

Practice Contact

Cory M. Amron
202.467.8810
cmamron@vorys.com

International Protection for Intellectual Property

Global commerce brings with it the need to protect intellectual property assets around the world, a process that can be confusing and difficult. Although in some areas – like Europe and Africa – regional protection is available, in most cases patent and trademark protection must be achieved on a country-by-country basis. In addition, once an invention is disclosed, it may be too late to obtain patent protection in most countries. As a result, valuable patent rights may be lost if an invention is disclosed before a patent application is filed.

Early and strategic international planning is extremely important to ensure global intellectual property protection, and often is crucial to protect a company's ability to use its brand, exploit its technology, or protect its products against piracy in other countries. Our attorneys provide strategic business and legal advice to our clients to develop, manage, protect, and commercially exploit patents, trademarks, copyrights, and trade secrets around the world.

Because registration of trademarks, and not simple use, establishes intellectual property rights in most countries, we help our clients prioritize their intellectual property needs in ways that are best suited to their business goals. In such engagements, we consider the benefits of Madrid Protocol and European Union Community Trademark (CTM) filings, utilize the Paris convention, and pursue other strategies. We also advise our clients of the value of registering their marks with U.S. and other country Customs, thereby enabling the seizure of infringing goods at ports of entry into that country, and on the actions available through the International Trade Commission (ITC) to prevent the importation of goods protected by patents.

Our attorneys regularly help our clients to formulate their international patent strategy, whether through direct national filings, regional filings before entities like the European Patent Office, or an international patent strategy through the Patent Cooperative Treaty (PCT) system. We focus on helping clients secure the most economically advantageous and desirable patent

(International Protection for Intellectual Property Continued)

coverage in the necessary markets.

We also recognize that international intellectual property transactions often are affected by laws outside the realm of intellectual property. In certain transactions, export, import, and trade regulations, customs registrations, licensing, and distribution implications must be considered. Our lawyers are skilled at identifying, addressing, and resolving such issues.

Our attorneys have developed a worldwide network of foreign intellectual property counsel who assist our clients in navigating the nuances of other countries' intellectual property laws. We have selected foreign counsel who provide high-quality and cost-effective service, particularly in strategic markets. In addition, we have a trained staff to maintain and monitor our clients' thousands of national and international trademarks.