

INTELLECTUAL PROPERTY

Intellectual property is comprised of creative works, source identifiers for products and services, inventions (including processes), and commercially advantageous products, information or processes. They can be categorized as copyrights, trademarks, patents, and/or trade secret works and are protected in a variety of ways. At Black McCuskey, our team of professionals works with our clients to ensure they understand the value of their assets and to provide the best legal protection.

COPYRIGHT

Copyright protects a creative idea which has been reduced to a fixed medium, such as software code, recorded performances, musical scores, painting, sculpture, writing, etc. The attorneys of Black McCuskey assist our clients in the registration of copyright, licensing copyrighted material, and drafting of work for hire agreements, as well as advice on whether work is in the “public domain” (no longer subject to copyright protection).

TRADEMARKS

Trademarks identify the source of goods and services. Black McCuskey assists our clients in conducting trademark availability searching, filing applications for federal and state registrations and license agreements. Care must be taken to ensure that the trademark is used in connection with the goods and/or services stated and that the trademark is used consistently as a source identifier. Failure to use a trademark can result in loss of the trademark rights.

PATENTS

A United States patent provides the right to exclude a third party from making, using, selling, or importing the patented invention in the United States without the patent owner’s consent. Patents are granted on all kinds of products, processes and methods, including methods of manufacture and methods of doing business. The patent attorneys of Black McCuskey have many years of experience at obtaining U.S. and foreign patents in many different fields of technology, and in licensing, enforcing and monetizing patent assets. They guide clients through the complex and rapidly changing patent laws, and develop and implement patent strategies that make business sense.

TRADE SECRETS

Trade secrets are valuable competitive assets which require special attention for strong legal protection. Our clients are advised on how to protect their trade secrets by use of specific business practices, non-disclosure agreements and non-competition agreements for use with the client’s employees and business partners.

INTELLECTUAL PROPERTY LICENSING

Owners of intellectual property can profit from the licensing of rights to others. Both the licensor and licensee must take care in the licensing of intellectual property rights to set forth the scope of the rights licensed and the rights retained by the IP owner. Our attorneys draft and negotiate licensing agreements, as well as advise our clients on how to maximize the value of licensed IP.

INFRINGEMENT LITIGATION

Black McCuskey attorneys litigate and resolve all types of intellectual property matters nationwide, including patent, trademark, copyright and trade secret cases. We have extensive knowledge and experience in these complex areas of the law and advise and represent large and small business as plaintiffs and defendants.

