

## DO'S

- Choose a mark as strong as possible:
  - Choose a trademark that is distinctive, i.e. that does not describe your product or service
  - Check that your trademark meets all the legal requirements for registration
  - Choose a trademark that is new
  - Select or create an appropriate logo
  - Make sure the trademark is easy to read, write, spell and remember and is suitable to all types of advertising media.
  - Do a trademark search to make sure that it is not identical or confusingly similar to existing trademarks
- Check that the corresponding domain name (i.e. Internet address) is available for registration
- Calculate a properly budget dedicated to the registration and enforcement process
- Do the choice for a national, regional or international route and apply for it
- Use your trademark directly on the subject goods, or on the container or packaging in which the goods are sold
- Use a trademark in advertising
- Use the word "brand" if necessary to clarify the status of your mark
- Use all capitals, italics, different fonts or colors, or at least initial caps to distinguish a trademark from other text in advertising material
- Stress the fact that you have trademark rights by placing a small "TM" or "®" notation following the mark
- Always use the generic description of the goods in combination with the mark

## DON'Ts

- Do not forget to protect your trademark abroad if you wish to grant a license to use in other countries
- Do not miss deadlines (6 months priority period)
- Do not risk losing your trade mark rights on grounds of non-use
- Do not register your business name or your domain name or your trademark without considering a preventive search
- Do not use a registered trade mark without knowledge or consent of the owner
- Do not use the "®" notation if your trademark is not registered
- Do not use the mark as a verb
- Never let your mark become "generic"
- Do not forget to pay the renewal fees
- Do not miss the product marketing evaluation
- Do not forget to constantly monitor your trademark rights
- Do not notify an infringer before having a legal advice
- Do not act immediately but seek counsel after being put on notice of possible infringement of another party's trademark

## DO's

- Think of your idea/patent as an asset
- Implement policies and processes for identifying, disclosing and assigning patentable inventions as an integral part of research and development efforts
- Consider advantages of patent protection
- Look into alternatives (secrecy, utility models, etc)
- Make a cost/benefit analysis
- Apply for a patent at the right time
- Evaluate if the invention is more complex than problem merits
- Consider the patentability requirements, find out details of what is patentable in your own country
- Conduct a prior art search to see if your discovery is already claimed by another individual or business
- Make sure there is clarity on issues relating to rights over the invention, between the company, its employees, and any other business partner who may have participated either financially or technically in developing the invention
- Calculate a properly budget dedicated to the national and international application and to the enforcement process
- Seek invalidity and/or non-infringement reasons before launching potentially infringing products
- Keep the invention secret until the date of filing
- Remember that patent application and patent registration are different
- Remember to protect improvements
- Mark your product with your patent number(s)
- Remove the patent marking once your patent expires

## DON'Ts

- Do not disclose information on the invention too early in order not to compromise its patentability.
- Do not miss deadlines (12 months priority period) that may impede you from obtaining patent protection abroad
- Do not miss alternatives of protection
- Do not leave your ip portfolio unprotected
- Do not forget to pay the renewal fees
- Do not miss the product marketing evaluation
- Do not forget to constantly monitor your patent rights
- Do not notifying an infringer before to have a legal advice
- Do not act immediately but seek counsel after being put on notice of possible infringement of another party's patent

## DO's

- Keep your design unpublished or undisclosed before filing
- Check that your design meets all the legal requirements for registration
- Consider advantages of a registered design protection, look into alternatives (secrecy, utility models, patents, trademarks etc)
- Make a cost/benefit analysis
- Make sure there is clarity on issues relating to rights over the design, between the company, its employees, and any other business partner who may have participated either financially or technically in developing the product
- Conduct a prior art search to see if your product is already claimed by another individual or business
- Calculate a properly budget dedicated to the national and international application and to the enforcement process
- Stress the fact that you have design rights
- Mark Your Product with your application/ registration Number(s)
- Remove the registration Number Once your Patent Expires

## DON'Ts

- Do not disclose your product too early in order not to compromise its patentability
- Do not miss deadlines (6-12 months priority period) that may impede you from obtaining design protection abroad
- Do not miss alternatives of protection
- Do not Leave Your IP portfolio Unprotected
- Do not miss the product marketing evaluation
- Do not forget to pay the renewal fees
- Do not forget to constantly monitor your design rights
- Do not notifying an infringer before to have a legal advice
- Do not act immediately but seek counsel after being put on notice of possible infringement of another party's design

## DO's

- Ensure your work is properly marked
- Register your work
- Keep or register supporting evidence to attest the creation date
- Sign agreement between co-authors
- Use Copyright notices. The notice should be obvious and legible
- Use the correct notice form:
  - The actual term "copyright".
  - The copyright symbol "©".
  - The year
  - The name of the owner
- Extending the notice (e.g. all rights reserved)
- Implement policies and processes for identifying your copyright

## DON'Ts

- Do not assume that material without a copyright statement attached is unprotected by copyright.
- Do not assume that material you find on the Internet is unprotected by copyright
- Do not equate Creative Commons with "free for grab"
- Do not copy material just because you can't find a copyright holder

## DO's

- Verify if it is appropriate to make efforts to maintain trade secret rather than protect your assets through patents, copyright or any other form of intellectual property right
- Select only strategic information to be trade secret
- Take any useful precaution for maintaining your secret
- Implement all necessary measure to keep information confidential
- Conduct an initial trade secret audit
- Develop and write down a trade secret protection plan
- Share your secret only after signing a coherent non-disclosure agreement
- During a business negotiation tell as little as necessary to achieve your commercial objective
- Choose your recipients very carefully
- Allow access to secrets only to the staff really who need to know them
- Label documents, items and software containing trade secrets
- Encode and protect with a password trade secret information
- Use employee manuals to stress trade secret protection
- Use physical security barriers
- Limit access to visitors
- Conduct routine trade secret audits

## DON'Ts

- Don't disclose any relevant information
- Don't publish your secret in any way
- Don't think to have the right to stop people who acquire or use information in a legitimate way
- Don't be light-minded in taking any possible useful precaution and in valuing the importance of your secret
- Don't mix trade secrets with non-trade secrets
- Don't forget to insert a confidentiality clause in any relevant interview or agreement
- Don't allow departing personnel to forget nondisclosure agreement clauses
- Don't permit to anyone to access relevant information
- Don't leave your secret exposed to view