

Intellectual Property

Top five tips for brand protection

By Sarah Simpson

Protecting your brand can be of more value than you may realise. A brand with a strong reputation usually has a loyal returning client base. Whether you are selling luxury goods, offering online content sharing services or providing services to businesses or consumers, you want to maintain a strong, trustworthy reputation. Losing sales to infringers and brand dilution are not the only concerns a business should have when it comes to brand protection, but also protecting customers from potentially harmful goods and services and possible scam purchases.

Below are our top five tips to protect your brand:



- 1** **Secure your intellectual property rights!!** It might seem like an obvious point, but many businesses do not think about registering their IP rights until they are dealing with an infringement. The earlier you have your rights registered the easier taking action can be.
- 2** **Be consistent with your brand image** – the more consistent your image is, the more likely your customers will recognise your products and/or services and be able to pick you out from a potentially crowded market place!
- 3** **Watch out for infringers** – investing in a trademark monitoring service can save a lot of trouble further down the line. Remember, having a monitoring service in place does not mean you need to have an endless pot of money to go after every possible infringement, but it does mean you can work with your advisors to identify and prioritise the biggest concerns for your business.
- 4** Instruct a lawyer to **keep a note of renewal dates and other key deadlines**; you do not want to lose your registration by accident!
- 5** It might be useful for future purposes to **collate and keep a record of any 'evidence'** that shows your use of particular trademarks or other intellectual property (such as any sector related publications, advertisement, volume of sales per country etc.).

If you have any questions about any of the above, please do not hesitate to contact Sarah Simpson to discuss your brand protection queries.



Karen Artz Ash

Intellectual Property Department Partner and Co-Chair

New York
+1.212.940.8554
karen.ash@katten.com

Karen Artz Ash is partner and co-chair of the Intellectual Property group at Katten. She helps major fashion companies protect their intellectual property by providing comprehensive counsel to designers and clothing manufacturers, as well as clients in other industries. Specifically, Karen helps companies select, defend and enforce their intellectual property rights, provides assistance in corporate structuring issues for entities with intellectual property assets and in re-brandings, negotiates commercial agreements involving intellectual property rights and helps businesses incorporate intellectual property protections into their operations.

[Read Karen Artz Ash's full biography to learn more.](#)



Sarah Simpson

Intellectual Property Senior Associate

London
+44 (0) 20 7770 5238
sarah.simpson@katten.co.uk

Sarah Simpson is a senior associate in the Intellectual Property group at Katten. She helps both UK and international clients in matters of intellectual property, general commercial and data protection law. In particular, Sarah provides brands with creative yet practical solutions to solve their intellectual property-related legal problems. She also advises them on how to comply with their data protection legal obligations.

[Read Sarah Simpson's full biography to learn more.](#)

Tegan Miller-McCormack, a trainee solicitor in the Mergers & Acquisitions/Private Equity practice, contributed to this advisory.

USA Offices

Charlotte

550 South Tryon Street
Suite 2900
Charlotte, NC 28202-4213

Chicago

525 West Monroe Street
Chicago, IL 60661-3693

Dallas

2121 North Pearl Street
Suite 1100
Dallas, TX 75201-2591

Los Angeles – Century City

2029 Century Park East
Suite 2600
Los Angeles, CA 90067-3012

Los Angeles – Downtown

515 South Flower Street
Suite 4150
Los Angeles, CA 90071-2212

New York

575 Madison Avenue
New York, NY 10022-2585

Orange County

100 Spectrum Center Drive
Suite 1050
Irvine, CA 92618-4960

Washington, DC

2900 K Street NW
North Tower - Suite 200
Washington, DC 20007-5118

International Offices

London

Paternoster House
65 St Paul's Churchyard
London, EC4M 8AB
United Kingdom

Shanghai

Suite 4906 Wheelock Square
1717 Nanjing Road West
Shanghai, 200040
P.R. China

©2020 Katten Muchin Rosenman LLP. All rights reserved.

Katten refers to Katten Muchin Rosenman LLP and the affiliated partnership as explained at katten.com/disclaimer

Attorney advertising. Published as a source of information only. The material contained herein is not to be construed as legal advice or opinion.