

# Intellectual Property

Clients from a broad spectrum of industries rely on Plunkett Cooney's attorneys to register their trademarks, protect their copyrights and defend their proprietary business interests in related state and federal court litigation.

Representation in this key area of business typically begins with an audit of intellectual property assets. Such audits are necessary to ensure proper ownership conditions exist and to make certain trademarks have not lapsed, for example. They are also necessary to ensure that copyrights, brand assets, proprietary information and trade secrets are properly protected.

Plunkett Cooney's clients include small businesses, second stage companies, nonprofits and large corporations with mature intellectual property portfolios. Our attorneys negotiate and draft licensing agreements and assist clients involved in joint ventures, mergers and acquisitions, strategic alliances and other business relationships that involve intellectual property assets.

## Intellectual Property Litigation

The protection of intellectual property and trade secrets is an important and sensitive area of business law. The cutting edges of science and technology change daily, and business owners, academic institutions and inventors rely on their attorneys to protect new, potentially lucrative ideas, procedures/systems and products from the competition.

Plunkett Cooney's attorneys represent the interests of plaintiffs and defendants in patent, trademark, copyright, trade secret and unfair competition matters under applicable state and federal antitrust statutes such as §43(a) of the Lanham Act and the Sherman Antitrust Act.

Many of these matters involve the enforcement and defense of trademarks and copyrights, unfair competition and consumer protection, trade secret misappropriation, confidentiality agreements, employment contract disputes and licensing matters. Achieving successful outcomes in such matters often requires marshaling and presenting evidence relevant to issues of a mark's strength (from arbitrary to generic), secondary meaning, inherent distinctiveness, the doctrine of "functionality," and the myriad of factors bearing upon the likelihood of confusion.

Known for its aggressive motion practice and experienced trial attorneys, Plunkett Cooney has successfully resolved numerous intellectual property disputes, including some of the largest unfair competition cases in the history of Michigan's state and federal courts.

## Intellectual Property Counseling

Whether yours is a start-up or mature company with an extensive portfolio of intellectual property, Plunkett Cooney can provide your organization with peace of mind that these important assets are properly derived, accounted for and legally protected from infringement.

When retained in this area of practice, Plunkett Cooney provides the following counsel and services:

- Intellectual property audits
- Trademark and service mark review, research and filing
- Perfecting copyright registrations
- Trademark and service mark transfers
- Trademark and copyright monitoring (infringement)
- Usage and licensing policy development
- Employment and consulting agreement drafting
- Antitrust avoidance