



## || Patents, Copyrights, Trademarks and Intellectual Property

Intellectual property (IP) rights can be one of an organization's most valuable assets. However, too often these assets are under-protected and undefended. Obtaining successful outcomes for our clients is a three-part program:

1. Education
2. Protection
3. Defense

Whether a patent, trademark, trade dress, trade secret, or copyright, the first step is to educate our client as to when the client needs to seek IP protection and the available alternatives. The second step is executing the right protection mechanism for the IP. The final step is monitoring and vigorously defending our client's IP rights.

Services for IP clients include:

### **Education**

- Advise clients on patents, trademarks, trade dress, copyrights, trade secrets and unfair competition issues
- Conduct IP audits to determine inventory and value of intellectual property
- Evaluate patents and patent portfolios
- Brand development
- Online publishing and development of new types of media

### **Protection**

- Prepare and prosecute patent, trademark, and copyright registration applications
- Prepare filings for maintenance of registrations
- Negotiate and draft patent and trademark licenses
- Draft technology transfer agreements, assignments, and joint ventures
- Handle trade secret matters, including negotiation and preparation of nondisclosure agreements
- Work with clients on licensing, employer and vendor agreements to control the use and disclosure of trade secrets
- Digital Millennium Copyright Act Issues

---

### **ATTORNEYS**

#### **Senior Attorney**

Mikhail Murshak

Jeffrey S. Theuer

#### **Associate**

Lindsey M. Mead

---

### **RELATED PRACTICES**

Business Contracts

Business Law

Deal Team - Mergers & Acquisitions

International Business & Trade

Technology Law

Trade Secrets & Non-Compete  
Contracts

- Transfer of IP issues
- False advertising claims

### **Defense**

- Prosecute and defend actions for copyright, trademark, and patent infringement
- Prepare and assist clients preparing for litigation including defenses, pretrial motions, briefing and discovery strategies
- Monitor technical developments for clients including unfair competition or antitrust
- Act as local counsel for out-of-state law firms and corporations
- Provide counsel and advice on issues related to website content, ISP agreements and licensing

We provide intellectual property guidance for the entertainment and media law, and franchising industries including film and television financing and production, brand selection, protection, licensing and merchandising, and contractual and management disputes.

Our IP clients range from individual inventors to Fortune 500 companies. They represent a wide range of technologies including aeronautical, automotive, software, business method, biomedical and genetic inventions.

Protect your IP assets. Let us help you develop, enforce, and defend your IP rights.

### **PUBLICATIONS & ALERTS**

2023 Year-End Checklist for Businesses, *Foster Swift Business & Tax Law News*, November 17, 2023

NCAA vs. Alston: The Case That Changed College Athletics Forever, April 7, 2023

Using Low-Cost DIY Legal Services: Risks Far Outweigh Benefits, *Foster Swift Business & Tax Law News*, January 24, 2023

Year End Budgeting and Housekeeping Best Practices for Businesses, *Foster Swift Business & Tax Law News*, October 27, 2022

2021 Year-End Checklist for Businesses, *Foster Swift Business & Tax Law News*, October 24, 2021

What's in a Name? Protecting Your Business's Name from a Look-Alike, *Foster Swift Business & Tax Law News*, June 23, 2020

Business Best Practices for Monitoring and Protecting Intellectual Property, *Foster Swift Business & Corporate Law News*, November 21, 2016

Trade Dress - A Good Fit for Fashion?, *Ipls Proceedings - State Bar of Michigan*, January 2015

Noncompetition Agreements Are Enforceable If..., *Foster Swift Business & Corporate Law Report*, June 2012

Use of Generic Terms Precludes Otherwise Well-Known Brand Names From Obtaining Trademark Protection, *Foster Swift Information Technology E-News*, September 1, 2009



## NEWS

Preparing Women Business Leaders for 2024 Legal Challenges, *Meltwater Newswire*, February 20, 2024

Patent Attorney Murshak Joins Foster Swift, *Ingham County Legal News*, June 2, 2023

