PN LAWYERS | LAW & LUNCH:

PROTECT YOUR BRAND, DESIGNS, ANDIDEAS





ABOUT US

Pardalis & Nohavicka is a full service law firm based in New York City with offices in Manhattan, Queens, and at WeWork.

Our firm handles an eclectic array of matters representing individuals and business owners in: Civil Litigation, Trademark Services, Business Transactions, Intellectual Property Protection, Employment Law, Real Estate, and Criminal Law.

Our clients range from entrepreneurs at their early stages, to a well established business owner with a global reach.

WHY WEWORK



PN Lawyers has been in operation for over fourteen years and a part of the WeWork family as of Fall 2016, when we established our "Giving Back Initiative."

Our firm was humbly established in a windowless office in Queens, therefore we know first hand the expected hardships and obstacles that come with starting your own business. After several years of paying our dues by putting in hard work, endless office hours and always giving our clients 100% of our attention and time, we have reached our goal and tripled our growth. Today, PN Lawyers has 3 offices throughout New York City and many clients globally. This brings us to a position where we can effectively "Give Back" and help other businesses and startup owners jumpstart their professional journey to proper career success.

As WeWork is providing workspace for startups, small businesses, and freelancers, we're offering necessary, affordable legal protection and hand-holding for these very same businesses.

We are happily available 24 hours a day and 7 days a week. Give us a call and you will receive a live person, not an automated message.



TRADEMARKS 101

- Symbols used in commerce to indicate the source of goods and to distinguish them from goods sold or made by others.
- Trademarks can be a number of things including: Words, Names, Symbols, Devices, Sounds, Smells, Trade dress or product shape.
- Protects both the owners and the customers.
- Acquired through use, specifically a use that indicates a source.
- Trademark rights are identified through continuous commercial utilization which allows the public to identify or distinguish the marked goods.

TRADEMARKS 101

WHY REGISTER?

- A registered mark provides nationwide protections against similar marks.
- A certification of registration ensures that the mark is valid.
- There is an increased opportunity for remedies after infringement.
- Registration demonstrates ownership.
- The mark will appear in trademark searches.
- There is no time limit on the duration of a mark, once registered the owner retains ownership of the mark until it is abandoned.



WHY REGISTER IN DELAWARE?

- Delaware corporate law contains rules and provisions that are friendly to corporations and executives.
- Companies incorporated in Delaware are subject to Delaware corporate law, even if their headquarters are in other states.
- Security against corporate law changes that could negatively affect corporations, as Delaware's economy is largely based on franchise tax (e.g. they do not have sales tax, and their property taxes income is low, as most companies prefer to have headquarters elsewhere, like NY or California).
- Good quality court system, rich case law, efficiency and predictability regarding corporate disputes.



COPYRIGHT 101

- Legal protections for original works of authorship fixed in a tangible medium of expression.
- Works must be original and creative.
- Copyright protections apply to published and unpublished works.

WHAT'S COVERED?

- Literary works
- Musical works, including any accompanying words
- Dramatic works, including any accompanying music
- Pantomimes and choreographic works
- Pictorial, graphic, and sculptural works
- Motion pictures and other audiovisual works
- Sound recordings
- Architectural works

COPYRIGHT 101

OWNER RIGHTS

- Ability to reproduce the work.
- Publicly perform the material.
- Prepare derivative works.
- Display the copyrighted work publicly.
- Distribute the copyrighted work.
- To maximize rights and the ability to win legal battles an owner should seek legal copyright protections.





PATENTS 101

- Once an inventor creates a product or process, they have the right to obtain a patent from the U.S. Patent and Trademark Office.
- A invention must be new, useful, and non-obvious.
- Must be filed in a timely manner.
- Allows an inventor the right to exclude others from making, selling, and using the patent during the term.

WHAT'S EXCLUDED?

