

## Trademarks & Branding

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Trademarks are distinctive words or symbols used in connection with the marketing and sale of goods, while service marks help business promote services.

Trademarks and service marks are often the key identifier of an organization, and an organization's marks (or "brands") can be some of its most valuable assets.

We understand the value of trademarks and service marks to both businesses and nonprofits, and how to ensure their thoughtful selection, use and protection. The selection process requires advance planning to ensure that the mark is sufficiently unique enough to enable registration, and that it is not confusingly similar to one already in use by another entity.

We work with our clients to identify and select marks, perform and analyze pre-use clearance searches, as well as obtain federal, state and international trademark/service mark registrations. After initial registration, we continue to work with our clients on an ongoing basis to protect their brands. We enforce the rights of trademark and service mark owners through monitoring for infringement, sending cease and desist letters and when needed, negotiations, opposition proceedings and infringement litigation. We also work with our clients who license their marks to ensure the best terms for the license and the value of their brands.

Our lawyers work with a wide variety of clients in the business, advertising, brand development, and nonprofit areas through the entire branding process, including:

- › Domain Name Acquisition and Dispute Resolution
- › Licensing and Standards of Use
- › Pre-Use Clearance Searches
- › Trade/Assumed Name Filings
- › Trademark/Service Mark Branding Analysis and Selection
- › Trademark/Service Mark Policing, Enforcement and Infringement Litigation
- › Trademark/Service Mark Registrations
- › USPTO Opposition Proceedings
- › Valuation and Transfer

### **Related Practices**

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Intellectual Property

### **Related Professionals**

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- › David Schelzel, Attorney
- › Edward Sheu, Attorney
- › David Zubke, Attorney