ECKERT SEAMANS

Intellectual Property

OVERVIEW

Eckert Seamans' Intellectual Property Group engages in the full spectrum of practice in this specialized area of the law, including United States and foreign patent, trademark, copyright, trade secret, and unfair competition law. Many of our attorneys have years of in-house corporate experience.

We help clients with the negotiation, preparation, and enforcement of a wide variety of related agreements including license, assignment, consulting, employment, and nondisclosure and joint venture agreements. When appropriate, the group draws upon the skills and experience of attorneys across a variety of practices at Eckert Seamans, including tax, labor and employment, government affairs, and corporate finance, to develop an integrated strategy for the client's circumstances.

On the patent side, our attorneys have experience in a broad spectrum of technical subjects, including chemical, electrical, mechanical, medical, pharmaceutical, biotechnological, computer, and metallurgical arts. On the trademark/copyright side, our attorneys provide general counsel and have substantial experience in financial services and insurance, advertising, biotechnology and pharmaceuticals, franchising, retail, publishing, arts, sports, and entertainment law.

Members of the group practice in many forums, including state and federal courts throughout the country, the United States Patent and Trademark Office, the United States Copyright Office, foreign intellectual property offices through a well-established network of foreign associates, and the International Trade Commission.

In addition, the firm has a dedicated Intellectual Property Litigation Group.

REPRESENTATIVE MATTERS

- Negotiation, preparation, and enforcement of agreements including licenses, technology transfer, consulting, employment, nondisclosure and joint venture agreements, as well as academic intellectual property policies.
- Patentability evaluations.
- Patent validity and infringement studies.
- Preparation and prosecution of domestic and foreign patent applications.
- Trademark and service mark portfolio management, as well as screening.
- E-commerce issues relating to social media, Internet brand protection strategies, online brand disputes, user generated content, online defamation and product disparagement disputes, search engine advertising, website linking, CAN-SPAM, copyright disputes and fair use, false advertising, website policies and privacy, licensing, domain name disputes, and the FTC guidelines on the use of endorsements and testimonials in advertising.
- Preparation and prosecution of domestic and foreign trademark and service mark applications.
- Trademark and service mark opposition and cancellation proceedings.
- Protection of copyright rights.
- Unfair competition matters, including advertising issues.
- The protection of trade secret rights, including employment issues.
- Enforcement of and defense against claims of infringement of intellectual property rights.
- Due diligence and evaluation of intellectual property assets in mergers, acquisitions, and divestitures.
- Intellectual property audits.