

# Intellectual Property and Technology Practice



Safeguarding Your Competitive Advantage

**BUTZEL LONG**  
ATTORNEYS AND COUNSELORS  
*a professional corporation*

## Safeguarding Your Competitive Advantage

Butzel Long has built an agile, responsive IP team that can meet the needs – and exceed the expectations – of clients ranging from high-tech startups to major international corporations across the country and around the world. We have extensive experience helping U.S. - based clients enter the global marketplace, and helping clients from other countries become established in the U.S. Our team works hand-in-hand with other Butzel Long practice groups so that our clients' intellectual property needs can be integrated with the rest of their business goals and needs.

If your business is based on the manufacture and sale of products developed by your company, or of products for which you have your own unique manufacturing processes, patent protection can prevent competitors from making or selling similar products or using similar processes.

Trademark protection can help ensure that the valuable good will associated with your goods and services stays with you – and can help you guard against counterfeit goods from overseas.

Other intangible assets can be protected via copyright, trade secret, or other means.

### **Our team members work together to safeguard your competitive advantage:**

- We manage our clients' intellectual property portfolios, including preparing and prosecuting patent, trademark, and copyright applications, tracking renewal deadlines and fees
- We protect our clients' assets against infringement, and help our clients avoid infringing the intellectual property rights of others, including aggressive and cost-effective litigation and dispute resolution when necessary
- We help our clients exploit their assets in mergers, acquisitions, and licensing

Our experience reaches across the United States and into the Pacific Rim, South America, Europe – wherever our clients' needs take us, in industries as varied as automotive, media & entertainment, financial services, pharmaceuticals, and many others.

## Patents

Patents can protect virtually any new ideas or concepts that have been fully developed, including mechanical devices, metal alloys, pharmaceuticals, medical and diagnostic treatment protocols, software programs, and methods of doing business (including online).

Butzel Long's IP Team can work with your R&D, engineering, management, and legal staffs to obtain the most complete protection possible:

- Prosecution of U.S. and foreign patent applications
- Opinions regarding novelty, validity, patentability, and infringement
- Licensing, acquisitions and transfers, and other transactional/ownership issues
- Litigation and dispute resolution regarding patent infringement, invalidity, inventorship, and related causes of action

### Patent & Trademark Protection Obtained Worldwide, Including the Following Countries:

Argentina	Lichtenstein
Austria	Lithuania
Belgium	Luxembourg
Brazil	Mexico
Canada	Netherlands
Czech Republic	Norway
Denmark	Poland
Estonia	Portugal
European Patent Office	Saudi Arabia
European Union	South Africa
Finland	Spain
France	Sweden
Germany	Switzerland
Greece	Ukraine
Ireland	United Kingdom
Israel	United States
Italy	United Arab Emirates
Latvia	Venezuela

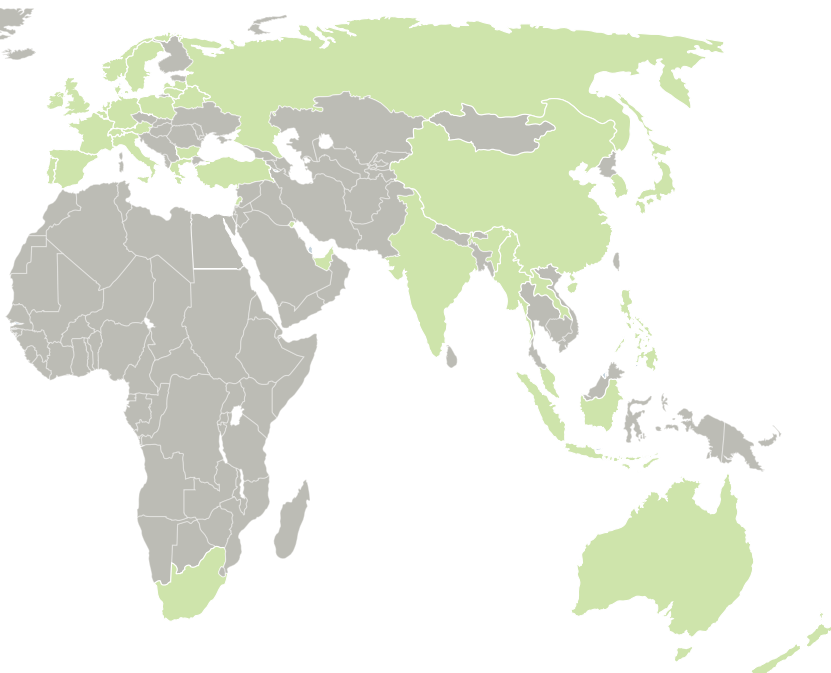




## Trademarks

How would it impact your business if a competitor were able to sell its products and services under your name? Identifying and legally protecting your company's trademarks is a simple and highly cost-effective way of safeguarding your competitive advantage. Butzel Long's IP Team can help you protect your trademark rights:

