

Intellectual property (IP) is a term that refers to inventions, creations and other products of the mind that have commercial value and for which the creators are granted certain exclusive property rights. Intellectual property includes patented inventions and business methods, copyrighted literary or artistic works, trademarked words, phrases, logos and packaging, as well as trade secrets. IP law also includes the licensing of otherwise protected intellectual property.

### What does an intellectual property lawyer do?

Many IP lawyers are generalists who handle a wide range of IP matters for their clients. Others are specialists who focus their practices in one or more of the following areas:

**Patent Prosecutors** file and register patents with the United States Patent and Trademark Office (USPTO). Their practice also includes advising a client on whether or not a certain invention is patentable. Patent prosecutors generally have an undergraduate and/or graduate degree in engineering, computer science, physics, chemistry, biology or material science. Patent prosecutors must also pass the highly challenging USPTO Patent Bar Exam.

**Patent Litigators** represent clients who are litigating issues related to a particular patent. A technical degree is not required to become a patent litigator, but it can often prove helpful. Patent litigators often handle related litigation on behalf of their clients, including trademark and copyright matters.

**Trademark Lawyers** protect the words, phrases, logos or symbols, color schemes and packaging that his or her client uses to distinguish its products from competitors. They prepare and file trademark applications for registration, and litigate issues involving trademark and trade dress infringement, unfair competition, and dilution. They also prosecute and defend trademark oppositions and cancellation actions before the USPTO. They negotiate and draft all forms of trademark-related agreements, such as licenses and transfer agreements.

**Copyright Lawyers** prepare and file applications for copyright registration in the Copyright Office and assist clients in clearing uses of copyrighted works owned by others. They litigate issues of copyright ownership, validity and infringement in U.S. courts and administrative agencies. They also negotiate and draft all forms of copyright-related agreements, such as development agreements, distribution agreements, licenses, and transfer agreements.

**Licensing Lawyers** negotiate and draft licensing, franchising, and technology transfer agreements. They may also represent licensors and licensees in international and domestic transactions involving software, patent, trademark, copyright and trade secret licenses.

## Where can I practice intellectual property law?

Intellectual property lawyers work in small and large law firms, legal departments of corporations and universities, and a wide range of government agencies, including the Department of Justice, the Department of Commerce, the International Trade Commission, the U.S. Patent and Trademark Office, the Library of Congress, and many agencies connected with the Department of Defense.

## How can I get a job as an intellectual property lawyer?

Take all the IP courses you can during law school. If you have a technical degree and would like to be a patent prosecutor, take the patent bar exam. Consider what type of law you wish to practice and gain as much relevant work or internship experience as you can. If you would like to be a patent litigator, any litigation experience you can gain will be valuable. Participate in Moot Court and work on a journal. If transactional work interests you, take business law classes and gain experience in contract drafting and negotiation. Internships and networking are often critical to finding a position after graduation.

## Where can I learn more?

Association of Intellectual Property Firms - <http://www.aipf.com/>

American Intellectual Law Association - <http://www.aipla.org/>

International Trademark Association - <http://www.inta.org>

IP Job Postings - <http://www.intelproplaw.com/JobsAvailable/>

PatBar.com (provides information on the Patent Bar and Patent Bar review courses) - <http://www.patbar.com>

Patents Search & Patent Lawyer Directory - [www.patents.com](http://www.patents.com)

Pierce Law – The IP Mall - [http://ipmall.info/hosted\\_resources/fplchome.asp](http://ipmall.info/hosted_resources/fplchome.asp)

Public Interest Intellectual Property Advisors - [www.piipa.org](http://www.piipa.org)

Public Patent Foundation - [www.pubpat.org](http://www.pubpat.org)

US Copyright Office - <http://www.copyright.gov/>

US Patent & Trademark Office - [www.uspto.gov](http://www.uspto.gov)

World Intellectual Property Organization - <http://www.wipo.int/portal/index.html.en>

## Who teaches intellectual property law at UB?

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