



DOUGLAS KIM

LAW FIRM, LLC

Protecting Intellectual Property at Trade Shows

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DOUGLAS KIM
LAW FIRM, LLC

- Introduction to Intellectual Property
- IP and Trade Shows



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- PATENTS

United States (Patent Rights)

- ▶ The invention must be statutory (subject matter eligible).
- ▶ The invention must be new.
- ▶ The invention must be useful.
- ▶ The invention must be non-obvious.



United States (Patent Rights)

- ▶ Making, using, offering for sale, or selling the invention in the United States
- ▶ or importing the invention into the United States.



“International” Patent Rights

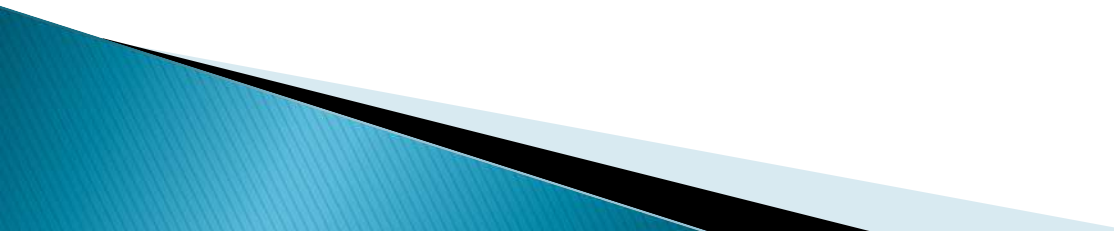


In the US – 12 Month Grace Period

12 Months

Public Disclosure
/ Offer for Sale /
Sale

Patent
Application



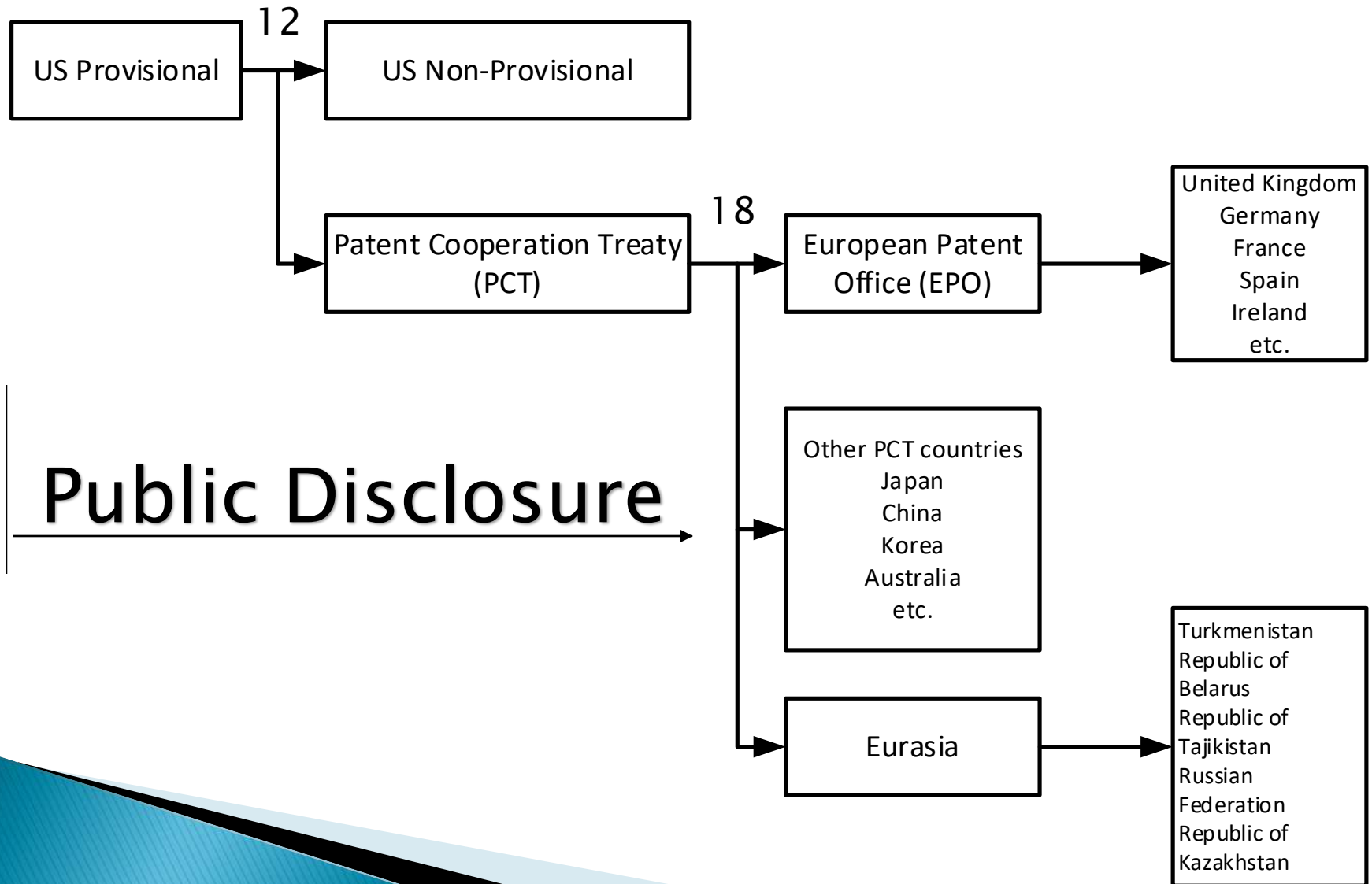
Outside the US NO Grace Period

FAIL

Public Disclosure
/ Offer for Sale /
Sale

Patent
Application

International IP Preservation



Patents



US 20100266412A1

(19) **United States**

(12) **Patent Application Publication**
Barber

(10) **Pub. No.:** US 2010/0266412 A1

(43) **Pub. Date:** Oct. 21, 2010

(54) **WIND TURBINE**

(52) **U.S. Cl.** 416/147; 290/55

(76) **Inventor:** **Gerald L. Barber**, Greenville, SC
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ATLANTA, GA 30339-5994 (US)