- Clearance searches and analysis for existing and proposed trademarks, service marks, and corporate names
- Preparation and prosecution of trademark applications, both in the U.S. and around the globe
- Management of U.S. and international trademark portfolios, including computerized tracking of renewal deadlines and maintenance fees
- Training in effective selection and proper use of trademarks
- Prosecuting and defending trademark infringement claims



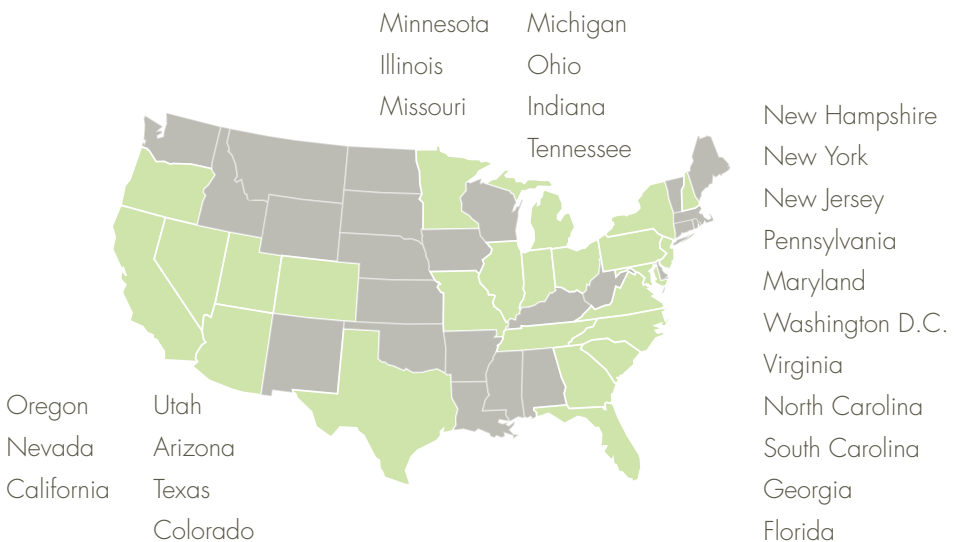
Australia  
China  
Hong Kong  
Hungary  
India  
Indonesia  
Japan  
Korea  
Malaysia  
Mauritius  
New Zealand  
Philippines  
Russia  
Singapore  
Taiwan  
Thailand  
Turkey  
Vietnam

## Litigation

Our IP Litigation Team's experience enables us to advise clients about the merits of their position, explore alternative modes of dispute resolution, assess the costs and benefits of different courses of action, and when necessary litigate aggressively and cost-effectively. We master the technical aspects of cases while maintaining focus on the overall themes of litigation, so as to present our clients' cases clearly and forcefully to judges and juries. We have handled litigation matters across the country and in all areas of IP.

- Evaluation, preparation, and aggressive prosecution and defense of patent, trademark, copyright, unfair competition, false advertising, and other intellectual property cases in state and federal courts
- Appellate practice in state and federal courts, including the U.S. Court of Appeals for the Federal Circuit
- Reexamination, reissue, and interference proceedings in the Board of Patent Appeals
- Opposition and cancellation proceedings in the Trademark Trial and Appeal Board
- Internet domain name dispute resolution

### **Patent, Trademark, Copyright, Trade Secret & Technology Cases Litigated Nationwide, Including the Following States:**





## Anti-Counterfeiting


Billions of dollars worth of counterfeit products find their way into the U.S. every year, threatening not only the health and safety of consumers but also the business interests of the authentic manufacturers.

The leading source of counterfeit goods – accounting for as much as 75 percent of the total – is China. Butzel Long’s IP expertise, coupled with the firm’s unique access to the China market through its participation in the China Alliance – positions us to provide “one-stop shopping” for clients seeking to protect themselves from counterfeiters. We can work with you to safeguard your competitive assets:

- Developing a comprehensive protection plan for IP assets, including patents, trademarks, copyrights, trade secrets, and contractual arrangements with employees, vendors, and distributors
- Registering trademarks in all countries where your products are, or may be, manufactured or sold
- Registering your trademarks with Customs officials, enabling them to watch for and seize counterfeit goods – both imports and exports – at the border
- Preparing brand protection manuals for internal use, and training your employees and associates in how to recognize and avoid counterfeit goods
- Taking effective legal action against counterfeiters, both in the U.S. and in other countries around the world

## Copyright

Almost any idea that can be expressed in tangible form can be protected by copyright. Copyright protection can apply not only to familiar items like books, movies, and sound recordings, but also to such critical business assets as computer programs and databases, web sites, advertising materials, and architectural works. Often the most critical issue is establishing ownership – in the absence of a properly worded agreement, the business that commissions a work may find that it is not the owner of the copyright.



