

J A ♦ K E M P

## TRADE MARKS AND DESIGNS

PATENT ATTORNEYS • TRADE MARK ATTORNEYS



# INDEPENDENT THINKING. COLLECTIVE EXCELLENCE.



Your intellectual property assets are of great value to you. To help you to secure, protect and exploit them, you need technical experts who are also creative problem solvers. You need a team of specialists working together to pool their knowledge and resources in support of your business goals.

J A Kemp is a leading UK and European Patent and Trade Mark Attorney firm that combines independent thinking with collective excellence.

To protect and exploit the value of your trade marks and designs you need attorneys who are both experts in the field and responsive, practical and commercial in their approach.

Every member of our trade marks team is a specialist who handles only trade marks and designs work. Many of our senior professionals have backgrounds in major international law firms and are able to draw on a wealth of commercial experience. They are all qualified both as UK Trade Mark Attorneys and as European Union Trade Mark Professional Representatives. The team has at least 50,000 trade marks under management.

The designs team is made up of patent and trade mark attorneys who have specialist expertise to meet all of your design protection requirements.

The hallmarks of our trade marks and designs work are the individual expertise of our attorneys, our capacity to handle large filing programmes and our total commitment to helping you to achieve your commercial objectives.



## TRADE MARKS

### Trade Mark Searching

Prior to using a new trade mark in a new market, and prior to filing an application to register it, it is essential to ascertain as far as possible that your chosen trade mark is available for these purposes. You can do this by searching to make sure that no one else has registered or is using your chosen trade mark or something similar.

We will advise you on the most appropriate search strategy, with a keen eye on budgetary constraints. We have a wide variety of leading commercial search tools at our disposal. We will advise you on the risks associated with the planned use and registration of your chosen trade mark, providing the information you need to decide whether or not to proceed.

### Trade Mark Filing and Prosecution

With clearance searching completed, you are in a position to progress to filing an application or applications to register the trade mark. Once registration is achieved, you will have a statutory monopoly in it.

We will advise you on the most cost effective filing strategy to adopt on a national, regional or global basis.

We are experts in securing registration of trade marks directly on your behalf with the UK Intellectual Property Office, the European Union Intellectual Property Office (EUIPO) and the World Intellectual Property Organization. We understand the intricacies, oddities and pitfalls of registration through each of these routes.

We can access trusted local firms in countries where we have no representation before the national office.

### Trade Mark Related Litigation

You may find yourself in a situation where litigation is required to enforce your trade marks, or you may find yourself on the receiving end of a contentious action by another party.

If you need to engage an attorney to act for you in opposition, revocation or invalidation proceedings before either the UK Intellectual Property Office or the European Union Intellectual Property Office (EUIPO), you will find that we are expert practitioners who bring a pragmatic, commercial approach to such disputes.

We are also experienced in handling Appellate actions before the Appointed Person, High Court, Court of Appeal and Supreme Court in the UK and before the Boards of Appeal of the EUIPO and the European General Court and the European Court of Justice.

J A Kemp has several Solicitors and holders of the Trade Mark and Design Litigator Certificate. The firm is well resourced to act for you in any type of trade mark related litigation.

*"The firm's team of trade mark attorneys are true experts and above all extremely commercial."*

*The Legal 500*

## DESIGNS

### Design Registration

Registered designs may be used simply to protect a design that has intrinsic commercial value. Sometimes, however, they can play an important part in your wider IP strategy.

They can be used to protect a logo concept that may ultimately form the basis of a trade mark. At the design registration stage its application need not be restricted to a particular class of goods, which can be of great benefit in merchandising.

We register designs with the UK Intellectual Property Office and the European Union Intellectual Property Office (EUIPO) and file International Design Applications under the Hague Agreement. We can also advise you on tactical and commercial issues such as prior disclosure of a design, ownership of design rights (registered or otherwise) and deferral of design publication.

### Design Related Litigation

If you need to protect your designs against an attack from another party, or challenge the validity of another party's rights, you will require expert advice.