(21) **Appl. No.:** 12/426,494

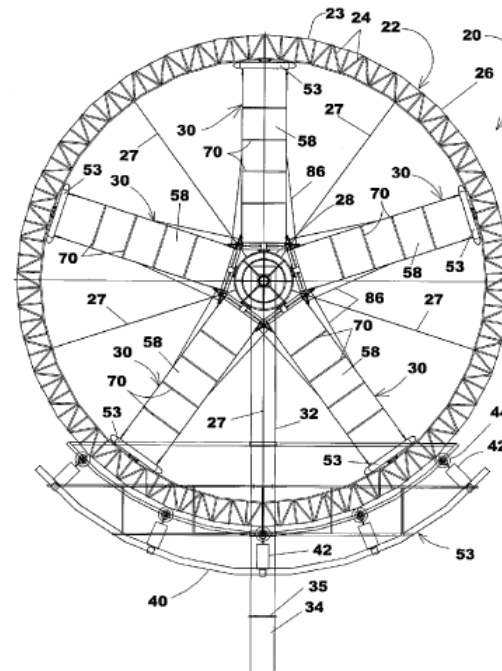
(22) **Filed:** Apr. 20, 2009

Publication Classification

(51) **Int. Cl.**
F03D 7/02 (2006.01)
F03D 9/00 (2006.01)

ABSTRACT

A wind turbine (20) includes a turbine wheel (22). Radially extending sailwing assemblies (30) are supported between the axle structure (28) and the perimeter rail (26) of the turbine wheel. The sailwing assemblies include sail end supports (52, 53), sail support cables (54, 55) extending between the sail end supports, and sailwings (58) that are supported by the sail support cables and extend between the axle structure (28) and the perimeter rail (26) of the turbine wheel. The sail end supports (52, 53) may be pivoted to form a pitch in the sailwings (58) and pivoted with respect to each other to form a twist in the sailwings, and sail spreader bars (70) may be mounted in the sailwings and connected to the sail support cables (54, 55) to adjust the effective width and loft of the sailwings.





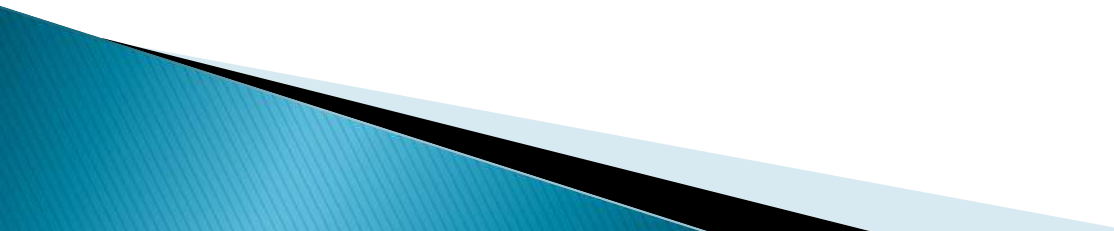
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- TRADEMARKS