Butzel Long's IP Team can work with your technology, marketing, management, and legal staffs to obtain the most complete protection possible:

- Obtaining and maintaining copyright registrations
- Creating procedures for acquisition and transfer of copyright ownership
- Drafting and negotiating agreements regarding joint ownership of works
- Developing polices for distribution and use of copyrighted works
- Prosecuting and defending copyright infringement and ownership claims

## Licensing and Technology

The licensing of patents, trademarks, copyright and trade secrets is a critical component of our intellectual property expertise. We have developed licensing strategies, including negotiating and drafting license and royalty agreements, for clients in the pharmaceutical, computer, automotive, and other industries.

In particular, Butzel Long's IP Team has extensive experience preparing technology licensing and outsourcing agreements for a variety of industry sectors; developing web site agreements, online agreements and policies; counseling and litigation on Internet security issues; advising on electronic record retention development and issues; and advising on the EU Directive and other issues related to doing global business on the Internet:

- Numerous licenses for computer software, representing both licensors and licensees
- Licensing of proprietary automotive restraint systems to automotive manufacturers
- Drafted and negotiated license for internet-based privacy technology to provide substantial privacy services solutions to health care plans
- Developed trademark licensing agreements for franchisors and licensors of services in the domestic services industry



## Electronic Discovery

With ninety percent of all corporate data now in electronic form and less than thirty percent reduced to paper - preparing for litigation or an investigation has taken most lawyers out of the familiar realm of paper documents. Butzel Long has established a reputation as a leader in understanding the impact of technology and electronic formats in today's legal environment, and has extensive experience in developing and implementing strategies for electronic and forensic discovery for internal corporate audits (SOX), investigations, and litigation; and for managing and selecting the appropriate tools and vendors for electronic data acquisitions.

## Trade Secrets

Technology and information are the most valuable assets held by many businesses worldwide. Businesses are challenged not only in protecting their knowledge and preventing against unfair competition, but also in navigating a legal arena that is evolving quickly and becoming highly technical.

Butzel Long provides comprehensive legal services for clients committed to protecting their trade secrets and customer relationships: the Trade Secret and Non-Compete Audit. We do this through preventative measures and a comprehensive set of litigation tactics, which involve three primary service deliverables:

- Identifying your protectable business assets and information
- Identifying and implementing the best legal and business measures to protect your business assets and information
- Being prepared with an immediate legal response in the event your assets or information are compromised





## About Butzel Long

Butzel Long is a leading law firm with over 225 lawyers and offices throughout Michigan, and in strategic locations in New York, Washington D.C., Florida, and China. Since its founding in 1854, the firm has represented a wide variety of institutions of higher education as well as playing a prominent role in the development of Michigan as an industrial, engineering and manufacturing center. The firm has a tradition of representing higher education and research institutions as well as commercial clients at their earliest stages of innovation and development, providing the guidance and counsel necessary for future success. From the formation of General Motors and the Dodge Motor Company to computer technology companies and bio-tech start-ups, Butzel Long has provided legal counsel to institutions across multiple industries for over 150 years.

Today business leaders from various industries turn to Butzel Long for innovative solutions and advice. The firm strives to be on the cutting edge of significant trends and developments in the business world including advanced technology and manufacturing, e-commerce, Internet law, cross-border trade and transactions and international operations. The firm's approach is to provide a personalized attorney-client relationship based on a recognition of and responsiveness to each client's unique concerns and requirements. We seek a clear understanding of the business needs of each client through industry-focused research, knowledge management and partnering relationships. A distinguishing advantage of the firm is a commitment to providing value-added counseling and advice to its clients. It is dedicated to providing full value for every dollar invested in legal services.

## Practice Areas

Business Disputes and Litigation

Business Law

Construction Law

Employee Benefits

Employment / Human Resources

Environmental

Family Law

Global Automotive

Government Relations

Immigration

Intellectual Property & Technology

International Law

Labor

Media & Entertainment Law

Minority Business

Product Liability


Real Estate

Tax Strategies & Resolutions

Trade Secret & Non-Compete

Transaction / Finance

Wealth Management / Estate Planning



Detroit  
Bloomfield Hills  
Ann Arbor  
Lansing  
Holland  
Boca Raton  
Palm Beach  
Washington D.C.  
New York

*Alliance Offices*

Shanghai  
Beijing  
Mexico City  
Monterrey

*Member Lex Mundi*

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