

IP

- Utility Patents
 - No common law rights
 - No rights until the patent issues (not all applications achieve registration)
 - No such thing as a provisional patent, only provisional applications
 - Patents are limited term monopolies that entitle the patent owner to prevent others from making, using, selling, offering for sale, offering for lease, or importing the invention in the claims of the patent
 - Patents are limited in duration and upon expiration the invention falls into the public domain

IP

- Copyrights
 - Protects creative expressions fixed in a tangible medium
 - Does not protect facts, ideas, utility or function (just expressions)
 - Exist upon fixation
 - Rights vest with authors (unless in a true employment situation)
 - Rights include the right to copy, reproduce, make derivative works (modify), publish, publicly display, and publicly perform

IP

- Copyrights
 - Rights can be assigned or licensed
 - Registration required to file suit
 - Prompt registration required to preserve certain damages
 - Federal/National ONLY – no state copyrights
 - Copyrights are limited in time, the time is dependent on how the work was created
 - When copyrights expire, works fall into the public domain

IP

- Trademarks
 - Marketplace identity
 - Commercial right
 - Common law rights begin with being the first to use in a particular marketplace and geography
 - Registrations can be acquired for distinctive marks at the federal and state level
 - Infringement is based on likelihood of confusion (not just direct copying)

IP

- Trade Secrets
 - Primarily state law driven in the U.S.
 - Protects information that is (1) generally not publicly known [secret], (2) is commercially valuable due [at least in part] to the information being secret [not generally publicly known], and (3) is subject to reasonable efforts to maintain its secrecy
 - Use Non-disclosure agreements to protect secrecy
 - Be careful not to lump trade secrets in with other "confidential information" not subject to statutory protections

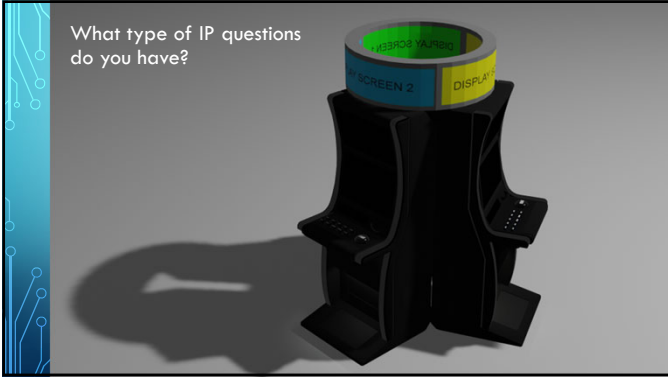
IP

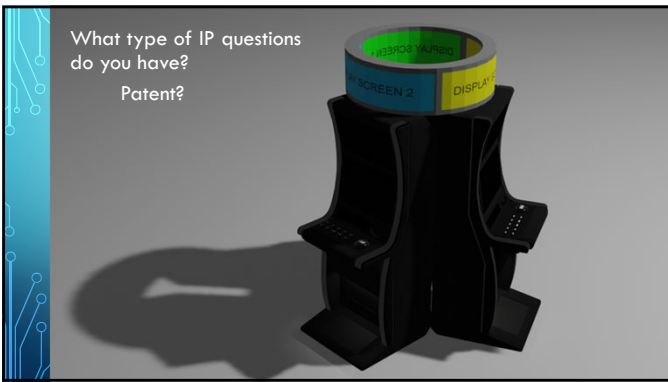
- Rights of Publicity
 - Rights vary among states
 - In some states, like Nevada, everyone is given rights in the commercial exploitation of their name, signature, likeness, photograph and voice.

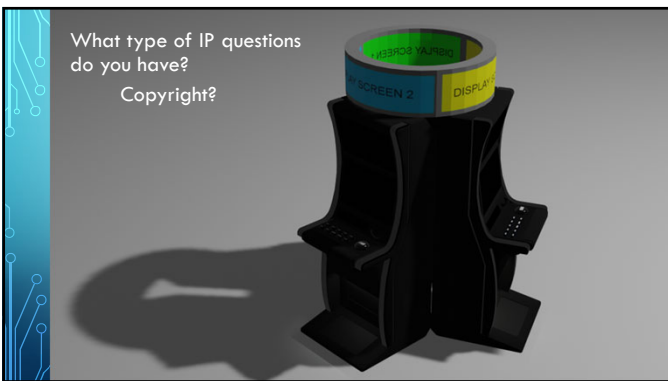
APPLYING IP CONCEPTS

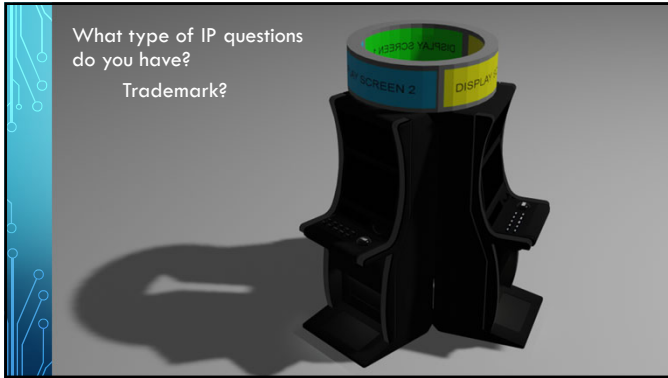
- The engineering team has a new concept for a new slot machine with innovative concepts including:
 - Touchless gesture interface
 - A card based game based on streaks of card colors
 - Table game in slot format