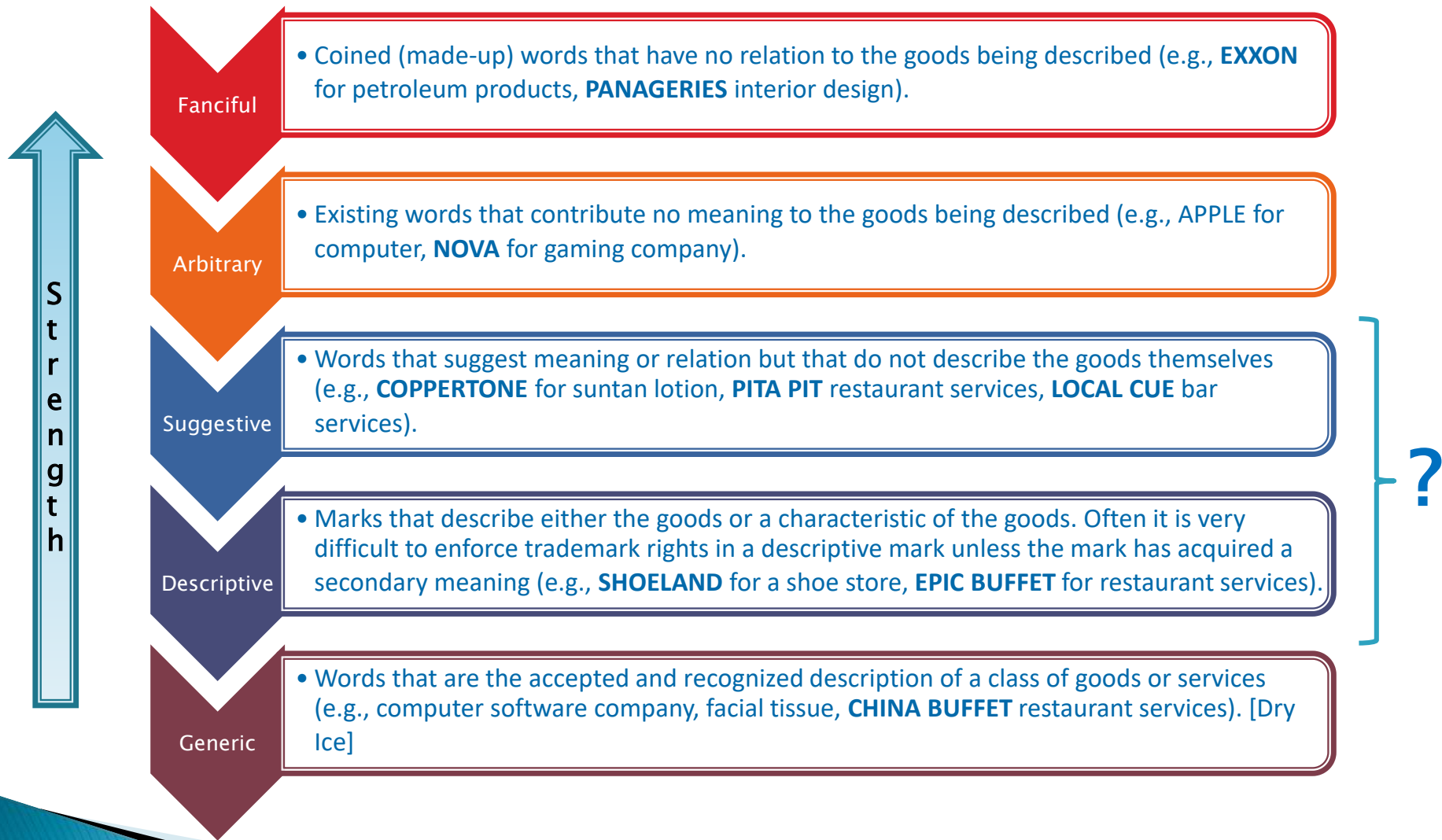
Trademarks

A **trademark** is a word, phrase, symbol, and/or design that identifies and distinguishes the source of the goods of one party from those of others.

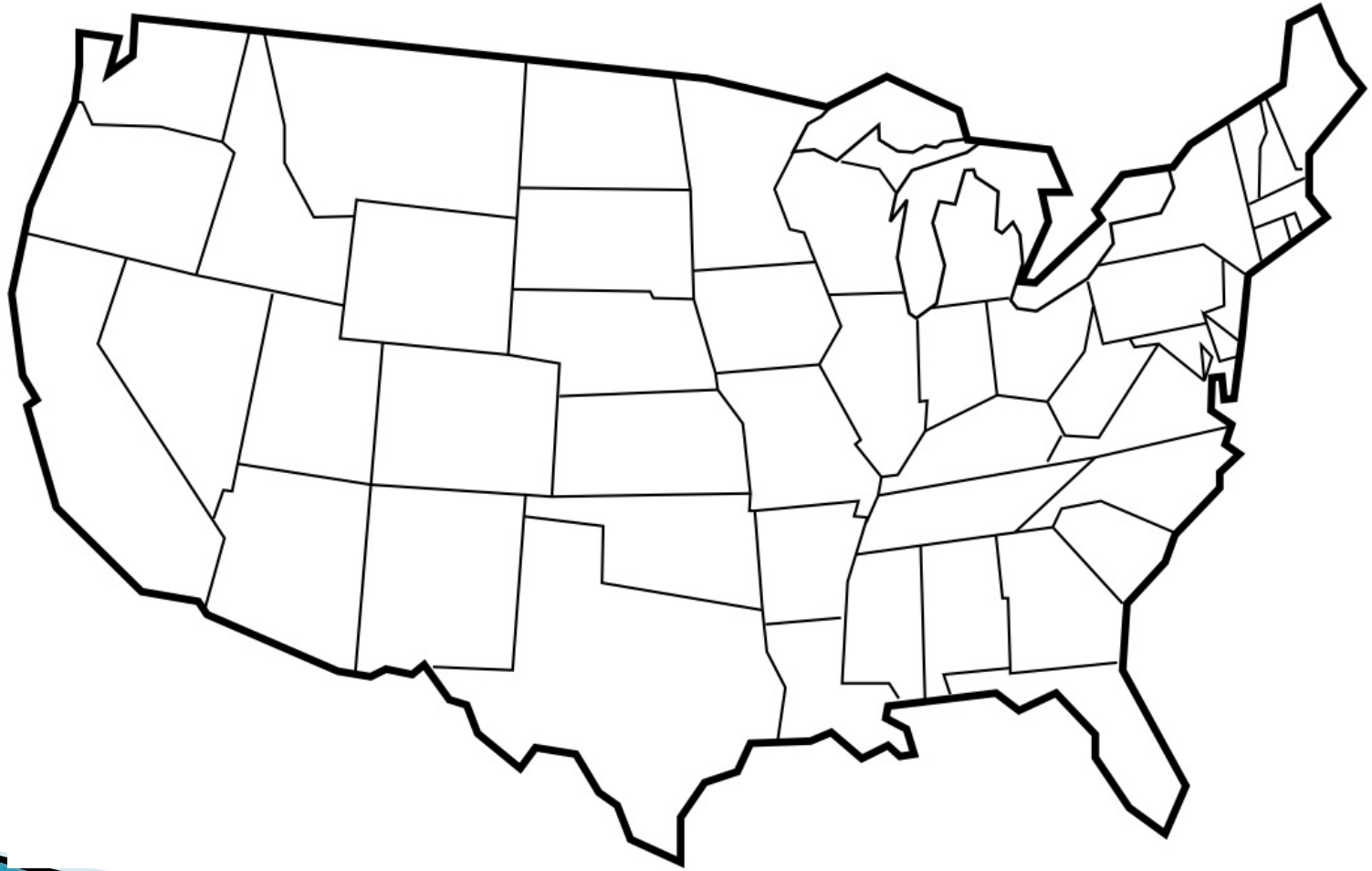
A **service mark** is a word, phrase, symbol, and/or design that identifies and distinguishes the source of a service rather than goods. Some examples include: brand names, slogans, and logos. The term "trademark" is often used in a general sense to refer to both trademarks and service marks.