- Laws of Nature for example the theory of relativity
- Physical Phenomena a newly discovered mineral
- Abstract Ideas mathematics
- Immoral Inventions inventions deemed contrary to public policy

VISUAL ART IN BUILDINGS



The protections contained in the copyright laws extend to architects, designers, and other "authors" the ability to control the reproduction, distribution, modification, public performance, and public display of their works.

Under the Visual Artists Rights Act of 1990 (VARA), visual artists now possess the non-transferable right of attribution to assure that the artist is properly identified with the works they create.

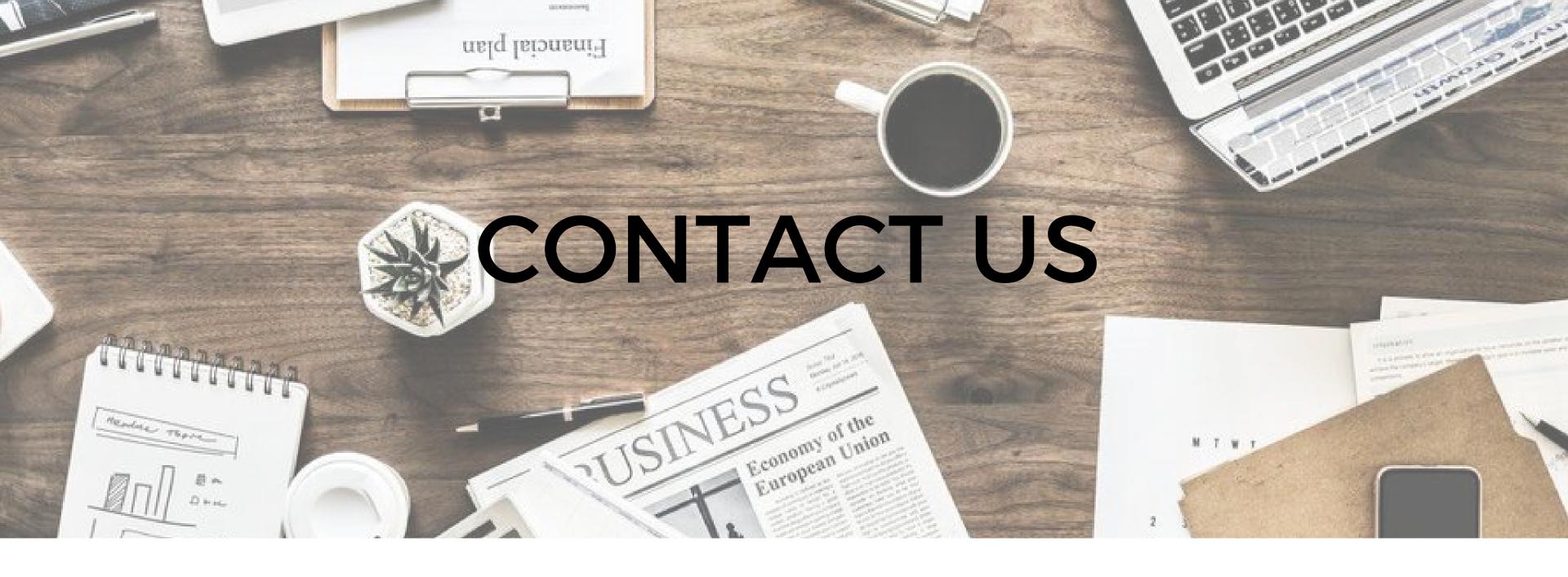
At the outset, it is prudent for a property owner to obtain a written waiver of the visual arts if such artists work are to be incorporated into a building or development project to avoid later disputes.

There is value in the various features of a building or development whether commercial or residential. Not only can it add to the value of the real estate but merchandising rights can be very valuable.

FASHION DESIGN LAW



- Typically protects the logo, name, label, or short phrase used on goods or services.
- Rights are automatically obtained through common law if it is the first use of the mark or if the mark garners secondary meaning.
- Registration offers more rights.
- For those expanding internationally, you have to think about what countries, because they may protect through filing rather than use.
- Protection of fashion designs is afforded through the art of the pictorial, graphic, and sculptural work category.



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