

DOWNLOAD PDF UNDERSTANDING YOUR CLIENTS TRADEMARK AND OTHER IP NEEDS

Chapter 1 : PCT Basics: Understanding the International Filing Process - www.nxgvision.com | Patents & F

Understanding Your Client's IP Needs is an authoritative, insider's perspective on best practices for evaluating and executing your client's intellectual property needs. Featuring partners and chairs from some of the nation's leading law firms, these experts guide the reader through performing formal/informal legal reviews, establishing legal.

Every company or business in Australia has its trademark, serving as the differentiating factor between brands. This is the identity of your brand and encompasses all aspects of your business. Therefore, you must take certain trademark issues into account before finalizing one for your company. So, do not linger on just one idea. Look for more ideas and you will be flooded with hundreds of them. Ponder over the pros and cons of each, then choose the best. **Selecting a Trademark without Research** Even the most professional businesspeople, at times, jump into the decision to finalize their trademark, skipping all the research, brushing it all off as mere formalities. What if, after all the work that goes into designing and registering a trademark, you find out that some other company is already using a similar one? **Not Determining the Strength of Your Trademark** It is in the best interest of your business that you know the strength of the trademark well. This may misguide your customers, giving rise to confusion among them since nearly the same trademark is being used by other businesses. **Smaller Brands Exploiting Your Trademark** With the advancements in media and the rapidly evolving webosphere, trademarks have given control to business owners who have no qualms about exploiting trademarks of better known brands to increase their profits. These businesses attempt to imitate the same practices as your brand, promoting the impression that both trademarks belong to the same brand. They also sell their products at lower prices, taking away some of your market share. Keep an eye out for such brands! **Establishing an Unclear Trademark and IP Protocol** This issue arises when companies or businesses show negligence while setting rules of use for their trademark by other companies and partners. Setting lax or no guidelines in this regard, you are putting yourself out there for the sharks. If you agree to allow third party to use your IP and trademark, ensure that these partnership formalities are done legally on paper. These documents must be reviewed by professionals for any discrepancies or likelihood of fraud by either party. Not just the trademark, the copyrights and patent policies of your business must be legally protected. Make sure to read every contract before signing, protecting your business secrets and confidential information. If you have yet to arrange protection of your business from such unfavorable scenarios, get a trademark registered for your business.

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Chapter 2 : Common trademark issues – What your Business Needs to Know

Get this from a library! Understanding your client's IP needs: leading lawyers on mitigating financial risks, defining IP standards, and avoiding common mistakes.

Once we can answer that question, we can bring the full spectrum of strategic and tactical options into play. This column focuses on both parts of this problem – understanding the need and addressing the need. The two are closely related. The confidence we have in understanding the need helps us decide how specific we can get in addressing the need. While the details of the interaction vary widely based on the nature of the company, the process itself is easily summarized. **Discovery – Understanding the Need** The companies we work with usually fall somewhere in the spectrum between fact-based and brand-based. Regardless of the company type, our objective is the same – get to the root causes that drive the need for a new or revised loyalty or relationship strategy or program. If we can get to a point where both sides agree on the situation, it is far, far easier to evaluate and agree on the next steps. The end result of this first phase drives the direction of the second phase, where programs, campaigns and strategies are developed to improve the business. **Fact-based discovery** sounds like it is straightforward. Companies that religiously track key performance metrics are the easiest to help. Ninety-day repurchase rate declining? Average transaction size declining? The drawback to such metrics is the search for causality. So much of the discovery process is probing to develop hypotheses about root causes for particular performance metrics. **Brand-based discovery** is trickier. Companies with a brand-centric mindset will look beyond the short-term numbers and focus on how programs fit into the overall personality of the brand. The discovery process is focused on clearly defining the brand personality, understanding the brand promise, and setting boundaries for what is acceptable and what is not. Brand-centric companies usually have a persona established for their target customer, which helps to define the audience. But using personas occasionally oversimplifies the problem. In these cases, discovery includes teasing out the secondary segments in the customer base and understanding their needs. It is usually faster and easier to get a good sense of the possibilities when companies have elements of both types of discovery. Since there are limits on the available strategies imposed by both the facts and the brand, we can zero in on a smaller set of options as we develop the strategy and program designs. **Strategy – Addressing the Need** The strategy phase needs to address three key subjects – eligibility, objectives and benefits. Once discovery is performed, understanding and addressing these three areas becomes much more straightforward. In the vast majority of cases, when a prudent amount of effort is applied to the discovery phase, the strategy phase is shorter, more productive, more focused and the results are easier to communicate and sell internally. **Eligibility** is the strategy that defined which customers can or should be program members, or part of clubs, or program tiers, or promotional programs, or e-mail programs, etc. We generally think of customer segmentation and targeting as part of the eligibility question. In this phase we will resolve the entire customer base into smaller segments, and think through the behavior or information needed to make a customer eligible for various parts of the program. One key question that must be answered is whether all customers are eligible for the program. This is not always ideal due to the cost of program delivery and communications. Looking at specific examples, a brand-centric company may only want its elite customers invited into a program, or it may want to include elites based on spending and non-elites based on behavior that predicts the possibility for high value. A fact-based company may know that it is losing market share among families under 30, and specifically target clubs based on that demographic. **Objectives** are an innocuous and dangerous step. Many companies load in every positive objective they can think of, and make it impossible for any program to succeed. The eligibility and targeting strategy must be tied to one or two of these objectives. Our experience shows the more focused the objective, the higher likelihood of success. One of our clients came to us with a fanatic focus on frequency, and as a result their program is very successful at driving day repurchasing and overall frequency. Average transaction size is up only slightly, but they were not concerned with that metric, so the program is not

