

Trademark Protection



UNDERSTANDING THE BIG PICTURE



At Harness Dickey, our trademark lawyers are experts who are dedicated to helping clients develop domestic and worldwide trademark strategies that are economically matched to their business goals. Brand enforcement issues have also escalated because the Internet and world markets facilitate the ability of counterfeiters to make easy money by illegally using your trademarks and domain names to sell pirated goods. We take pride in not only



PROTECTING YOUR BRANDS IN A FIERCE GLOBAL MARKET. WE'RE HARNESS DICKEY.

shutting down these predators, but doing so quickly and cost-effectively because they rarely have resources to compensate the damage caused. It may sound like a cliché, but when it comes to trademark matters throughout the world, "we've got your back."

HARNESS 
 **DICKEY**

Dedicated
trademark experts



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Our lawyers are skilled at effectively and efficiently procuring, maintaining and enforcing many of the world's most famous trademarks and brands. ”



Our Trademark Lawyers Devote Their Careers to Effective Worldwide Registration Strategies and Possess the Knowledge to Enforce Your Rights Quickly and Cost-Effectively Around the Globe

Harness Dickey is one of the largest intellectual property firms in the United States. Every year we rank as one of the top trademark firms in the country based on third party rankings that tabulate annual trademark filings by law firm. Our trademark lawyers are experts who devote their careers exclusively to the full-time practice of trademark law. Our lawyers are skilled at effectively and efficiently procuring, maintaining, and enforcing many of the world's most famous trademarks and brands. We protect and manage large trademark portfolios, and, as a result, our trademark lawyers handle volumes of trademark issues that include everything from the ordinary to the obscure niche issues. The result: we have at our fingertips the practical answers to your most complicated trademark problems.

In contrast, at smaller IP firms and general practice firms that have small IP departments, the lawyers often handle patent issues one day, trademark issues the next, and copyright issues on another day. This approach produces far less expertise and often leads to inefficiencies that drive up legal costs and produce inferior trademark strategies.

We set forth below the following important aspects of our trademark practice: 1) domestic trademark practice; 2) international trademark practice and worldwide trademark strategies; 3) trademark and domain name enforcement throughout the world; and 4) our web-based communication interface.

Domestic Registration and Prosecution Strategies

For nearly 100 years, Harness Dickey has helped its clients in every aspect of domestic trademark practice. While there are certain facets of domestic trademark practice that are fairly routine, there are also plenty of traps for the unwary. Unfortunately, for those who do not specialize in trademark practice, many of these traps are not recognized until after litigation ensues and the error or defect is uncovered by an opponent.

For example, several cases in the last few years have highlighted a serious danger when it comes to obtaining, renewing, and maintaining your valuable trademark



Taking your brands worldwide

registrations. All too often when a registration is renewed, the description of goods and services is no longer accurate due to changes in the business over time. Inattention to this seemingly minor matter can now result in an entire registration (even old, venerable registrations) being declared invalid or subject to cancellation.

These are the types of emerging issues that require the attention of lawyers who are actively staying on top of all aspects of trademark practice, including the niche issues that pose serious consequences to your trademark rights if you ever need to enforce them.

Worldwide Trademark Strategies

For decades, our clients have sold products and services throughout the world and have turned to us to assist them in developing worldwide registration strategies that make sense for their businesses. Our trademark lawyers regularly tackle the most challenging international trademark issues. Our clients include the *Fortune* 100 as well as many mid-size companies just beginning their foray into the international realm. Regardless your company's size, our lawyers can help you develop strategies that make sense for your business and your budget.

International trademark practice is, without a doubt, far more complex than domestic practice. To be successful, our trademark lawyers stay abreast of emerging international rules, regulations, and treaties, as well as the practical "ins and outs" of when and how to operate under them to more effectively protect your trademarks in worldwide markets. Our lawyers file and prosecute trademark applications in over 160 countries throughout the world and are responsible for international trademark portfolios that include literally thousands of marks and registrations. It is imperative to have trademark lawyers who are "experts" and not just lawyers who dabble in matters involving international trademark law.

In addition to our own knowledge, Harness Dickey has, over many years, carefully selected and developed key relationships with some of the best law firms throughout the world to assist us in implementing your strategies and providing further specialization in the actual foreign countries where you operate. It is a daunting task to select experienced foreign lawyers and law firms that will take your issues to heart and cost-effectively secure the result you need. Harness Dickey has forged trusted relationships over the years with some of the best trademark law firms throughout the world.