Returning in 2023: Legal Strategies for Women Business Leaders, *EIN Newswire*, March 28, 2023

Mashni Named SBM ACES Chair, *Foster Swift Business & Tax Law News*, February 4, 2020

Upcoming Seminars for Businesses New to Exporting, *Michigan Business Network*, March 14, 2019

Foster Swift Successful in Achieving Settlement for Client in Patent License Dispute, May 22, 2018

4 Greater Lansing hacks already, who's next?, *Lansing State Journal*, July 13, 2017

Business Attorneys Release an Additional Five Legal Basics Videos, November 17, 2015

Business Attorneys release series of Legal Essential Videos for Business Start Ups, June 17, 2015

Foster Swift welcomes Attorney John Mashni, June 18, 2013

## EVENTS

What AI Legal Issues Can Impact Your Business?, *Second Wednesday Sessions*, March 13, 2024

Watching Out for Trademark Trolls, *Michigan Business Network*, February 16, 2024

Why Trademarks Can Be One of Your Most Valuable Assets, *Foster Swift Second Wednesday Lunch Break*, September 13, 2023

The Importance of Protecting Your Brand, *Foster Swift Collins & Smith - Legal Strategies for Women Leaders*, April 26, 2023

The Future of Business & A.I., *Lansing Regional Chamber Policy & Regulatory Education Series*, April 4, 2023

The Importance of IP and Protecting Your Brand, *Foster Swift Second Wednesday Lunch Break*, November 9, 2022

Intellectual Property & Entertainment Attorney Panel, *Intellectual Property & Entertainment Law Society*, November 1, 2021

Keeping Your Business's Intellectual Property Safe, *Foster Swift 2nd Wednesday Morning Break*, September 8, 2021

Leverage Strategic Partnerships to Increase Export Opportunities, *Michigan Manufacturers Association and the Michigan Economic Development Corporation*, August 24, 2021

Avoid the Virtual Traps of the Rapidly Changing Tech Law Landscape, *MICPA Learning Showcase*, June 15, 2021

TikTok, WeChat & More: Talking Tech and IP in The U.S. & China, *Global Business Club of Mid-Michigan*, February 17, 2021

International Intellectual Property Protection, *Certified Global Business Professional Training (CGBP)*, December 3, 2020

Protecting your Intellectual Property in Global Markets, *Oklahoma Department of Commerce*, July 14, 2020



---

Intellectual Property Protection Strategies, *ExporTech*, February 28, 2020

Making the Most of International Trade Shows & Missions, *Global Business Club of Mid-Michigan*, January 29, 2019

Legal Essentials to Exporting: Export compliance, International Intellectual Property and Foreign Business Partners, *MEDC*, September 19, 2018

Legal Essentials to Exporting: Export Control Compliance Overview Training, *MEDC*, May 17, 2018

Legal Essentials to Exporting: Intellectual Property & Business Partner Due Diligence, *Michigan Economic Development Corporation (MEDC)*, March 8, 2018

Legal Essentials to Export Toolkit: Intellectual Property & Foreign Business Partner Contract Seminar, *Michigan Economic Development Corporation (MEDC)*, September 12, 2017

Legal Essentials for Export Toolkit, *Michigan Economic Development Corporation (MEDC)*, September 22, 2016

Legal Essentials for Export Toolkit, *Michigan Economic Development Corporation (MEDC)*, June 22, 2016

Legal Essentials for Export Toolkit, *Michigan Economic Development Corporation (MEDC)*, April 27, 2016

What you Need to Know about Protecting your Business's Intellectual Property, September 15, 2015

Navigating Intellectual Property Concerns: Patents, Trademarks & Copyrights, *Global Business Club of Mid-Michigan*, April 22, 2014

Legal Savvy Winter Warm Up, *State Bar of Michigan*, January 15, 2011

Intellectual Property Basics, January 2010

Protecting Intellectual Property in Foreign Nations, March 2009

Intellectual Property Practitioner Panelist, January 2008

---