BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM

INTELLECTUAL PROPERTY

For many businesses and individuals, intellectual property (IP) is critical to their success and security, and their IP is core to their business. In today's highly competitive climate where misappropriation of IP has become more rampant, entities must protect their assets and have the means to combat infringement, counterfeiting and other thefts.

Berger Singerman's IP group, which includes two Florida Bar Board Certified Intellectual Property Specialists, is experienced in counseling clients across a broad spectrum of industries and size through the intricate world of IP protection. The group can assist clients in evaluating intellectual property assets to protect trademarks, copyrights, patents and trade secrets; we can facilitate that protection through registration, licensing, assignments, and other appropriate procedures. Berger Singerman's IP group members have substantial experience in advising clients on how to avoid IP conflicts and responding to threats, claims and lawsuits lodged by others concerning alleged violations and infringements of their IP.

Berger Singerman's IP group represents clients in a variety of areas affecting IP, including:

Intellectual Property Enforcement and Litigation

Our group of experienced intellectual property litigators are highly skilled in bringing and defending high stakes claims of trademark infringement, patent infringement, copyright infringement, trade secret misappropriation, false advertising, violation of rights of publicity, defamation, and related claims. We regularly appear in federal and state court, in administrative proceedings before the United States Patent and Trademark Office's (USPTO) Trademark Trial and Appeal Board (TTAB), and in domain name arbitrations in front of the World Intellectual Property Organization (WIPO). Our group effectively litigates IP disputes for a wide range of clients, including famous international brands, mid-market companies, technology startups, and individual inventors and brand influencers.

Trademark Prosecution

Brand protection is a critical business component that cannot be overlooked. Our intellectual property group takes pride in representing clients in connection with the counseling, filing, prosecution, maintenance, and portfolio management of domestic and foreign trademark applications and registrations. We provide a wide range of trademark clearance services which includes providing analyses and opinions as to the availability and risks of adopting and using trademarks. We also provide guidance on domain names and search engine optimization to enhance our clients' internet-based businesses and components.

Patent Prosecution

Berger Singerman's patent prosecution group is highly experienced and effective in protecting our clients' useful inventions. We represent local, national, and international businesses in connection with preparing, prosecuting and maintaining patent applications and issued patents. We take a business-minded approach to patent portfolio management, which includes counseling on domestic and foreign patent prosecution matters. We maintain an expansive international network to provide clients with global patent representation. We also provide patentability, infringement, validity, and freedom-to-operate opinions which are critical to assessing viability and risk associated with inventions. Our technical expertise includes mechanical systems, electro-

mechanical systems, software, designs, nutritional products, and business methods.

Copyrights

Copyrights protect creative material such as music, art, photography, website material, architectural drawings and other works of authorship. Our copyright attorneys file and maintain domestic and foreign copyright applications and registration and counseling clients about the various ways in which copyrights may be acquired, managed, protected, monitored and exploited.

Intellectual Property Transactions and Licensing

Our Intellectual Property group counsel clients at all stages of the business cycle in connection with drafting and negotiating license agreements, rights acquisition (patents, trademarks, copyrights, and domain names), asset transfers and assignments, website terms and conditions, software-as-a-service agreements, software development agreements, information technology contracts, and manufacturing and distribution contracts. Our IP group works collaboratively with our corporate group in connection with mergers and acquisitions, providing IP audits, due diligence, IP restructuring and asset protection. We have participated in deal groups in transactions as large as $250 million.

Internet and Social Media

For many businesses, the Internet is a primary, if not exclusive, advertising medium and source of revenue. Berger Singerman's IP group works on the cutting edge of internet law, representing clients in connection with social media username disputes, developing usage guidelines, reputation management, and content creation and protection. We also counsel and assist clients in website compliance under the Americans with Disabilities Act (ADA) and other applicable regulatory laws.

Data Privacy

Berger Singerman relies on an interdisciplinary group of attorneys to counsel and clients on a wide variety of privacy and cybersecurity matters. We prepare privacy policies in accordance with the current state of applicable state, federal, and international law. We also provide guidance on information technology and security matters, including best practices, matters incident response and planning, cyber assessments and compliance guidance.