

INTELLECTUAL PROPERTY CHECKLIST

This document provides ONLY a PARTIAL LIST of Intellectual Property matters that business owners should take into consideration. This checklist is in no way exhaustive. This information is not, nor is it intended to be, legal advice. You should consult an attorney for advice regarding your individual Intellectual Property needs. Taking proper measures to protect your Intellectual Property may help you reduce the chances of infringement, tarnishment of your brand, and to collect damages from infringers.

- Have the trade names, logos, and brand identity of the company been registered as trademarks with the United States Patents and Trademarks Office (USPTO)?
- Has the company name(s) been registered as a domain name?
- Have patents been filed for any patentable inventions?
- Have copyrights been filed for any written or creative works?
- Have Trademark ®, Copyright ©, or patent notices been added appropriately to the company marketing materials, website, and other applicable places?
- Have licenses been properly secured by the company for any third-party intellectual property that is used along with, or made a part of, the company's intellectual property?
- Does the company website have properly displayed terms and conditions that identify the company's intellectual property and provide the necessary notices?
- Does the company do business internationally? If so, have intellectual property registrations been filed in all applicable countries?
- Does the company have a non-disclosure / confidentiality agreement?
- If the company has a non-disclosure / confidentiality agreement, does it contain trade secret clauses?
- Has the company established internal policies to identify and protect trade secrets?
- Does the company keep confidential information and trade secret materials in a safely locked location?
- Does the company mark "confidential information" as confidential?
- If the company licenses its products or services, does the company have a licensing agreement in place?
- Does the company have "work made for hire" agreements in place for contractors and employees working on the company's intellectual property?
- Does the company vet competitors, independent contractors, consultants, and other service providers who may have access to company's intellectual property to ensure that they are not infringing upon the company's rights?