this information, we welcome the opportunity to speak with you. We offer new clients a brief complimentary consultation. Contact us at [info@thelawyernextdoor.com](mailto:info@thelawyernextdoor.com).