

Trademarks

Our Trademark Experience

A company's brands are valuable and, unfortunately, often-overlooked assets. Indeed, some companies' brands are among their most valuable assets. At Andrews Kurth, we strive to provide protection and counseling that recognizes the importance and value of our clients' brands. Knowing that brand protection involves much more than simply trademark registration, we work with our clients from the beginning of the branding process and onwards:

- **Creation**— We work with clients in the creation of new marks, providing helpful input on the selection of terms and designs for a new mark, advising on how well a new mark fits with existing marks and the overall brand of the client, and advising on the availability of new marks through our clearance counseling.
- **Clearance**—We advise on the availability of marks, conducting our own searches and/or reviews and advising on outside search results, and we provide solutions to overcome existing marks or other issues, including advice on when to change a mark or to acquire an existing mark owned by another.
- **Registration**—We file and prosecute registration applications worldwide, advise and counsel as to the countries in which to register a mark, and manage brands on a worldwide basis.
- **Enforcement**—We design and implement monitoring programs to detect and prevent infringement, and aggressively pursue detected infringers to stop infringement without resorting to court action, including making use of ICANN UDRP proceedings to stop cybersquatting and other Internet-based infringement.
- **Litigation**—We represent clients in federal and state courts and the U.S. International Trade Commission for a variety of claims, including trademark and trade dress infringement, unfair competition and dilution.
- **Strategic Brand-Building**—We help develop and implement strategic brand-building programs through aggressive, targeted and smart brand licensing; comprehensive enforcement and litigation policies; partner and joint-venture due diligence; and corporate behavioral education and policing.
- **Licensing**—We provide advice on which licenses to enter and to avoid; negotiate licensing arrangements, both international and domestic; and draft thorough license agreements that capture the agreed-upon license terms while anticipating and protecting our clients from possible contingencies and worst-case scenarios.

We work with our clients not to just register and protect marks, but to help our clients develop and grow their brands as important revenue-generating assets that increase our clients' value and add to their bottom-line.