

IP-VALUATION



Intellectual property commonly represents one of the largest asset classes that a company holds, and unlocking its value is a key element in properly determining the true value of your business and to capitalise on hidden assets. IP-Valuation is the precursor to monetising your intangibles.

The value of your IP (copyrights, trademarks, brands, databases, trade secrets, patents, etc.) can be valued using a number of methodologies, such as (1) cost-based valuation; (2) income-based or economic benefit valuation; and (3) market-based valuation.

Once completed, the company will have completed the proper due diligence to record its IP assets on the company's balance sheet.

IP SEARCHES



Failing to research a brand, logo, slogan or technology (patentability) before using it can lead to a rejection of a registration, or worse, a cease and desist letter from another brand owner or technology owner. By spending a minimal amount of time and money up front to determine whether a brand or technology is available will help avoid the very high costs of a dispute or litigation.

TRADE SECRETS



Trade secrets include any confidential information that provides a business with a competitive advantage and is unknown to the public. Trade secrets can encompass both technical and, commercial information. Something as simple of your company's list of suppliers can be a trade secret if treated properly.

To qualify for trade secret protection, the info must be commercially valuable, be known to a limited group of employees and subject to reasonable steps taken by your company to ensure its secrecy. Intelmax can provide advice on how your company can meet the above requirements.

If your information has qualified for trade secret protection, any unauthorised acquisition, use or disclosure of the information can be considered an unfair business practice, industrial espionage, breach of confidence or other laws giving you a cause of action against the disclosure and user.

REGISTRATION BENEFITS

With properly registered IP assets, some of the benefits include:

- 01 Protects your business from the "get-go" as you build brand recognition
- 02 Gives "prima facie" evidence that you were the first to create the work and you are the owner
- 03 Helps to avoid legal disputes and ownership issues
- 04 Aids in capitalisation of your intangible assets on your balance sheet
- 05 Creates collateral for loans and other financing options
- 06 Maximises the value of your IP asset, software and apps
- 07 Allows you to effectively utilise the internet and social media
- 08 Provides the grounds for attorney's fees and statutory damages
- 09 Copyright Certificate will be valid during the life of the author(s) plus 50-70 years after the last death of the author(s), depending on the jurisdiction
- 10 Trademarks never expire as long you keep renewing them
- 11 Establishes the groundwork for compensation for infringement and misuse
- 12 Gives you a sense of autonomy in the market
- 13 Facilitates IP monetisation
- 14 Tells people you mean business
- 15 Adds prestige to your brand and builds customer loyalty

INTELMAX

Global Network of Intellectual Property Experts

INTELLECTUAL PROPERTY FOCUSED SERVICES

E-mail: info@intelmax-ip.com
Tel: +971 02 811 1428 (office)
Tel: +971 58 556 3700 (cell)

www.intelmax-ip.com

Royal Group Building, Salam Street
Ministries Complex, Abu Dhabi, UAE
P.O. Box 53543
Sunday – Thursday 9 am – 6 pm

Intelmax focuses on IP Protection and IP Management Services for its clients creating their corporate IP strategy to effectively and efficiently protect all of their intangible assets through identification, documentation, protection, registration and management thereof.

LOGO/BRAND PROTECTION



Logo/brand protection is a security measure that your business must undertake to prevent third parties/cyber-criminals from pirating, counterfeiting and/or infringing your intellectual property. Without protection, your business is exposed to brand destruction, loss of goodwill and loss of reputation, which leads to a loss of revenue and trust in your company.

WEBSITE PROTECTION



Website protection requires your work to be original, be fixed so that the site can be perceived or communicated and include a minimal amount of creativity. Adding additional layers of IP protections will strengthen your IP rights against potential theft, attribution, improper use, ownership claims and unauthorised reproduction.

It is recommended that a rights holder, draft copyright notices specific to the works on its website, whilst also separately registering all digital content, writings, logos, brands, software, symbols, design, graphics, videos, images, music, photographs, compilations, etc.

It is important to note creating a website often involves collaboration with employees, content providers, designers and other providers, therefore, it is imperative to have proper documentation showing ownership from each contributor.

SOFTWARE PROTECTION



Companies invest significant time and resources to develop software. So, it is only natural that you will want to protect it from IP theft. To begin, software is protected under copyright law as a literary work and gives a rights holder “prima facie” evidence that he/she was the first to create a work, is the owner and prevents 3rd parties from unauthorised copying, use and distribution of your software source code, including portions of it.

Software is unique in that it cannot work without being copied. This is why it is important to not only copyright your software but to also make sure you have proper licenses in place when you sale or distribute your software. This gives you complete control of your source code’s ownership rights. Depending on the jurisdiction, software may also be eligible for protection under patent law.

DATABASE PROTECTION



Databases are commonly protected as a “compilation” under copyright law. Compilations are a collection of assembled pre-existing data, facts, materials, figures, reports, supplier lists, statistics, results, etc that are combined, selected, coordinated or arranged in such a way that the resulting work “as a whole” constitutes an original work of authorship.

Such pre-existing concerns by themselves may not be protectable by copyright, however, the compilation or grouping of such concerns may contain enough original expression to merit copyright protection.

Once protected, your company will have a competitive advantage in having the right to prevent any unauthorised reproduction, distribution or display of your database. Database protection is best “layered” with NDAs, licenses, contracts and assignments.

IP MANAGEMENT



Whether it be your copyrights, trademarks, trade secrets, patents, or know-how, it is critically important to identify it, document it, protect it and in some cases, register it. All of this activity could take a team of employees from engineers, creators, technology managers, marketing to executives to keep track of it all. Intelmax could be this team to organise and manage all of your IP concerns.

Intelmax will ensure things don’t slip through the cracks, as there is a lot to keep track of. But whatever your corporate strategy is, failure to properly manage your IP assets is not an option.

TRADEMARKS



As part of a sound intellectual property strategy, seeking trademark protection will enhance your IP rights by layering in additional IP safeguards. That is, securing the right to add the registered trademark symbol ® to your mark not only equips you with additional tools to prevent others from using similar names, logos, designs, symbols and slogans but adds brand recognition and prestige to your mark.

Layered trademark protection is not only important for established companies but for start-ups as well. Trademark registration acts as a catalyst for increasing a business’s value as it matures and develops brand loyalty, and as long as you continue to renew, trademarks never expire.