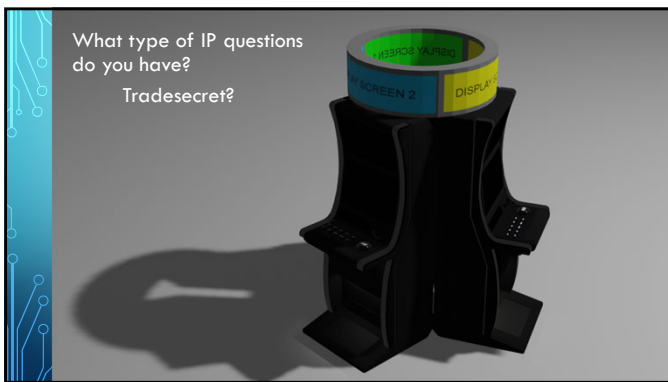















The product engineers are back in your office about a new slot machine featuring a table style game. The game is designed for the post pandemic market:

- It features a touchless gesture interface
- A game they found in Australia, but haven't seen in the USA
- Compact generic design



What are the IP questions you have?



What are the IP questions you have?

Patent
(patents.google.com)




What are the IP questions you have?
Copyright?



What are the IP questions you have?
Trademark?



What are the IP questions you have?
Trade Secret?



Given the issues with S7REAK, the engineers and product planners have a different device. They will license the touchless controller from LEAP MOTION to address any touchless interface issues. The new game will be a traditional slot featuring a RAIDERS BLACK HOLE theme.



The Raiders are an NFL team that recently relocated to Las Vegas. The Black Hole is a fan area for the most fervent of fans. In Oakland, the previous home of the Raiders, it gained a reputation for embodying the rowdy and aggressive nature of the club.

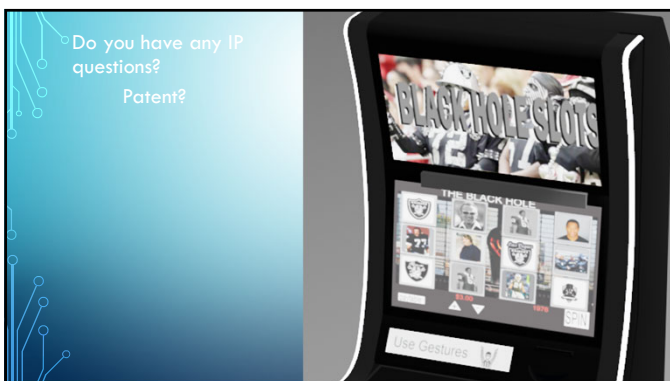


The Raiders are an NFL team that recently relocated to Las Vegas. The Black Hole is a fan area for the most fervent of fans. In Oakland, the previous home of the Raiders, it gained a reputation for embodying the rowdy and aggressive nature of the club.



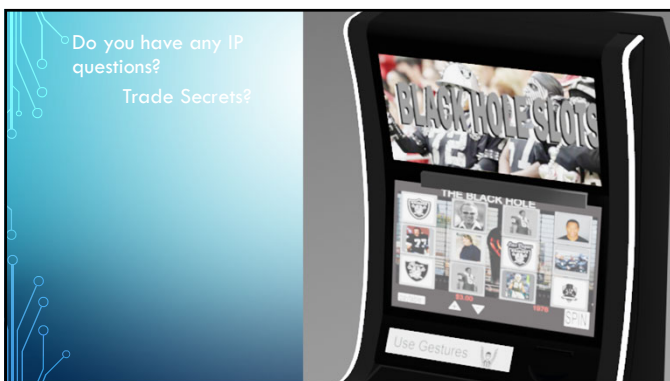














You are recently hired at a company called Global Point. Global Point's primary product is a geo-location service that can provide an accurate location for any Android or iOS device that uses its software.

Global Point uses standard development tools such as X-Code for iOS applications, and Eclipse with Google's Android Development Kit for Android applications.

Global Point is growing fast due to the expanding market for mobile device based gambling.

Global Point's CTO helped grow the company and code-base quickly by using developers in Nevada, India and the Ukraine.

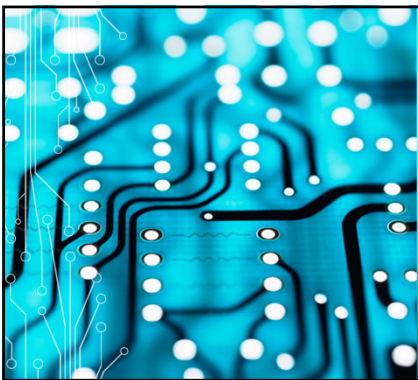
Global Point is looking to expand its products and has been talking to Silicon Valley Investment Bankers about an infusion of capital to expand. Global Point's CEO knows they will want an inventory of IP assets and asks you to secure as many IP assets as you can to show IP assets on the books to the Investment Bankers.

Where do you start?

Global Point's CTO helped grow the company and code-base quickly by using independent developers/programmers in Nevada, India and the UK.

Global Point is looking to expand its products and has been talking to Silicon Valley Investment Bankers about an infusion of capital to expand. Global Point's CEO knows they will want an inventory of IP assets and asks you to secure as many IP assets as you can to show IP assets on the books to the Investment Bankers.

Where do you start?



NEXT CLASS

• LIVE
