

Retail

In an industry with a global market value of over \$5 trillion and the proliferation of online sales, social commerce continues to hold its position among the biggest digital trends in the retail sector. As omnichannel platforms determine superior shopping experiences and same-day delivery has manifested in competitive advantage, the borders between retail and other industries continue to overlap as interactive commerce creates synergy between online and traditional storefronts.

Rothwell Figg has advised on the IP, technology, and privacy issues associated with the retail industry for decades. We know how to navigate our clients through identifying, owning, and monetizing retail's most valuable intangible assets, while also fending off patent trolls and aggressive competitors. We identify, register, and safeguard all IP associated with the retail market – patents, trademarks, copyrights, trade secrets, and the like – and advise on managing and leveraging even the most extensive IP portfolios and world class brands.

Brands are the lifeblood of retail. We help retailers select, protect, and enforce their rights, and even to identify those potential rights which may exist in different brands, promotions, and particularly advertising. We advise on the new technologies and digital innovation that drives supply-chain efficiency, lowers costs, and better sourcing for new and existing retail businesses. We constantly strive to understand each client's often unique and long-term and short-term strategy when it comes to new product development and market segments. Our firm is fluent in the unique IP issues that arise in retail R&D, manufacturing, and sales, as well as the global legal solutions required to safeguard creativity and proprietary information.

Our experience ranges from defending and prosecuting infringement claims involving product/service sales and operations to trade secret misappropriation. We are also able to assist retailers when they, as the middleman, are brought into a dispute between a trademark owner and an allegedly infringing product which the retailer purchased from one of the trademark owner's competitors, only to discover that a dispute existed.

We navigate our clients through all types of e-commerce matters such as website agreements, IP indemnification for third party agreements, privacy policies, and consumer protection statutes. We work with our clients to respond to changing import/export trade policies and threats of trade secret loss and counterfeit and grey market goods – all while seeking to balance iconic product attributes with customer demands for new and inventive product offerings.