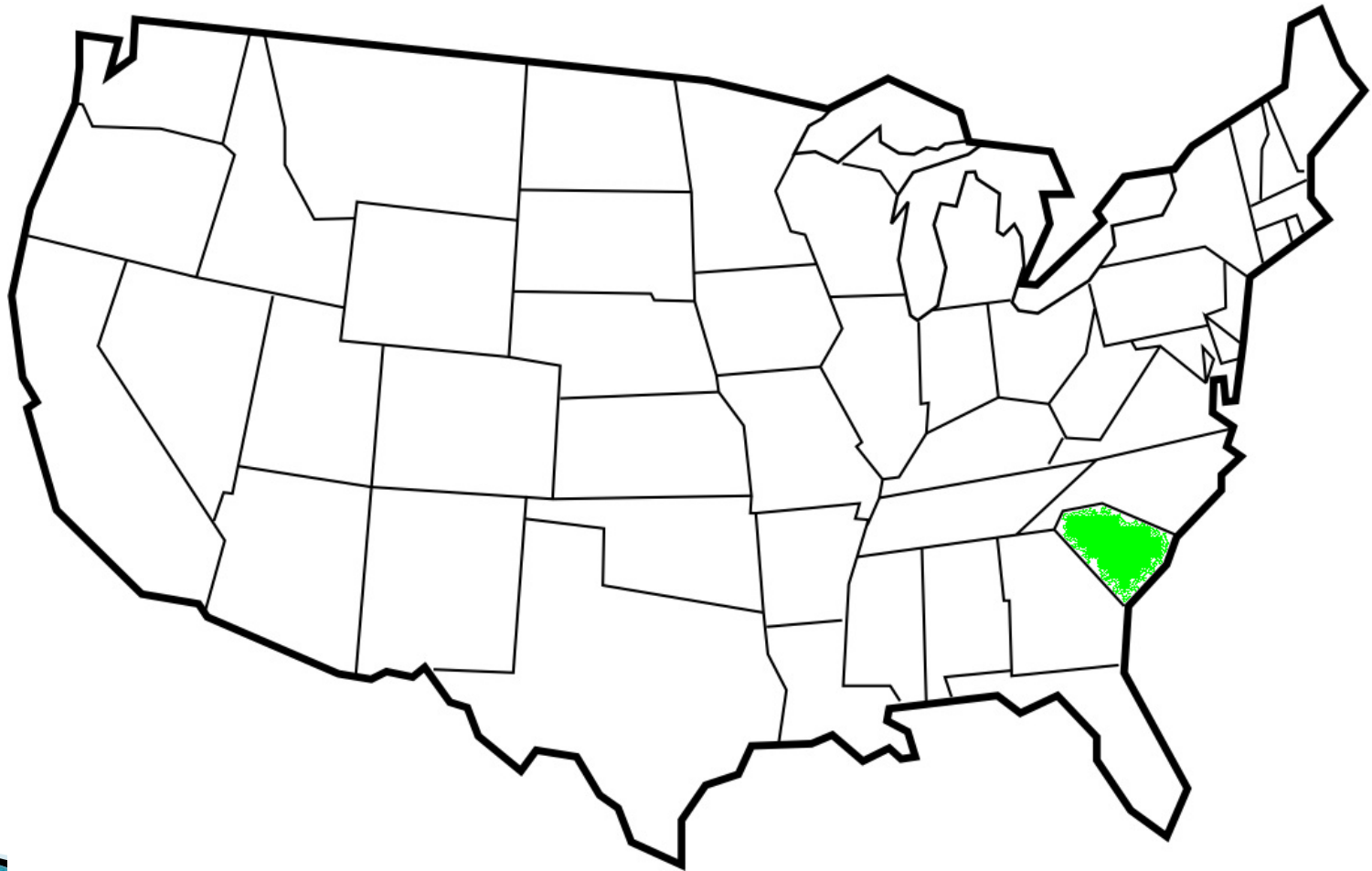
Strength of Marks.



