

DESIGN PROTECTION & DESIGN PATENTS

In the crowded marketplace, product design is often the biggest differentiator between a company and its competitors. It is no accident that the top global companies are also design leaders in their respective fields. At Hodgson Russ, we understand that design protection should be a key part of your intellectual property strategy.

Our attorneys take a creative approach to protecting product design by balancing design patent, copyright, and trade dress rights to build a robust intellectual property portfolio for our clients. We help clients protect against literal knock-offs and protect individual features of a product that may be incorporated into competitors' products. We also leverage continuing application practice to provide our clients the flexibility to capture the full scope of their designs.

Hodgson Russ attorneys regularly use design law to help clients obtain protection on products that can be difficult to protect with utility patents.

For example, our attorneys routinely use design

law to protect "functional" articles, consumables, incremental product improvements, packaging, and software—including animated images, graphic user interfaces, and computer-generated icons.

We also assist clients in protecting their designs globally by working with a network of experienced foreign law firms to coordinate strategies for international design protection—including taking advantage of the Hague System for the International Registration of Industrial Rights. We have the know-how to deal with the variability of foreign design protection schemes to protect our clients' interests in foreign markets.

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