

IP Ownership & Commercialization

Ownership

Our intellectual property attorneys are regularly called upon to secure and/or clarify ownership of commercially valuable assets such as trade secrets, trademarks, copyrightable works and patentable inventions. Ownership issues can and should be documented to clearly communicate ownership and proper use and protection to employees, volunteers, independent contractors and others who might create or improve intellectual property. We often use confidentiality and non-competition agreements, as well as corporate policies, procedures and restrictions to help clients ensure full ownership and control of their intellectual property assets.

The consequences of losing control of intellectual property can be highly destructive and disruptive, damaging both the bottom-line and image of an organization. It has been our experience that the cost and difficulty of protecting intellectual property after a dispute ensues far outweighs the cost of initially securing and documenting ownership of the asset from the beginning.

IP Licensing & Commercialization

Best & Flanagan's intellectual property team works closely with our clients to identify potential opportunities and commercialization strategies for intellectual property assets.

In addition to intellectual property protection strategies as part of preliminary business planning, our attorneys also help identify and structure potential licensing or other leveraged opportunities, due diligence and screening of potential business partners, structuring and negotiating transactions, and enforcing legal rights.

The intellectual property commercialization and licensing environment is highly competitive. We work both efficiently and quickly to identify, evaluate, negotiate and close deals that create value and help our clients promote and grow their businesses.

Enforcement

Best & Flanagan's intellectual property team works with a wide range of clients to develop sound enforcement strategies, policies and procedures to safeguard intellectual property portfolios.

We have successfully advocated our clients' rights in many types of intellectual property enforcement disputes, ranging from trademark and copyright infringement, to unfair competition actions, trade secret misappropriation cases, and voluntary arbitration or mediation of intellectual property disputes.

In addition, our firm belongs to a network of affiliated offices of lawyers and enforcement professionals in different regions around the globe. The ability to create a team of professionals beyond Greater Minnesota has enabled our lawyers to effectively police and protect intellectual property assets when and where they are at risk.

Valuation & Transfers

Valuing intellectual property often requires specialized analysis and consideration, which is even more complex when determining the value of such an asset as part of a sale of business or other sophisticated transaction.

We can help identify and inventory intangible assets and intellectual property, and confirm and document the legal and economic ownership of these assets, as well as determining and documenting appropriate value.

IP Audits & Analysis

Best & Flanagan's intellectual property team can help clients identify and manage their intellectual property assets. We have developed a series of intellectual property audits, designed to gather information, implement new protective strategies and explore potential corrective activities as necessary, so that businesses can better protect and commercialize their intellectual property portfolios, and refine and integrate internal policies designed for collaborative use by management, operations, marketing, human resources, finance,

information technology, and other disciplines.

Experience

Our experience includes:

- › Audits
- › Coexistence and Concurrent Use Agreements
- › Confidentiality Agreements
- › Domestic and International Portfolio Management
- › Due Diligence and Audits of Intellectual Property Portfolios
- › Employee/Contractor Issues (Ownership, Use, Compensation)
- › Franchise and Other Distribution Strategies
- › Intellectual Property Assignments
- › Intellectual Property Holding Companies
- › Intellectual Property License Agreements
- › Intellectual Property Monetization Strategies
- › Litigation and Other Enforcement Strategies
- › Patent, Trademark, Copyright and Trade Secret Licensing
- › Sales and Transfers
- › Settlement Agreements
- › Strategic Alliances, Joint Development, and Collaboration Agreements
- › Valuation and Gifting

Related Practices

Intellectual Property

Related Professionals

- › David Schelzel, Attorney
- › Alexander Farrell, Attorney
- › David Zubke, Attorney