

Brand Protection

Rothwell Figg's Brand Protection practice helps clients safeguard what may be their most valuable assets: their brands. From brand creation and development to trademark registration, enforcement, and monetization, our team ensures that the ever-changing, multifaceted, and critical role of the brand is safeguarded.

Our brand protection differentiator is the depth of experiences we bring. Few firms can approach the volume of brand protection matters we have handled, and fewer still can match the sophistication and variety of issues we have worked with clients to solve.

Brands are complex, vital things, intended to convey an array of thoughts, messages, and characteristics. Brand Protection is actually a collection of discrete but connected undertakings. It can include trademarks, product design, packaging, advertising, copyrights, and other elements. We consider, and help manage, the full spectrum of brand-related issues, throughout the life of the brand and the evolution of a company.

Our process includes:

- Understanding a brand's key features;
- Walking our clients through potential brand-related legal issues;
- Securing a mark;
- Ensuring they are not infringing others;
- Ensuring their mark is protected; and
- Ensuring their mark is not being diluted, wrongly imitated, or infringed.

We deliver these services in concert, and with a holistic view of the client's competitive branding and marketing strategy. We focus on our clients' real-world needs; sometimes a naming issue, and others a packaging or advertising challenge. For new products or business lines, our branding experience helps us work with marketing and creative teams - including outside advertising and marketing partners - to identify what is protectable, what needs to be protected, and what it takes to best insulate a brand from avoidable conflict. We can ask the right questions, solve the right problems, and ultimately deliver guidance that benefits the client as much as possible.

We also dig deep to understand a business' internal operations. We learn our clients' businesses, priorities, and goals. This way, we can custom-tailor each brand protection program to a specific situation, and ensure that our solutions exactly meet their needs, now and for years to come.

Because we work daily with many world-famous brands, we are quite familiar with protecting brands at the very highest levels. Besides representing well-funded and global companies, we also leverage our skill and experience when we work on behalf of smaller clients, with smaller budgets. We provide exceptionally efficient, top-level service to all our clients, whether they've been in business 50 years or

50 days. Our experience lets us manage costs and avoid over-lawyering.

As an example, we leverage our rich, decades-long background in branding, to know what it means in any given situation for a client to secure a “win”. Wins happen in court, and are critical. But wins can often come through settlements we have secured for clients, which achieve and even exceed their goals, while avoiding some costs and risks of litigation.

In addition to our prominent large company success, we have had many litigation successes for small enterprises, securing the right of our clients to use their brands, or enforcing them against infringements. One example was a dispute with Audi/Volkswagen, where we were asked to represent a family-owned auto parts business. We secured a judgment that our client was entitled to continue its use of the vanity phone number 800-ALL-AUDI, because they specialized in helping customers obtain parts for that car brand, and therefore no confusion arose. We were able to develop a strategy and budget that secured for the client this important trademark right. And, as we always strive to do - protect the brand.