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encumbered with extraneous benefits or tactics to drive transaction size. As you might guess, a company with a clear understanding of underlying root causes, customer segments and eligibility, and segment-based objectives has an easy time putting together a benefit structure. Appropriate alignment of frequency, lock-in, recognition, cross-sell or other strategies with the prior factors becomes a focused and structured discussion. When this process is not followed, and a company jumps directly to benefit strategy, the conversation is far more difficult, since there is no way to evaluate the various opinions around the table. Connecting the discovery and strategy phases is a critical success factor for relationship and loyalty marketing program design. This extra work at the beginning of the process pays rich dividends in the long run. You will see an increase in the likelihood of a positive ROI from specific initiatives within the program. He can be reached at Michael LoyaltyLab.

Chapter 3 : Understanding and Addressing Your Client's Needs - Chief Marketer

The Issue. The problem is that trying to understand your clients point of view is not easy. In some cases, it can take quite some time before you break through the surface and discern your customers' real needs.

The Treaty, which like any other Treaty is a legal agreement entered into between various countries. The purpose of the PCT is to streamline the initial filing process, making it easier and initially cheaper to file a patent application in a large number of countries. By filing through the PCT process you can embark on the path to seek patent protection for an invention simultaneously in every country that is a member to the Treaty. An international patent application may be filed by anyone who is a national or resident of a Member Country. A Member Country, also referred to sometimes as Contracting States, are simply those countries that are members to the international Treaty. In PCT speak, which can sometimes seem to be a language all to its own, those countries that have ratified the Patent Cooperation Treaty are referred to as Member Countries or Contracting States. The appeal of the PCT process is that it enables patent applicants to file a single patent application and have that single, uniform patent application be treated as an initial application for patent in any Member Country. This single, uniform patent application is what is referred to as the international application. Filing an international patent application to start the patent process can frequently be a wise move if you are contemplating securing patent rights in multiple countries. It is, however, important to understand that obtaining international patent protection is not cheap. It is also important to understand that the international patent application you file will not mature into an international patent. First, it is probably worth explaining that there is no such thing as an international patent, which is one of the things that causes international protection to be quite costly. Eventually if you want to obtain a patent in a particular country your international patent application will need to somehow mature into some kind of patent filing in each country where you wish to obtain a patent. It is necessary to seek patent protection in each country because individual countries issue patents. The international process is just a convenient, uniform process that allows applicants to start down the road toward patent protection in any number of jurisdictions without the need to make a unique application filing in multiple countries. The PCT procedure consists of two main phases. As already mentioned, the first phase begins with the filing of an international application. The second phase begins with the international application entering into any number of countries to be evaluated under the patent laws in force in each particular country where you want a patent. The international application must be filed in an authorized Receiving Office. The Receiving Office functions as the filing and formalities review organization for international applications. But that still begs the question: What is a Receiving Office? You cannot simply file an international patent application in any Patent Office, but rather you need to file in the appropriate Receiving Office. Alternatively, the international application may be filed with the International Bureau as the Receiving Office. In the United States, the U. If you file a patent application with the United States Patent and Trademark Office you have implicitly requested a foreign filing license, and ordinarily one will be automatically granted in the filing receipt you receive from the USPTO. If you do not receive a foreign filing license grant at that time it is likely that individuals at the Pentagon are reviewing your application to determine whether it raises a matter of national security warranting the imposing of a secrecy order. Secrecy orders are quite rare, but you cannot file overseas without a foreign filing license. If one is not granted explicitly you acquire one through the passage of 6 months time by operation of law. Thus, if a secrecy order will be imposed it will be done within 6 months of your application being filed. The rule is that a license for foreign filing is not required to file an international application in the United States Receiving Office but may be required before the applicant or the U. Receiving Office can forward a copy of the international application to a foreign patent office, the International Bureau or other foreign authority. So how then can one file directly with the International Bureau as the Receiving Office? When no corresponding national or international application has been filed in the United States and you want to use the International Bureau as the Receiving

