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Intellectual Property in a Can

Posted on December 21, 2011 by 341studios

Featured Blogger Today: Mark Nowotarski, President of Markets, Patents & Alliances, LLC

Everything you need to know about intellectual property is in a can of Coke. This includes trademarks, patents, copyrights and trade secrets.



- **Trademark** is a mark that testifies to the source of a product and its quality. The words "Coca-Cola" on a beverage container, for example, tell you who made the beverage inside the container and is therefore responsible for its quality. Trademarks last forever as long as you use them. You can register a trademark with the United States Patent and Trademark office. That's what the ® symbol means. If can also use a trademark without registration, that's what the ™ symbol means.
- **Copyright** protects artistic expression from being copied without permission of the artist. You can mark something with © to indicate copyright protection. The art work and text on a can of Coke is protected by copyright. You can register copyrights with the US library of Congress.
- **Patents** are public disclosures of technical inventions in exchange for exclusive rights. There are patents covering almost every technical aspect of a Coke can. You get a patent by filing a patent application with the United States Patent and Trademark office. Patents last 20 years from when they are filed.
- **Trade Secrets** are anything that you want to keep secret. They can include technical designs or business information. The formula for Coke is a trade secret. To protect a trade secret, you have to treat it as a secret. Label things "confidential". Put a non-disclosure agreement in place before you tell someone.

You can use intellectual property rights to keep something for yourself, or you can license your rights to others. If someone uses your intellectual property without your permission, you can sue for damages. A qualified attorney or registered agent can help you protect and/or license your intellectual property, or get a license to someone else's intellectual property.

Mark Nowotarski is the president of Markets, Patents & Alliances, LLC in Darien, CT. He is a registered US patent agent. His website is

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