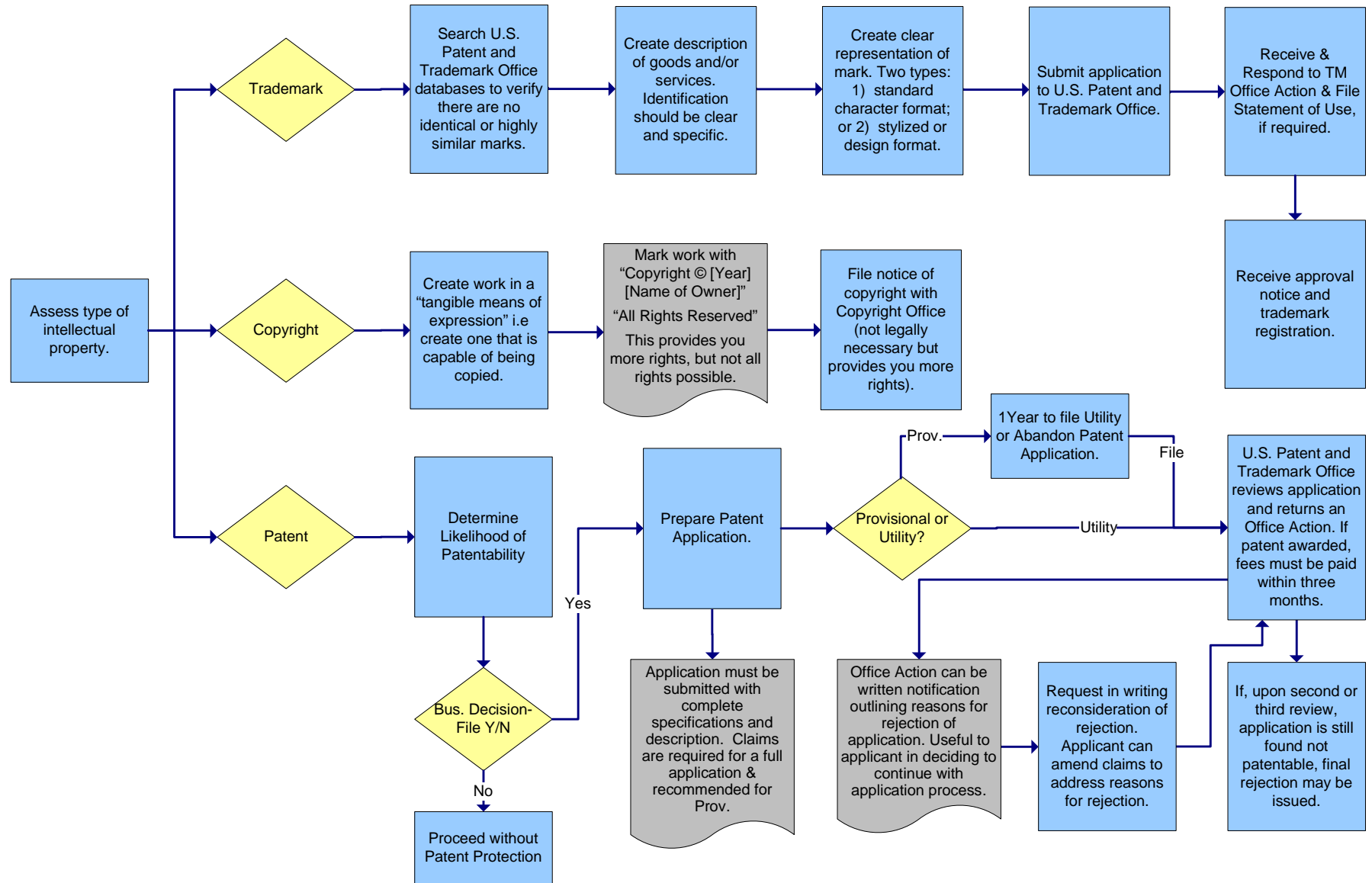


What To Expect!



Definitions

Type	Definition	Examples	Term
Trademark	<p>Trademark is a word, phrase, symbol, design, or a combination thereof used in commerce to identify and distinguish goods from one manufacturer or seller from another manufacturer or seller.</p> <p>A service mark is the same as a trademark, except it identifies the source of a service and not a product.</p>	<p>Four types</p> <ol style="list-style-type: none"> 1. Descriptive – describes goods and services. Example: Vision Center 2. Suggestive – indirectly refers to the goods and services with which they are associated. Consumer might have to use their imagination to determine nature of product. Example: Jaguar (automobile) 3. Arbitrary – use of common English words in a way that their meaning has no relation to the goods or services to which they are applied. Example: Apple (computers) 4. Fanciful – words that had no meaning until they are used as trademarks. Example: Kleenex 	<p>Indefinitely as long as owner continues to use the mark. Term is 10 years, with 10-year renewal terms. USPTO requires between the fifth and sixth year an applicant must file an affidavit stating mark is still being used. If no affidavit is filed, registration is cancelled.</p>
Patent	<p>A patent is awarded to an inventor to prevent another from making, selling, offering for sale, importing or using another invention that is described the claims of an issued patent. Patents protect inventions, machines devices, processes, and many other useful things.</p>	<p>Types of patents/Applications</p> <ol style="list-style-type: none"> 1. Utility patents – granted to anyone who invents or discovers any new and useful process, machine, compositions of matter, or any useful improvement thereof. 2. Design patents – granted to anyone who invents a new, original, and ornamental design or a product. 3. Plant patents – granted to anyone who invents, discovers, and can asexually reproduce any distinct and new variety of plant. 4. Provisional Patent Application – 1 Year duration. Application that must be followed up with a Utility application or it will become abandoned. 	<p><u>Utility Patent</u> 20 years from earliest filing date.</p> <p><u>Provisional Patent</u> 1 Year from filing.</p> <p><u>Design Patent</u> 14 Years from Grant</p> <p><u>Plant Patent</u> 20 Years from earliest filing date</p>
Copyright	<p>Copyrights are awarded to authors of creative works such as books, computer software, music, architecture, paintings, and many other bodies of creative work. A copyright gives an owner exclusive rights to copy, sell, and perform their body of work, as well as the rights to alter original work.</p>	<p>Examples of copyrighted material</p> <ol style="list-style-type: none"> 1. Literary works 2. Musical works, including any accompanying words 3. Dramatic works, including any accompanying music 4. Pantomimes and choreographic works 5. Pictorial, graphic, and sculptural works 6. Motion pictures and other audiovisual works 7. Sound recordings 8. Architectural works 	<ol style="list-style-type: none"> 1. Single author: Author's life + 70 years 2. Multiple authors: last survivor + 70 years 3. Anonymous/ Pseudonymous works: 95 years from published date or 120 years from creation date