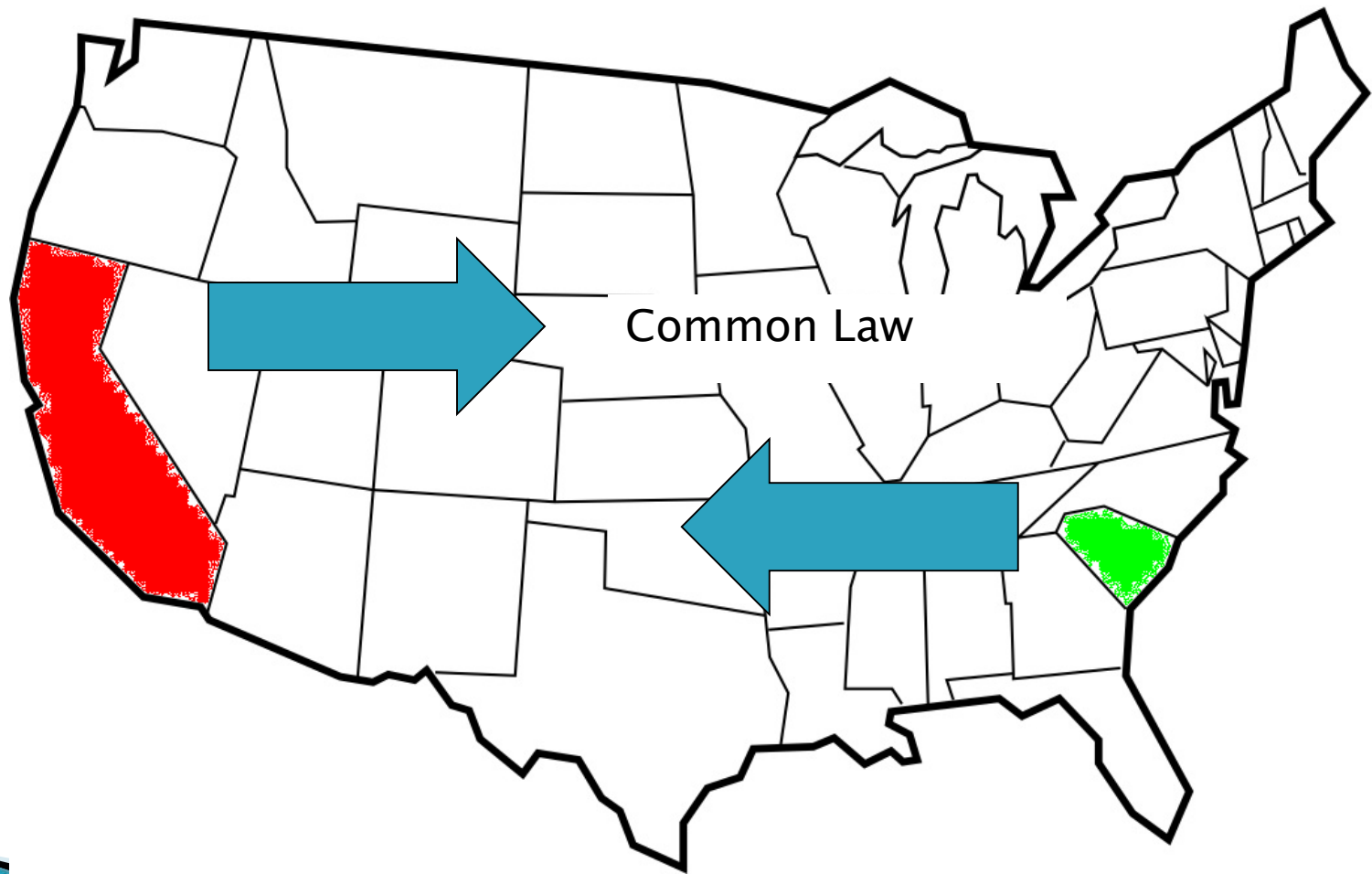
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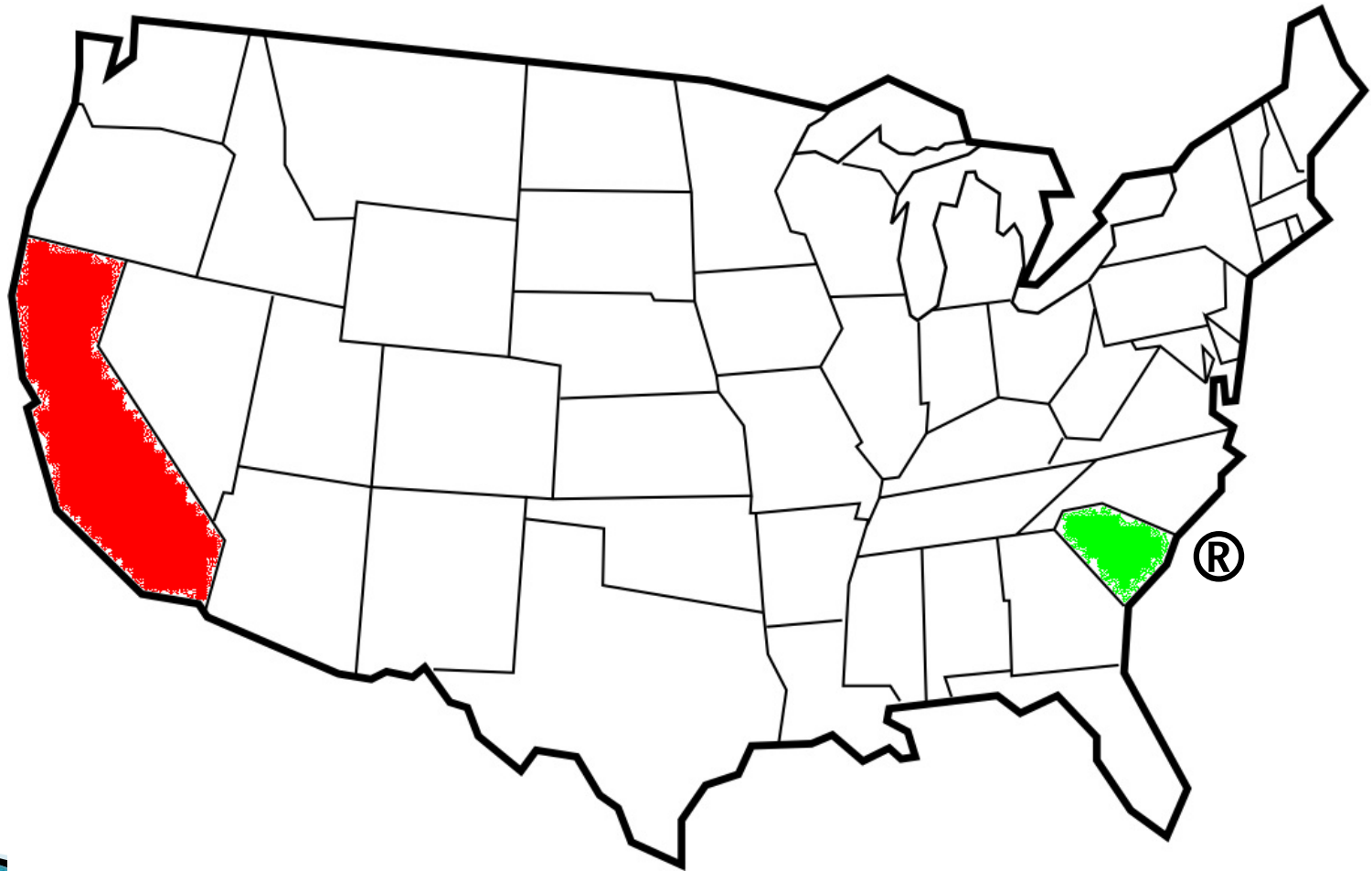
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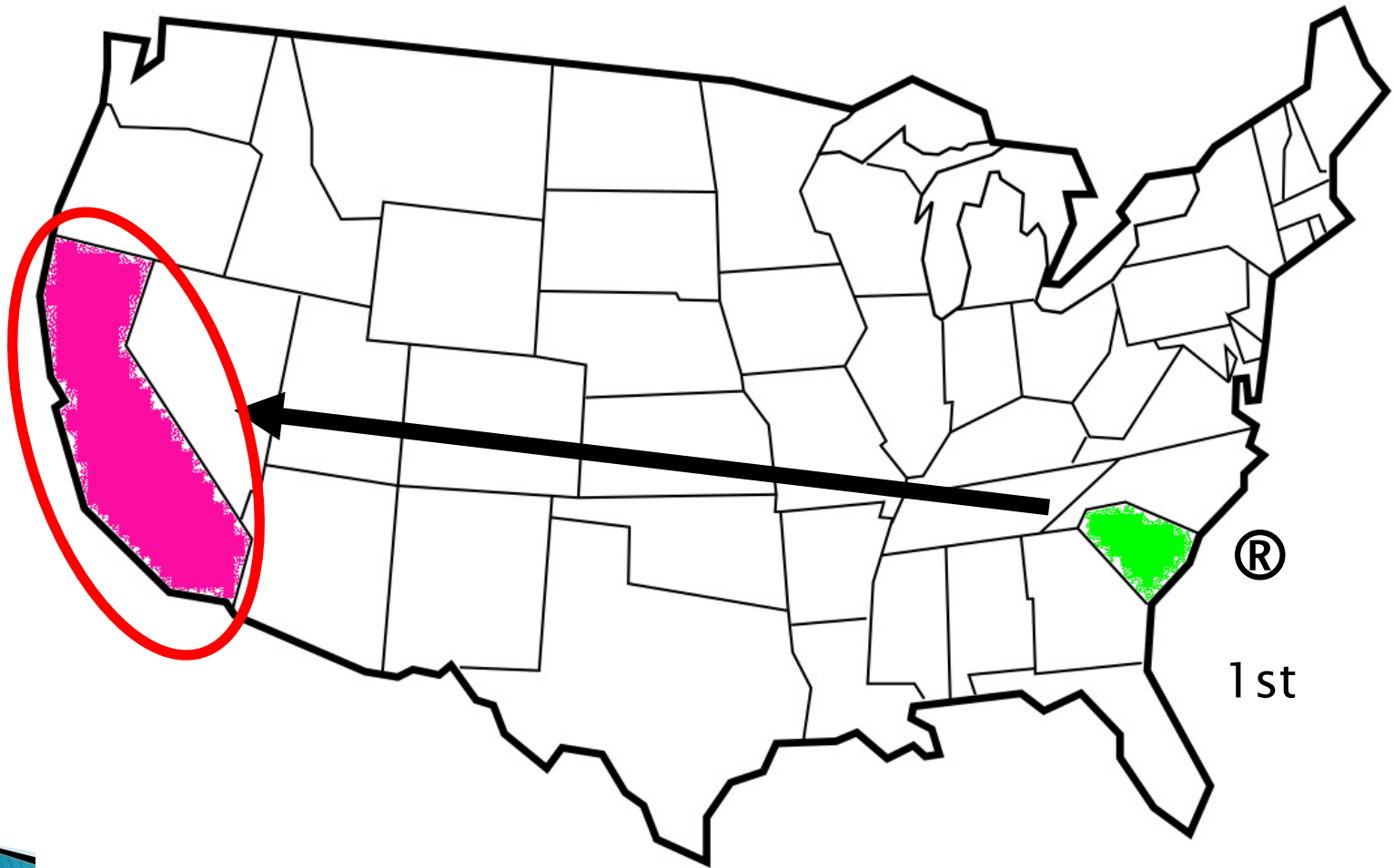
Trademarks



