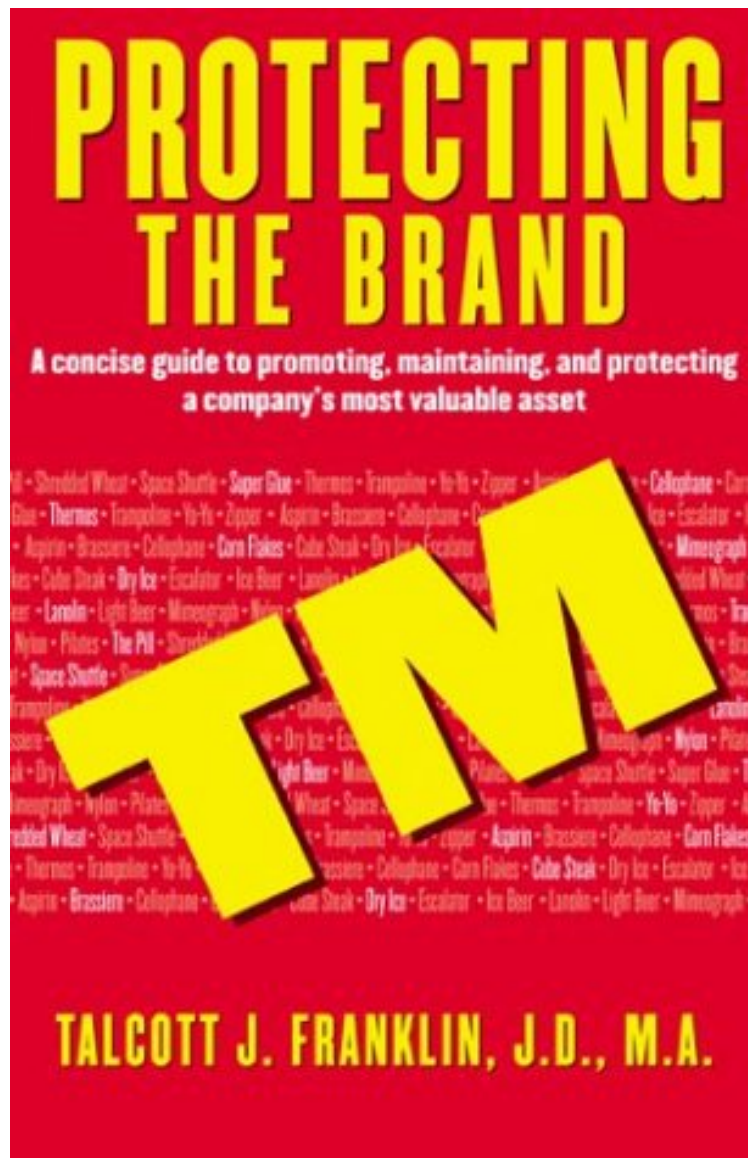


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Protecting the Brand: A Concise Guide to Promoting, Maintaing, and Protecting a Company's Most Valuable Asset

Talcott J. Franklin

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Talcott J. Franklin : Protecting the Brand: A Concise Guide to Promoting, Maintaing, and Protecting a Company's Most Valuable Asset before purchasing it in order to gage whether or not it would be worth my time, and all praised Protecting the Brand: A Concise Guide to Promoting, Maintaing, and Protecting a Company's Most Valuable Asset:

1 of 1 people found the following review helpful. Legal Reference GuideBy Kris P. LangeThis book could be useful to the right reader. The emphasis is legal/trademark. It's a mini-text heavy on trademark basics, definitions and court decisions. Franklin provides guidance on topics like trademark process and the differences between a copyright, trademark, etc.. It addresses the legal aspects of how to keep your trademark from becoming a generic word as was the fate of Xerox (we all should have such problems.) The book would probably be a good intro/reference for law students or paralegals but as a marketing mgr for a small company it wasn't what I was looking for.

1 of 2 people found the following review helpful. A concise, no-frills, instructional guideBy Midwest Book ReviewWritten by private practice lawyer Talcott J. Franklin, *Protecting The Brand* is a concise, no-frills, instructional guide to promoting, maintaining, protecting, and utilizing trademarks while insuring and safeguarding that brand name and its consequent recognition value in the highly competitive market place. Individual chapters cogently address the general use of brands, brand strategy, trademark enforcement, brand standards, risks and benefits of licensing, and more. *Protecting The Brand* is very highly recommended reading -- especially for anyone with an intellectual or product-based concept to protect.

0 of 0 people found the following review helpful. An Essential Resource For Every BusinessBy Daniel J. MiccicheMr. Franklin's book is an essential resource for every lawyer and business executive. Mr. Franklin attempts to use every day language to describe the complex legal issues involved in protecting a business's trademark and succeeds masterfully. The book is clear, concise and comprehensive. If your business has trademark or trade name worth protecting, you need to read this book.

Brand-name products represent the largest single sector of the U.S. economy, yet there is no simple format in existence to educate people about the rules of trademark.

From Publishers WeeklyThis short, practical guide to the rules of trademark law provides clear definitions of important terms, excellent examples of influential court decisions regarding uses and abuses of trademarks and useful tips on how a company can defend and keep a trademark. Franklin, a lawyer, explains the ins and outs of the U.S. Patent and Trademark Office and the key differences between R, c, TM and SM designations. He continually hammers home the most important points of trademark law, "(1) Always use the mark as an adjective; and (2) Do not confuse the mark with the company name." He makes it very clear why, for example, the Xerox Corporation does not need a trademark designation after its name, but why XeroxR brand copiers do need one. He also provides sample contracts and consent-to-use forms as well as examples of how to use trademarks correctly on business letterhead and cards. Unfortunately, the emphasis on utility makes this read more like a legal textbook than a general study of trademarks. From Franklin's examples, such as how the Duncan Company lost the trademark for its yo-yo toy, it is clear that he could write a much more detailed study of the sometimes strange history of trademarks than is provided here. However, he has managed to pack a wide range of detail into his short survey, and a few humorous observations provide a welcome respite from his "just the facts" approach. Copyright 2003 Reed Business Information, Inc.

From BooklistA lawyer who can write--not the oxymoron some might claim--Dallas attorney Franklin also proves himself an adequate brand manager as he undertakes the usually tedious explanation of the power and protection of copyrights, patents, and trademarks. In clear English (backed, of course, by legal citations), he sets out rules to follow in order to avoid turning proprietary brand names into generics such as Kleenex and thermos. Fully described policies are enhanced by clear tactical tips on both policing others' use and ensuring internal and external consistencies. The advice "don't contribute the mark to the English language" means developing brand strategy, beginning with a list of the product's core values. A good introduction, not to be mistaken for legal advice. Barbara Jacobs

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About the AuthorTalcott J. Franklin is a magna cum laude graduate of Washington and Lee School of Law, where he served as Editor in Chief of the *Washington Lee Law*, and was selected to Order of the Coif. Formerly Intellectual Property Counsel at American Airlines, Inc., Tal is in private practice in Dallas, Texas and can be reached at www.talcottfranklin.com.