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Office and the invention was conceived in the United States, you must petition for a foreign filing license under 37 C. So why is the PCT process so popular? Aside from being cheaper to initiate compared to filing in every Member Country, which would be unthinkable expensive, you have up to 30 months to actually decide which countries where you to receive a patent. PCT timelines are tied to the initial priority date of the application, not necessarily the filing date of the international patent application. In this scenario you have 30 months from the filing date of the international patent application to decide which countries you want a patent in. Said another way, you have 30 months to enter the national stage in countries where you want a patent. Had you filed first in United States, for example, you could have filed an international application claiming the benefit of that earlier filed U. So if you filed in the U. You can decide later after the invention and the market has developed and matured. Generally it is said that if you know where you are going to want a patent it is cheaper and quicker to file directly in those countries. It is certainly quicker because you do not spend time in an international phase and go directly into the examination queue. It is also cheaper because you do not spend money on the international phase. So if you know where you want a patent you can cut out the international filing fee and the international stage fees. It is difficult really to give much general advice on when the PCT process is best. It is probably fair to say that the PCT process is most popular with and best suited for large multi-national corporations who routinely seek patents in many jurisdictions, such as Pharmaceutical companies for example. The PCT process is also likely advantageous when there is a clear global need and likely markets exist around the world. The PCT process is likely out of the reach and unnecessary for independent inventors in all but the most rare cases. Additionally, since a U. Of course, if you are considering filing a patent application it is always advisable to speak with a patent attorney to get custom advise on filing strategies. There is much to write and explain about the PCT process. This merely touches the very tip of an enormous iceberg. For more on the PCT see: For more information about the International Patent Process please see:

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Chapter 4 : Trademark webinars | Darts-ip

Intellectual property (IP) is the property of your mind or proprietary knowledge. Basically, the productive new ideas you create. It can be an invention, trade mark, design, brand, or the application of your idea.