Trademarks



Trademarks



International Trademarks



International Trademarks



Jordan = Qiaodan

Trademarks

Int. Cls.: 6, 7 and 28

Prior U.S. Cls.: 2, 12, 13, 14, 19, 21, 22, 23, 25, 31,
34, 35, 38 and 50

Reg. No. 1,995,042

United States Patent and Trademark Office Registered Aug. 20, 1996

TRADEMARK PRINCIPAL REGISTER

RYOBI

RYOBI LTD. (JAPAN CORPORATION)
762, MESAKI-CHO
FUCHU-SHI, HIROSHIMA-KEN, JAPAN

FOR: BUILDING MATERIALS OF CAST METALS, NAMELY DOOR CLOSERS AND STRUCTURAL PARTS THEREOF, FLOOR HINGES, DOOR HINGES, KNOBS, AND LOCKS FOR DOORS AND WINDOWS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 0-0-1966; IN COMMERCE 0-0-1972.

FOR: WOOD AND METAL WORKING MACHINES AND THEIR STRUCTURAL PARTS, MACHINE TOOLS AND THEIR STRUCTURAL PARTS, ELECTRIC WORKING MACHINES, AND SMALL ELECTRIC UNIVERSAL MACHINES, ALL FOR WOOD, METAL, AND BUILDING MATERIALS, NAMELY ELECTRIC PLANERS, ELECTRIC SPEED SAWS, ELECTRIC DRILLING MACHINES, ELECTRIC HAMMER DRILLS, ELECTRIC CONCRETE HAMMERS, ELECTRIC SCREW DRIVERS, ELECTRIC RESIN MIXERS, ELECTRIC SANDERS, ELECTRIC GRINDERS, ELECTRIC POLISHERS, ELECTRIC ROUTERS, ELECTRIC TRIMMERS, ELECTRIC CHAIN SAWS, ELECTRIC CUTTING SAWS, ELECTRIC JIG SAWS, ELECTRIC GROOVE CUTTERS, ELECTRIC BAND SAWS, ELECTRIC JOINTER PLANERS, ELECTRIC CHAIN MORTISERS, ELECTRIC HOME CARPENTER'S SET CONSISTING OF AFORESAID WORKING MACHINES AND MA-

CHINE TOOLS AND PNEUMATIC WORKING MACHINES AND SMALL PNEUMATIC UNIVERSAL MACHINES FOR WOOD, METAL, AND BUILDING MATERIALS, NAMELY PNEUMATIC DISC SANDERS, PNEUMATIC IMPACT DRILLS, PNEUMATIC NAIL DRIVING MACHINES, PNEUMATIC SCREW DRIVERS, PNEUMATIC DISC GRINDERS AND STRAIGHT GRINDERS, PNEUMATIC NUT RUNNERS, PNEUMATIC SANDERS, PNEUMATIC POLISHERS, PNEUMATIC DRILLS, PNEUMATIC TAPPERS, PNEUMATIC HAMMERS, PNEUMATIC RAMMERS AND STRUCTURAL PARTS AND FITTINGS FOR ALL THE AFORESAID GOODS; POWER OPERATED GARDEN TOOLS, NAMELY ENGINE CHAIN SAWS, ENGINE GARDEN TRIMMERS, HEDGE TRIMMERS, LINE TRIMMERS, LAWN MOWERS, GRASS SHEARS AND CULTIVATORS; PRINTING MACHINES AND THEIR STRUCTURAL PARTS AND FITTINGS; PHOTO TYPE-SETTING MACHINES AND THEIR STRUCTURAL PARTS AND FITTINGS; AND ELECTRIC PRINTING-PLATE MAKING MACHINES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 0-0-1966; IN COMMERCE 0-0-1968.

