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**SLO TECH NETWORKING**

**OVERVIEW OF “INTELLECTUAL PROPERTY”**

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PRESENTED BY  
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**Q #1: Just what *is* “intellectual property,” anyway??**

*A: Can be lots of different things.*

**Q #2: Does *my* business have any?**

*A: Yes, almost certainly!...*

Examples of things *generally* considered included in the term “intellectual property:”

**1) Things that *do* stuff:**

Devices, machines, tools, computer programs, chemicals, plants, business

methods, many more.

**2) Ornamental designs of tangible things (purely ornamental, i.e., *not* used as an indicator of *source*-see No. 4 below, trademarks):**

Furniture, clothing, luggage, many more

**3) Expressions of ideas or creative matter:**

A. Textual matter: Books, articles, plays, lectures, seminar handouts, blogs, (tweets?), computer program code, product manuals, databases, advertisements, catalogs, song lyrics and sheet music.

B. Visual matter (2-D and 3-D): Paintings, drawings, cartoons, photographs, sculpture, architectural works (plans *and* in some cases, completed buildings), fabric designs, designs on clothing (used as ornamentation only, i.e., *not* used as an indicator of *source*-see 4 below, trademarks), jewelry, toys

C. Multimedia: Movies, videos, performances of music, sounds, CDs/DVDs

**4) Things *used to identify the source of a good/service*:**

Words, visual designs, colors (individual or combinations), sounds, slogans, shapes of product or packaging, elements of interior/exterior design of businesses or buildings.

**5) Things pertaining to a person (or business, sometimes):**

Name (of business, or of person); photo or likeness; stage or literary persona.

**6) Things that are of value because they are not generally known (“trade secrets”):**

Customer lists; know-how or technologies, business methods, procedures, etc., that represent a competitive advantage, but are not of the type as would qualify for patent protection.

**Q #3: If my business does have IP, how can I protect it?**

*A: Lots of ways.*

[for later programs..]

Mr. Mistretta is the principal of The Law Offices of Kim Mistretta. His 34 years of practice have consisted mainly of advising businesses (at present mostly in computers, aerospace, and other technology areas) on their corporate, employment, contract, intellectual property, and real estate matters. He is a member of the Intellectual Property, Business Law, and Real Property sections of the State Bar of California. He is a graduate of the University of Southern California (A.B. Magna Cum Laude 1974 Economics; Juris Doctor, 1977). \* Mr. Mistretta does not hold a *patent* license, so everything above relating to patents is intended as general information only, and licensed patent counsel must be consulted for any definitive advice.

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