



CAPABILITIES / BUSINESS & FINANCE

## Intellectual Property

By helping our IP clients procure a patent or trademark grant or obtain favorable licensing, we help create profit and grow.

### OVERVIEW

*"We create value for a company by protecting new intellectual property."*

— Joseph Aceto

Obermayer's IP attorneys provide cost-effective legal counseling for companies to give these clients a level of comfort that, as they are creating commercial value in their new idea, their IP is optimally protected. Clients throughout the U.S. seek our help in a wide variety of intellectual property areas, including:

- Patent, trademark and copyright litigation
- Counseling; and,
- Licensing

The attorneys in this practice group have also been involved in numerous infringement defenses, as well as business planning and execution elements of intellectual property.

Our IP team comprises knowledgeable attorneys, usually with advanced technical degrees in addition to a law degree. These attorneys have a diverse understanding of the technology they represent and the laws they apply.

#### Our Value

We help cost effectively ensure that any government grant or license obtained for a client has a scope that is as broad as possible yet still incorporates the commercial protection needed in the service or products provided by the client.

#### Our Clients

Our IP group creates intellectual property and value for a client, securing and defending a client's intellectual property estate and building wealth for the company. As business and corporate attorneys, we understand how important and expensive an IP estate can be for a client especially a start-up as well as the need to have IP in a competitive market. That is why we take an interpersonal approach, advising clients with a focus on their specific situation and business interests that keeps costs to a minimum. With

emerging new technology in medicine and biotechnology, Obermayer has a team of professionals with considerable industry experience who understand the need for a strong IP portfolio and who offer significant depth and breadth.

### Our Focus

We focus on the need to keep legal costs to a minimum by balancing the optimum patent/trademark protection with the potential legal expenses. Another concern is a client's infringement of a third party's rights. We work with our clients to assess the patent landscape and the possible risks. Obermayer helps clients carve out a market share adequately enforceable with a client's IP estate.

The members of our IP team work closely with our clients to ensure all the clients' legal needs are covered. We not only secure the IP but also provide a complete legal package for the client's company, including employment, governance and financial concerns.

### EXPERIENCE

- We obtained patent protection for a device a client developed. We then helped him commercialize the product through a licensing agreement with another client who was interested in entering that area of technology.
- During the Pope's visit to Philadelphia, we secured trademark protection for slogans and logos created specifically for the event. Additionally, we transferred painting and other works of art for the event from the creator to the event organizers.
- We expedited the grant in the U.S. of a new client's technology, which allowed this business to license it to a large pharmaceutical company. Prior to our engagement, the client had spent several years and a large sum of money on appeals without making progress. The root cause for not initially getting the grant was that the prior attorney did not spend the time with the client to understand the details of the technology and then be able to explain it to the patent examiner.
- When a professional athlete wanted to protect his likeness, our IP attorneys considered how and in what areas he would commercialize his name and then successfully filed for appropriate trademark protection.

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