What entrepreneurs and business owners need to know about the basics of intellectual property law to protect your business IP. Learn how you can protect your intellectual property by using: Patents, Trademarks, Trade Secrets, and Copyrights. Intellectual Property Protection Explained Entrepreneurs and business owners need to understand the basics of intellectual property IP law to best protect their hard-earned creations and ideas from unfair competition. Intellectual property includes distinctive items that you have created and ones that give you an economic benefit. Seek professional experience from an intellectual property attorney to help your company plan for success and avoid theft of ideas, designs, and other concepts. Since filing and refiling IP applications can get expensive and waste time if done incorrectly, determine what you need to protect when it comes to IP: Decide which of your ideas fall under which specific protection option File as quickly as possible to reduce your chance of losing out on protection Investigate international patents as well as those registered in the United States Make sure to plan and execute your planned strategy as soon as you start your company or invent something new. Patents A patent grants property rights on an invention, allowing the patent holder to exclude others from making, selling, or using the invention. Inventions allow many businesses to be successful because they develop new or better processes or products that offer competitive advantage on the marketplace. You get a patent by filing a patent application with the U. Utility Design Plant A utility patent is the most common type, covering any process, machine, article of manufacture, or composition of matter, or any new and useful improvements thereof. To qualify for a utility patent, the invention must be novel, nonobvious, and have some usefulness. A design patent covers any new, original, and ornamental design for an article of manufacture, while a plant patent covers any new variety of asexually produced plant. A design patent lasts for 14 years, and a utility or plant patent lasts for 20 years. With patent protection, the patent holder can take legal action against anyone who copies the patented invention, design, or discovery. Without this legal protection, anyone can use similar designs, products, and processes without risk. Other companies or individuals can also file for a patent on your idea, taking away your chance to do so first. When reviewing patent applications and violations, the USPTO will usually default to the individual who submitted the application first, since proving who used something first is nearly impossible. Before filing for a patent, you should determine who will own the idea. Some companies file for patents on their protected inventions, but if an employee came up with the idea, the individual may be granted holder of the patent. If your business owns the patent, you must protect the patent with the company by having employees involved in the invention process sign an agreement stating that the idea belongs to the company. The patent application process is complicated, one that could take up to six years and cost thousands of dollars, so the USPTO recommends that you hire a qualified patent attorney or agent to file your patent. Certain industries rely on patents more heavily than others. For example, pharmaceuticals go through extensive and costly testing procedures to make sure that products are safe for human use. When spending considerable money on a product, applying for a patent is one of the only ways that pharmaceutical companies can protect their investments. Without a patent, any other company could manufacture an exact replica of the drug. In March, the U. Senate passed The America Invents Act, one of the most significant changes to patent law in the last century. The final details of the laws are still under review, but its purpose is to change what makes an idea patentable. This act also increases the protections for the first person or company to file for a patent. Critics of the act believe that the regulation may be biased toward larger companies with more funds available to patent ideas quickly. Those on the opposite side believe that patents and other forms of protection restrict free trade and economic growth. But IP protection laws are still in place and designed to protect inventors, business owners, and creators. Trademarks A trademark is a word, phrase, symbol, or design that distinguishes the source of products trademarks or

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services service marks of one business from its competitors. In order to qualify for patent protection, the mark must be distinctive. For example, the Nike "swoosh" design identifies athletic footwear made by Nike. Although rights in trademarks are acquired by use, registration with the USPTO allows you to more easily enforce those rights. This trademark search can help you reduce the amount of time and money you could spend on using a mark that is already registered and trademarked. To apply, you must have a clear representation of the mark, as well as an identification of the class of goods or services to which the mark will apply. You can submit an online application, and filing fees vary according to several factors, including the form type and the number of classes of goods or services. Trademarks expire after 10 years, and renewal terms are 10 years. To register a trademark, you can: File a "use" application after using the mark. File an "intent to use" application before using the mark. If a foreign application exists, a trademark holder might be able to rely on that application for use in the United States. Filing an application is complex, so most applicants hire an attorney who specializes in trademarks.

Trade Secrets A trade secret is a formula, process, device, or other business information that companies keep private to give them a business advantage over their competitors. Examples of trade secrets include: Instead, protection lasts only as long as you take the necessary steps to control disclosure and use of the information. Businesses use nondisclosure agreements, restricted access to confidential information, post-employment restrictive covenants, and other security practices to maintain trade secrets. When protecting intellectual property, look at competitors and others in the industry as if they are in competition for your ideas. Protecting yourself and your company is the best way to make sure that no one else can use your distinctive inventions, works, marks, or other ideas. Meet often with employees to keep them aware of what must stay out of public discussion and away from competitors. Physical and digital protection of ideas is also necessary, so track who has access and limit who can get into important databases. Protection of intellectual property often comes at a high cost and takes much time, so make sure your time and money is worth the investment.

Copyrights Copyrights protect original works of authorship, such as literary works, music, dramatic works, pantomimes and choreographic works, sculptural, pictorial, and graphic works, sound recordings, artistic works, architectural works, and computer software. With copyright protection, the holder has the exclusive rights to modify, distribute, perform, create, display, and copy the work. In order to qualify under copyright laws, the work must be fixed in a tangible medium of expression, such as words on a piece of paper or music notes written on a sheet. A copyright exists from the moment the work gets created, so registration is voluntary. However, registered works may be eligible for statutory damages and attorneys fees in a copyright infringement suit, so you may want to consider registering your work through the U. Copyright duration depends on several factors, but generally for works created after Jan. You can visit the U. Copyright Office website for more information. Need Help Protecting Intellectual Property? Post a Job on UpCounsel and connect with quality IP attorneys today who can help you with your intellectual property protection. Was this document helpful?