In the UK and Europe, designs are not examined for validity at the point of registration. If required we will provide you with opinions on the validity of particular registered designs and, where appropriate, on the existence of valid unregistered design rights.

We are able to explore in depth whether a particular design has novelty and 'individual character' in the context of the prior art in the relevant field.

We have many years of experience in settling infringement issues out of court. When litigation is unavoidable, we handle infringement proceedings before the Patents Court and the Intellectual Property Enterprise Court (IPEC). We can also handle invalidation proceedings before the UK Intellectual Property Office and the European Union Intellectual Property Office (EUIPO).

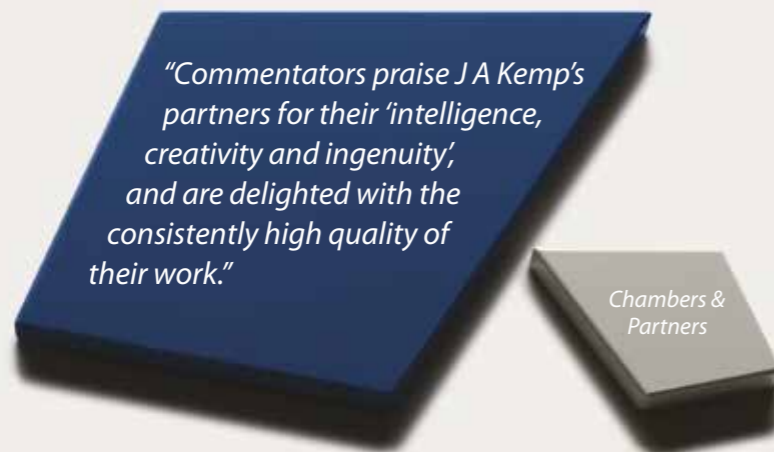
## REGISTRABLE TRANSACTIONS

It is important that your ownership rights or other interests in intellectual property rights are properly recorded on national registers.

We have an experienced team of solicitors and paralegals who understand the documentation and formalities peculiar to each country. We can help you to capture and record changes of ownership, licences and mortgages throughout the world.

## WHO OUR CLIENTS ARE

We work for a large variety of clients, from startups, spinouts and SMEs through to some of the largest corporations and most prestigious academic institutions in the world. We also have a network of attorney firms throughout the world who instruct us on behalf of their clients.



### Startups, Spinouts and SMEs

We advise companies on intellectual property issues from early innovation stages through growth, expansion and in many cases acquisition. Many startup and spinout companies rely totally on our intellectual property advice because they do not have any in-house experts.

### Large Corporate Clients

Corporate clients are the backbone of our client base. We are known for our expertise and long experience in handling major filing programmes, sometimes covering every significant market worldwide, for some of the largest commercial organisations in the world. We also have the resources, expertise and systems required to cope with huge numbers of cases for the same client.

### Universities and Technology Transfer

Our client base also includes some of the world's most prestigious universities, as well as technology transfer organisations and spinout companies.

### Overseas Attorney Firms

We value highly our strong relationships with attorney firms throughout the world. Some are firms that we have worked with for decades, handling major caseloads on behalf of their clients across diverse technology areas. Our partners regularly travel overseas and aim to visit attorney firms when they can. We appreciate the importance of personal relationships, not just between firms but also between individual attorneys.



## WHAT WE ARE KNOWN FOR

We commissioned a market research firm to ask 50 of our clients and professional contacts what they thought of J A Kemp. The firm was described as:

*"Highly regarded and respected as a leading player in its field"*

*"Known for quality, reliability, technical excellence and professionalism"*

*"Considered to be responsive, trusted, friendly and approachable"*

*"Known for its particular expertise in complex work"*

*"A firm with a reputation for timeliness and efficiency"*

To find out more about our Trade Marks and Designs Group, please refer to our website.

**PATENT ATTORNEYS • TRADE MARK ATTORNEYS**

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