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*Learn the signs before the game:*

**PROTECTING YOUR INTELLECTUAL PROPERTY**

April 26, 2017 | Kevin Vela

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# *What is protectable?* **COPYRIGHTS**

- Copyrights
  - Protect original works of authorship
  - Generally artistic
  - Protected at the moment of creation
  - Least expensive, strong protection
- Nike Example
  - The color of the shoe and design could be a copyright as it is artful in nature.



**WHAT'S THE DIFFERENCE BETWEEN A  
COPYRIGHT, A PATENT, AND A  
TRADEMARK?**



# *What is protectable?* TRADEMARKS

- Trademarks
  - Protect trade names, slogans, and logos
- Nike Example
  - The “Nike” name, logo (the swoosh), and slogan (“Just Do It”) are all trademarks of Nike.



THE DIFFERENCE BETWEEN <sup>TM</sup> AND <sup>®</sup>  
SEARCHING FOR SIMILAR TRADEMARKS



# *What is protectable?* **PATENTS**

- Patents
  - More scientific
  - Complex and expensive
- Nike Example
  - Nike's shoe technology (Nike AIR) is a patent. The Nike Air bubble is functional and has a scientific purpose.

# *What else is* **CONFIDENTIAL?**

- Business Plans
- Marketing Plans
- Frameworks
- Ideas
- Pretty Much Anything



**THE COMPANY AGREEMENT EXPLAINED:  
CONFIDENTIAL INFORMATION AND NON-  
COMPETE**



# *Keep it* **CONFIDENTIAL**

- NDAs
- How much should you disclose, and when?



**DOES YOUR IDEA REALLY NEED AN NDA?**

**VW**

# Who OWNS IT?

- IP Assignment Agreements
- Licensing Agreements
- Founder Agreements



**WHO'S YOUR GODADDY? (COMPANY  
DOMAIN NAME OWNERSHIP)**





**VESTING:** *the period of time that securities may be subject to forfeiture or repurchase*

- 4 Years with a 6 Month Cliff
- Vesting Schedule v. Release Schedule



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# *Dealing with* **DEVELOPERS**

- Get it in writing
- Hire a lawyer
- Don't pay all up front



**HIRING A DEVELOPER? GET IT IN WRITING  
AND SIGNED FIRST.**



# *Any* QUESTIONS?



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