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Cutting edge protection strategies



Trademark and Domain Name Protection Throughout the World

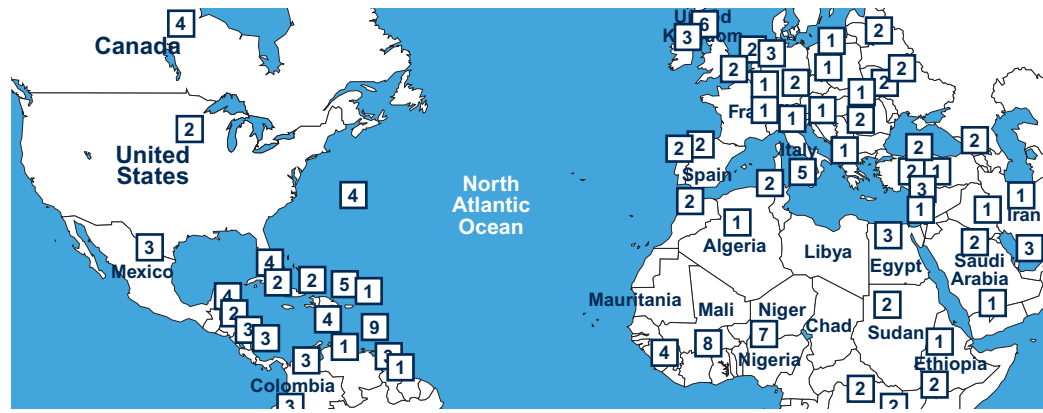
When most people think of trademark disputes, they envision two competitors butting heads in a heated battle regarding the same trademark or slogan. While this type of dispute does occur, it is not the most common type of trademark dispute. The reason is that most serious competitors want to establish their own distinct brands and identity. Thus, while the “copycat” scenario does arise and we are skilled at resolving that type of dispute, there is a far more common scenario that confronts many of our clients.

In the last decade, the Internet has intensified the complexity of protecting your brands in the global market. Domain names, including a company’s trademarks, represent its brand presence online. Worldwide, there are currently over one billion people on the Internet searching for goods and services and information about brand owners. These consumers spend hundreds of billions of dollars online every year. While the Internet offers great opportunity to effectively use brands, the Internet has also made it far easier for even small entities and unscrupulous individuals to use trademarks owned by other entities to drive traffic to their web sites. Once they drive traffic to their sites, your valued customers are often then diverted to web sites offering everything from pornographic content to counterfeit merchandise to products and services that are directly competitive with your products and services.

There has been an exponential increase in the number of incidences of cybersquatting through the registration of domain names that use or are confusingly similar to another’s trademark, causing consumer confusion, loss of sales, brand dilution, and increased expense for the trademark owner. These small, yet destructive, individuals cause such damage by using various strategies, the most popular of which include registering either confusingly similar domain names (cybersquatting) or deliberate misspellings of popular domain name (typosquatting). More sophisticated infringers will use trademarks as “metatags” in hidden text on their websites to obtain listings on web engines to lure potential customers looking for a specific product to their web site where they offer outright counterfeits or a competitor’s product. Another popular Internet diversion tactic involves the registration of confusingly similar domain names and misspellings of popular domain names in an effort to gain “click-through” fees from Internet users who visit the web sites of the cybersquatters and typosquatters.



Real-time portfolio tracking interface



The schemes are seemingly limitless. But whatever the scheme, the result is the same: a valuable trademark is being infringed and Internet traffic is being diverted from legitimate web sites, while the infringers are making money at the expense of the trademark owner. These infringers have no regard for the damage that they cause to your valuable trademarks. They are often located in foreign countries and rarely have assets to compensate for your damage when they are caught.

Our trademark lawyers are skilled at suggesting to you strategies at the front end that preclude or minimize the risks posed by cyber-predators. Our trademark lawyers routinely stop the infringement quickly and without spending a lot of money. Whether it be in federal court, UDRP proceedings, ITC investigations or the many other avenues for stopping such conduct, our lawyers can pick the right enforcement strategy and help you protect your valuable brands against these unscrupulous attacks.

Harness Dickey Provides a Web-Based Interface That Facilitates Your Ability to Track and Manage Your Trademark Portfolio

Keeping track of your company's trademark portfolio can be a daunting challenge. Whether reporting to management about trademark initiatives, determining the status of the many pending matters before domestic and foreign trademark offices, ascertaining where in the world to secure protection, deciding what should be maintained and what should be abandoned, or making many other key strategic trademark decisions, an organized approach to trademark portfolio management is critical.

Due to our size and large client base, we have developed client web interfaces that are applauded by our clients because they make the clients' lives much easier and allow them to much more proactively manage their IP portfolio. Our clients can track 24/7, in real-time, the status of their entire portfolio. Our interface makes available all documents and critical related information at your fingertips via the web. The interface provides access to comprehensive trademark data, allows you to run trademark reports, print maps and charts showing protection by geography, and allows you to review a variety of important dates and deadlines pertaining to your trademarks. The best news: we provide our web-based interface to you at no cost.



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The Internet has made it far easier for even small entities and unscrupulous individuals to use trademarks owned by other entities to drive traffic to their web sites.”

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