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Chapter 5 : 6 Super Easy Tips To Help You Understand Your Clients - Small Business Trends

Understanding Your Clients' Needs Æ *Bec. Summary. There are basically three goals clients have Æ as do most people Æ when they go to their place of business each day: money, enjoyment, and security.*

The kinds of marks that you may not register include the following: An exception is if you can prove that your goods or services have become well known under the name or surname so that the word has second meaning in the public mind. Another exception is a name or surname that has meaning other than strictly as a name or surname; that is, the name is also the word or name of a community, city, town, river, castle, etc. In that case, you could register your last name to use for your business as long as there were no other reasons you could not use it. Clearly descriptive marks You may not register a word that describes a feature of your goods or services i. For example, the words "sweet" for ice cream, "juicy" for apples, and "perfectly clean" for dry-cleaner services could not be registered as trademarks. All good apples could be described as "juicy" and all ice cream as "sweet"; these are natural characteristics of the items. If you were allowed to register these words, no other apple sellers or ice cream vendors could use them to promote their goods, and that would be unfair. Deceptively misdescriptive marks You cannot use a mark that is clearly misleading. For example, you could not register "sugar sweet" for candy sweetened with artificial sweetener or "air express" for a courier service that uses ground transportation. Places of origin You may not register a word that uses a geographical location known to be the place where the goods or services come from. Allowing you to use such place names as part of your trademark would mean you are the only one who can use the geographical term, and that would be unfair to others. For example, you could not register "Italy" for lasagna. However, you could perhaps register the words "North Pole" as your trademark for bananas, since one would not normally expect bananas to come from the North Pole. Also, you may not register a word that misleads the public into thinking that the goods or services come from a certain place when they do not. For example, you could not register "Paris Fashions" or "Denmark Furniture" as a trademark for those goods or services if they did not come from there. Words in other languages You may not register words that are the name of the same goods or services in another language such as: If your trademark is confusingly similar to a registered trademark or a pending trademark, it will be refused. Trademark examiners look at many things when they decide whether trademarks are confusing, including: Suppose another company were manufacturing and selling frozen-water products under the registered trademark "South Pole. That could mean your application to register "North Pole" would be turned down because it could cause confusion with the registered mark "South Pole," which is owned by another company. For more information on confusingly similar trademarks, you can read subsection 6 5 of the. Words or designs that look very similar to a mark that you are now allowed to register You may not register a trademark that looks similar to certain official marks unless you have the permission from the organization that controls the mark. These official designs include: For example, your trademark may not include profane language, obscene visuals or racial slurs. You may not use portraits and signatures of living people or people who have died within the last 30 years. For example, using the photo of an existing rock group to promote your record store is not allowed unless you have their permission. A few other things you cannot do You cannot register a trademark if it consists of a plant variety denomination when a right is granted to the owner for control over the multiplying and selling of reproductive material for a particular plant variety or is a mark so nearly resembling a plant variety denomination that it is likely to be mistaken for it, where the application covers the plant variety or another plant variety of the same species. You cannot register a trademark that indicates the geographical origin of a type of wine or spirit unless you are making a wine or spirit from that geographical area. For example, you could not register "Okanagan Valley" if the wine you are making is from Ontario. Who can apply for registration? The Office of the Registrar of Trademarks Registrar does not register a trademark in the name of more than one person unless several people form a partnership or are working in a joint venture under law. How long does registration last? Your registration lasts for 15 years

