



The Intellectual Property Landscape

Understanding the Intellectual Property Landscape as an entrepreneur is essential. Though you need not utilize every form of protection available, being aware of the available protection enables you to make informed decisions about the approach that is best for you. This checklist outlines the forms of IP protection available to you, key differences, and typical costs associated with each. Contact us at contact@hiplegal.com if you have questions or need help with IP issues.

Trademark

- Protects a name, logo, or slogan if it is available and not confusingly similar to an existing trademark. Common law protection, state registration, and federal registration provide different protections.
- Estimated costs for applying for a trademark for a name and/or logo: \$900 for a search, \$850 for filing, and \$225-375/class in Trademark Office fees (average total cost for filing one trademark application is \$2200.) Filing does not guarantee that you will receive a trademark.

Utility Patent

- Protects unique and new functional features of your invention, as long as they are not obvious. Valuable for features that provide a market advantage yet are likely to be discovered by another. You must file prior to the first disclosure or sales-related activity (for international protection) or before the one year anniversary of that disclosure or sales activity (for U.S. protection).
- Estimated costs for filing a utility patent application for an invention: \$8,000-\$16,000, depending on complexity of the invention, process, and how much of the content is prepared by the inventor. Filing does not guarantee that you will receive a patent.

Design Patent

- Protects unique artistic appearance of your product or interface. You must file prior to the first disclosure or sales-related activity (for international protection) or before the one year anniversary of that disclosure or sales activity (for U.S. protection).
- Estimated costs for filing a design patent application for an invention: \$2,000-\$4,000. Filing does not guarantee that you will receive a patent.

Trade Secret Program

- Protects those aspects of your business, system, or process that give you a competitive advantage and that you can keep confidential, across the range of client lists, pricing, circuit manufacturing, data management, even your hiring decision process. Trade secrets only protect against someone taking the trade secret from you, and disappear when they become publicly known.
- Estimated costs for a trade secret program: \$3,000 (for setting up initial procedures and training for employees, marking of materials, and tracking access). On-going training may be done in-house, or arranged as needed.

Copyright

- Protects creative expression, ranging from books, music, and paintings, to software code and user interface design. Copyright attaches automatically when the creative expression is fixed (for example, posted on the Internet). Copyright only protects against copying, not someone's independent design of something similar.
- Estimated costs for a copyright registration: \$650, plus \$35-80 in Copyright Office charges. We recommend that original works be directly registered by the client, as the forms are simple and simply take some time to fill out. This reduces the cost to the Copyright Office fee.

HIPLegal delivers practical high-tech intellectual property (“HIP”) legal solutions that fit seamlessly into our clients’ businesses because we invest in and build our client relationships into true partnerships. This foundation gives us the perspective to see an IP issue in the context of our clients’ short and long term goals – so we not only solve today’s problems but also anticipate future issues. At its core, HIPLegal is a team, both within our firm and in partnership with our clients. By understanding our clients’ business, strategy and trajectory, and leveraging our collective, complementary expertise, we ensure the strategies we design and implement align with our clients’ business values and anticipate future issues. Upon this foundation, we help clients maximize their IP through the identification, protection, and strategic use of their IP.

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