
TURNING COFFEE INTO INTELLECTUAL PROPERTY

By Arnold W. Winter, Esq.

Business success is largely driven by intangibles. Therefore, think about protecting your intangibles as much—and as soon—as possible. How? With the help of intellectual property law.

Intangible business assets are the raw materials of intellectual property. What are intangible business assets? Anything that results from knowledge and creativity. Different areas of IP law apply to different types of intangibles. To know what rules apply, we must first know the nature of the specific intangibles.

In fact, even a single product, technology, or business idea can involve more than just one type of IP and generate more than one potentially valuable ownership right, possibly resulting in multiple revenue opportunities.

A quick illustration: Imagine you've developed a new espresso machine. Anyone can see the tangible asset—a stylish gadget that makes great espresso. But can you also see all the potentially valuable IP rights and possible revenue opportunities? What are all the IP rights that could be owned, controlled, and protected as you compete with all the other espresso machines out there?

Well, let's take a quick look. There might be:

- **TRADEMARKS**, protecting a distinctive word, slogan, logo, or design denoting the brand of the espresso machine on a label, tag or package or otherwise used in marketing the machine, and
 - **TRADE SECRETS**, protecting the method of making the espresso machine, the recipe for special blends of coffee, and the identities of sources, suppliers, and customers.
- Together these intellectual properties blend into a portfolio of valuable ownership rights on which your espresso machine business is built.
- Some of these rights might be used to protect your internal operations, while others might be licensed out in exchange for royalty and other payments or other business benefits. For example, your trademark might not only be associated with your original coffee machine but also become the basis of a whole chain of kitchen appliance stores or coffee shops.
- IP issues come up in any business setting. Depending on how you deal with them, they can either be a source of major headaches or a driver of business success. Start by getting to know your intangible assets!

Providing entrepreneurial legal services to business clients, Arnold Winter practices law in Media, PA, as a partner in Lipton, Weinberger & Husick. For more information, please call (610) 891-6910 or visit www.LawWinter.com.

This article is intended to provide only general, non-specific legal information. It is not intended as legal advice, and it does not constitute legal advice. It does not create an attorney-client relationship. The specific facts in a particular situation may make the outcome different than anticipated. If you need legal advice or other expert assistance in your specific situation, please seek out the services of a competent professional person.