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from the date of registration. You may renew it every 15 years after that for a fee. How much does registration cost? The cost of registering a trademark depends on your particular needs. In some cases, you pay only a filing fee and a registration fee. But sometimes you have to pay other fees. If you hire a trademark agent to represent you, that will also cost you some money. What to consider before filing an application The Registrar will give you the basic information you need to file an application so you can register your trademark. However, the Registrar cannot write your application for you, give you advice about whether your mark is "registrable", or do a search of trademarks for you. You do not have to do this, but it will help you know whether a similar trademark exists. You can do a search through the Canadian Trademarks Database. The listings cover word marks, slogans, numbers, pictures and combinations of these. As soon as the Registrar gets your application, it too becomes part of the public record. You can do searches many ways, including by trademark type or trademark status. To do a proper search, you will have to check for different possible versions of the mark that you want to register. For a word mark, you should look for all possible spellings, including in French. These records can help you make sure that your trademark does not fall into a forbidden category. To start your search, visit the Canadian Trademarks Database. Use our tutorial to make the most of your search. Search trade names Before you go any further, you should also search trade names. Trade names are often used as trademarks—even when they are not registered as trademarks. The name of your company is "North Pole. However, if the name "South Pole" is known for frozen-water products, the company could argue that it owns the name "South Pole" as a trade name and, therefore, also as a trademark. The Registrar would not have the name "South Pole" in its trademark records because it does not register trade names. Please note that trade names can be recorded separately in each province under provincial legislation. Therefore, there is no single, complete list of trade names in Canada. Since searching trade names can be quite complex, we suggest that you hire a trademark agent to do the work for you. Consider hiring a registered trademark agent Preparing and following through on your trademark application is a complex process. Barristers, solicitors and notaries in the province of Quebec who are Canadian residents may become trademark agents by passing an exam. Beware of unregistered trademark agents! They are not authorized to represent applicants in the presentation and prosecution of applications for trademarks or in other business before the Office of the Registrar of Trademarks. A trained trademark agent will make sure that your application is properly written so that your trademark will be protected. This is especially important if someone challenges your right to the mark. You do not have to hire an agent but we highly recommend that you do. Once you have an agent, the Registrar will work with that person. If you cancel that arrangement, the Office will then work with you directly. You may change trademark agents or choose to no longer have one at any time. The Registrar keeps a list of registered trademark agents but we cannot recommend any particular one to you. Filing a trademark application—Getting started Preparing a trademark application.

Chapter 6 : How to Understand Customer Needs: 6 Steps (with Pictures)

Get this from a library! Understanding trademark and copyright developments for online content: leading lawyers on understanding new technology challenges, obtaining IP protection for clients, and litigating internet infringement.

Email this Article Print This Article How many times have you found yourself trying to understand your clients and get into their heads? Being a successful entrepreneur means being a great salesperson. Being a great salesperson means being able to truly understand your clients and prospects. It can be frustrating. It takes quite a bit of effort to decipher the puzzle. Putting yourself in the shoes of the prospect is difficult. This is why many entrepreneurs have not learned how to do it. In this situation, a successful sales pitch is almost impossible. Fortunately, there are ways to make it easier to understand your clients better. There are things you can do to get your customers to open up to you, give you more information, and connect with you. If you implement the tips in this post, you know how to understand your prospects better and earn more sales.

Active Listening Be honest. Active listening is not easy. It takes effective persuaders a long time to master this skill. However, once you become a good listener, you will get the information you need much easier. Here are some tips for active listening: Your attention needs to be on her and her alone. Many times, we find ourselves already concocting our pitch in response to what the prospect is saying. Active listening means suspending any responses until you have all the information you need. Try to picture what the prospect is saying. Listen for all opportunities, not just the ones that allow you to pitch your product. This allows you to further establish yourself as a credible authority in the mind of your prospect.

Build Rapport If you want to get rejected, then you should make the mistake of getting right down to business and going straight for the sale. Yet another lost sale. Build some rapport first. Even when you ARE selling. Because people buy from those they know, like, and trust. Let your guard down. You can get to that later, I promise. Find areas of commonality with your prospect. Maybe they like the same sports teams. Perhaps they listen to the same types of music as you. They could frequent the same restaurants you do. Whatever it is, use it to your advantage. Find those areas where you and your prospect connect, and she will become more comfortable with you. This will make her more likely to open up to you when you start asking questions.

Use Humor Humor is one of the most effective tools when it comes to getting your prospect to let his guard down. Not only does it allow you to set the tone for the rest of the interaction, the positive emotions it brings out will instantly endear you to your prospect. In his book, he discusses how humor makes you more likable, which means your prospect will be more likely to do business with you. There are other ways to get your prospect to laugh. Try telling a story that relates to something your company does. Or even a funny story that relates to something you and the client were discussing previously. Was there something funny that happened when you first started developing your product? Maybe there was something funny that a customer did when doing business with your company. Your prospect should be doing most of the talking. You will be tempted to interrupt and start pitching your solution while the customer is talking. Resist that temptation at all costs. If you interrupt and start pitching, you will derail the entire conversation. The only time you should speak is when you need to clarify something the prospect is saying. As a matter of fact, doing this will show your prospect that you are paying attention. This will help you establish a closer connection. One of the best ways to understand your clients is to find out what their vision is. What goals have they set for its growth? What are their goals. This is a mistake. This is what will enable you to help them. What do they stand for beyond consuming your product or service? What is the reasoning behind their interest in your product? What lifestyle does your product or service promote? A good example of this is a company called Beardbrand. This Washington-based company sells beard-grooming products for men. Beardbrand has managed to tap into that culture. The better you know your prospect, the better your sales pitch will be.