FOR: GYMNASRIC AND SPORTING ARTICLES, NAMELY FISHING TACKLE AND GOLF CLUBS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).



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- Copyrights

Copyrights



Abstract mark



Mascot logo



Combination mark



Emblem logo



NASA



Google



Copyrights

No Registration Needed?
NOT REALLY

CERTIFICATE OF COPYRIGHT REGISTRATION

 This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 101 of the U.S. Copyright Code, grants the copyright and associated legal rights to the work herein named. The documents in this certificate packet must be kept in the Copyright Office records.

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United States of America

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AUTHORITY OF REGISTRATION: This work is a computer program and is a work of the United States of America and is not eligible for copyright protection.

2 **Mr. Saverio Arampada**
1943
b *Copyright and other related laws of the country of origin*
c

3 **101**

4 **Mr. Saverio Arampada**
1 World Bank
Washington, D.C. 20542
153391-4101



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- TRADE SECRETS

Trade Secrets (SC)

- ▶ "Trade secret" means:

- (a) information including, but not limited to, a formula, pattern, compilation, program, device, method, technique, product, system, or process, design, prototype, procedure, or code that:

- (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public or any other person who can obtain economic value from its disclosure or use, and

- (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

An Example



An Example

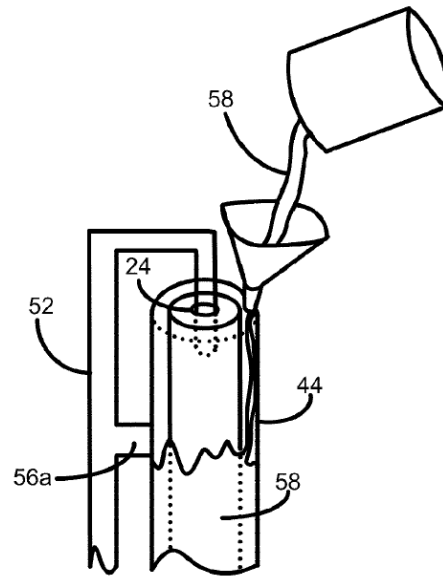


Fig 6B

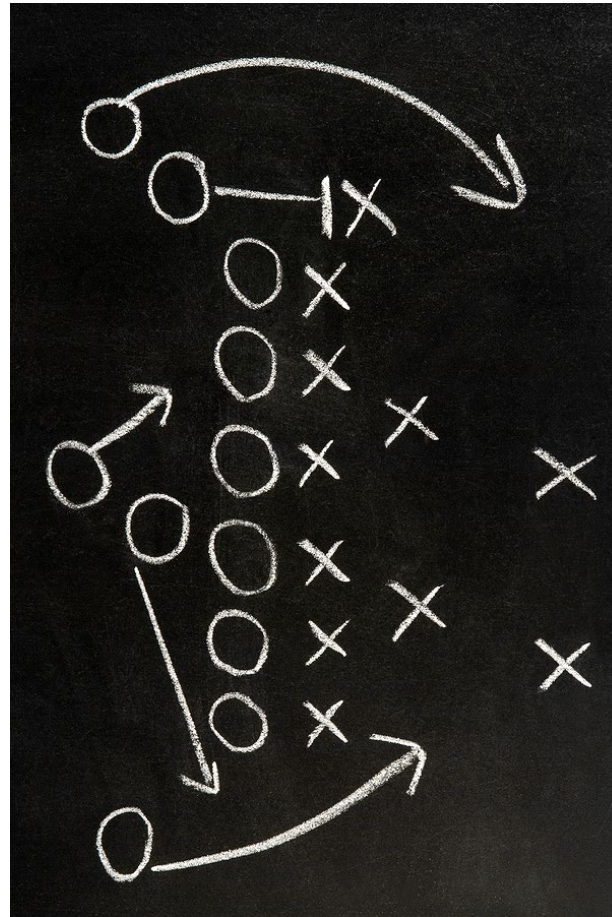


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- Introduction to Intellectual Property
- IP and Trade Shows