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Chapter 7 : A guide to trademarks - Canadian Intellectual Property Office

The concepts of understanding the need of a client and addressing a client's needs are closely related " but not necessarily the same. While the details of the interaction vary widely based on the nature of the company, the process itself is easily summarized.

Let us count the ways: Customers are less loyal and far less trusting than they used to be. This is especially true in industries whose reputations suffered during the financial crisis—including banking, pharmaceuticals, energy, airlines and media. Consumers have more power than ever before, thanks to social media, easy on-line comparison-shopping, and a proliferation of choices. Customer diversity continues to increase, putting a premium on micro-segmentation and deep customer insight. By increasing the noise-to-data ratio, the data deluge occasioned by the Internet can actually make it harder to understand your customers. Economic uncertainty and data overload confuse customers as well, making them less interested in products than in flexible, adaptive solutions. To get close to this more demanding client, you really need to get inside his or her head. Here are five ways to do that: This exercise will also deepen your understanding of competitors and help you better anticipate their moves. Some hospitals ask interns to experience the check-in process as fake patients. One client asked managers to listen in on its call center. Field diverse customer teams. One bank added members of the back-office support group to its customer team, supplementing the usual customer-facing roles. IBM sends senior teams from different disciplines into the field to meet customers and develop a deep understanding of how to serve them better. Learn together with customers. GE invited its top customers in China, along with local executives and account managers, to a seminar on leadership and innovation. Doing so not only helped GE executives better understand the mindset of Chinese counterparts; it also helped them to influence that mindset. Lean forward and anticipate. Focus on what customers will want tomorrow, as Steve Jobs and Richard Branson did so exquisitely. Try to envision different futures through tools like scenario planning and then explore how underlying market shifts may affect your customers. Remember that sometimes you need to get out of your own way to really understand your customers. That can cause you to miss important opportunities, or to get blindsided later. So, try to listen with a third ear, as an anthropologist would, to what your customers are saying to you. Day who just published a related book called Innovation Prowess. [Click here to test your customer centricity.](#) Apr 25, More from Inc.

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Chapter 8 : Intellectual Property

In this course, lawyer and author Dana Robinson provides a comprehensive overview of trademark law, explaining the difference between trademarks and other kinds of intellectual property.

Copyright Understanding intellectual property Intellectual property IP represents the property or creations of your mind or intellect. If you develop a new product, service, process or idea it belongs to you and is considered your IP. You must formally register your IP to ensure legal ownership. IP can be a valuable business asset so you need to understand it and protect it. IP Australia provides detailed information including informative short videos on their YouTube Channel. IP protection in Australia does not extend to other countries. You must apply for international protection separately and in each country where you want your IP to be protected. Top 5 tips for new businesses 1. Start early Include IP considerations when developing your business plan. Consider trademarks A trademark and a business name are two different things. Take responsibility It is up to you to manage and renew your IP registration. Avoid publicising your idea You may not be able to get a patent if you have discussed, demonstrated or sold your creation. If you need to discuss your idea with other people make sure they sign a confidentiality agreement. IP is for everyone IP protection is available to anyone, regardless of business size. Most businesses use these four - patents, trademarks, designs and copyright. Specific information for each protection is available through IP Australia. Patents A patent is a right granted for any device, substance, method or process which is: You should not disclose or promote your idea to anyone without first applying for a patent as this may affect your chances of having it registered. Trademarks A trademark is used to distinguish the goods and services of one business from those of another. Registering a business, company or domain name is not the same as trademarking it and may not provide you with exclusive rights or ownership of the name. Designs A design refers to the features of shape, configuration, pattern or ornamentation which give a product a unique appearance and must be new and distinctive in order to be registered. A registered design allows the owner to use it for commercial purposes, to licence or sell it. Registered designs tend to relate to form whilst patents relate to function. Copyright Copyright is a free and automatic legal right given to the authors or creators of original works. You can copyright works but not ideas. Copyright is commonly applied to:

Chapter 9 : Four Types of Intellectual Property Protection - Free Legal Resource

Understanding trademarksâ€”The basics. To succeed in the business world, you need to send the right message and develop the right image. If people cannot pick your products or services out from the crowd, they might work with another person or company that is easier for them to notice.