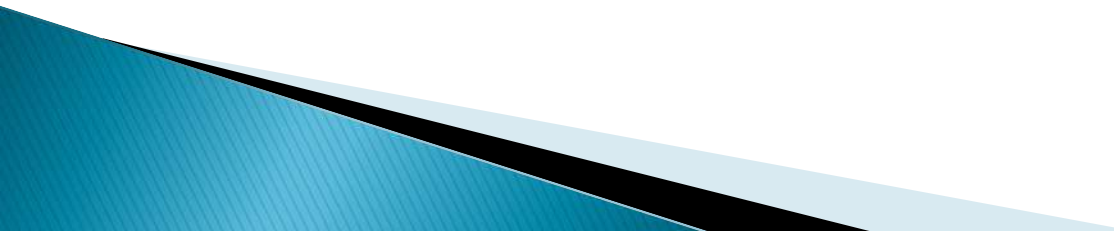
Trade Show “IP” Purpose

OFFENSE



DEFENSE

Pre-Trade Show Actions

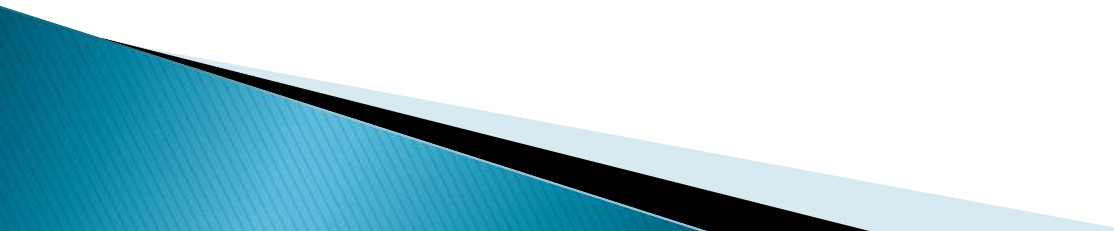
- ▶ **Determine your strategy** well in advance of the trade show (enforcement action, gather evidence, build a case?)
 - ▶ **Identify key IP assets** (trademarks, patents, copyright) and register your rights in the county at the earliest possible opportunity.
 - ▶ If you plan to take action at the trade show, **prepare the required documents** – some may need to be notarized and legalized which can take several months.
 - ▶ **Understand what is a “trade secret”**, especially that which cannot be sheltered under other forms of intellectual property law.
- 

Who's Going / What Are Their Roles

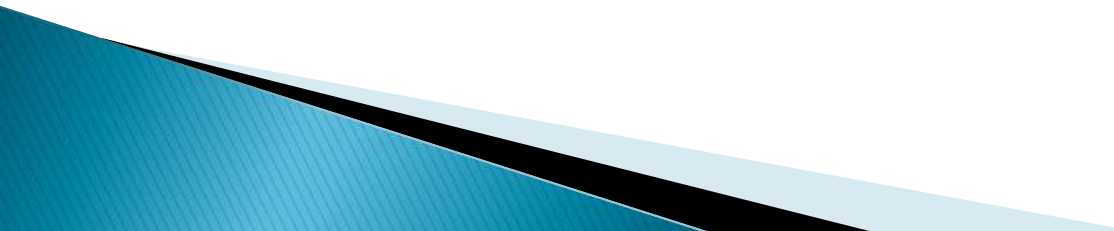
1 + 1 = 2 “Engineer”

1 + 1 = 11 “Sales”

At the Trade Show Actions

- ▶ **During set-up phase, visit known, past or suspected infringers.** Being aware of the 'usual suspects' and using the fair as a chance to make in-depth investigations and gather evidence may be as valuable as taking enforcement action at the trade fair.
 - ▶ **Have your enforcement team in place** and know where the relevant IP authorities are located and make contact, particularly if your agents/lawyers have a good working relationship with them.
 - ▶ **If you do discover infringement use the existing rules of show first.**
- 

Post Trade Show Actions

- ▶ **Follow up** on evidence gathered or actions taken at the trade fair.
 - ▶ If you did take action at the trade fair, follow up with the authorities and conduct follow up investigations to check if the infringer has halted the infringing activities.
 - ▶ **Take further enforcement action** if necessary.
- 

global. gaming expo





Booth Display Rules & Regulations 2018

3. **Photography or videography** of any kind of any products within an exhibitor's Exhibit Space **is not allowed** without the **express permission of the exhibitor**. Any individual wishing to photograph or record speakers must receive written consent from Reed Exhibitions, on behalf of G2E, co-owned by Reed Exhibitions and the American Gaming Association ("Management"), before taking such action.



Booth Display Rules & Regulations 2018

If any exhibitor breaches any of its obligations under the License Agreement, (1) Management, may immediately, without notice, terminate the License Agreement and prohibit the breaching exhibitor from exhibiting at the Exhibition and all future shows and exhibitions run by Reed Exhibitions...



Booth Display Rules & Regulations 2018

Further, if an exhibitor breaches any of its obligations under the License Agreement, Management may direct exhibitor to **immediately remove its employees, any of its representatives and agents, its merchandise, and all of its property from the Venue.**



IP ISSUES AND PROCEDURES

Dear Exhibitor:

We respect the Intellectual Property (“IP”) rights of all of our exhibitors and take these matters very seriously. Please review this document in its entirety and follow the procedures outlined below so that we may efficiently and effectively react to your IP claim against another exhibitor.



IP ISSUES AND PROCEDURES

Please provide the following item in an electronic (PDF) format only and E-mail to :

- A.) A letter or e-mail showing that you have already reached out to the exhibitor concerning the alleged infringing item (the “Accused”).
- B.) The **U.S. Patents, U.S. Trademark Registrations** or **U.S. Copyright Registrations** in question, and proof that such rights are currently effective.
- C.) Contact information (e-mail address) of your designated representative authorized to act on your behalf at the Venue/Exhibition.



IP ISSUES AND PROCEDURES

1. Management is not and will not act as an arbiter of the existence of valid and subsisting rights in intellectual property of a complaining exhibitor.
2. Management is not and will not become an enforcement.
4. Management will cooperate and act consistently with any duly issued court order, writ, judgment or injunction against an exhibitor. In so acting, Management is a neutral party and Management's presence during service of any court issued documents during the Exhibition is strictly for the purpose of carrying out Management's responsibility to try to protect the integrity and peace of the Exhibition.

Thank You



Douglas W. Kim
Douglas Kim Law Firm, LLC
864-616-9095
doug@douglaskim.com

- ▶ Doug concentrates on legal counseling concerning contracts, licensing, and the protection and enforcement of intellectual property (IP) rights both domestically and internationally.
- ▶ Doug assists with analyzing and developing legal strategies with the goal of reducing risk and increasing company value. When working with clients from new ventures to multinational corporations, Doug combines his business experience with his legal experience to provide comprehensive and integrated legal services for companies whose products or services are technical in nature.
- ▶ Doug's practice of contracts, licensing, patents, trademarks, copyrights, trade secrets and litigation includes aspects directed to the reduction of risk and creation of IP rights and the judicial enforcement or defense of these rights.