

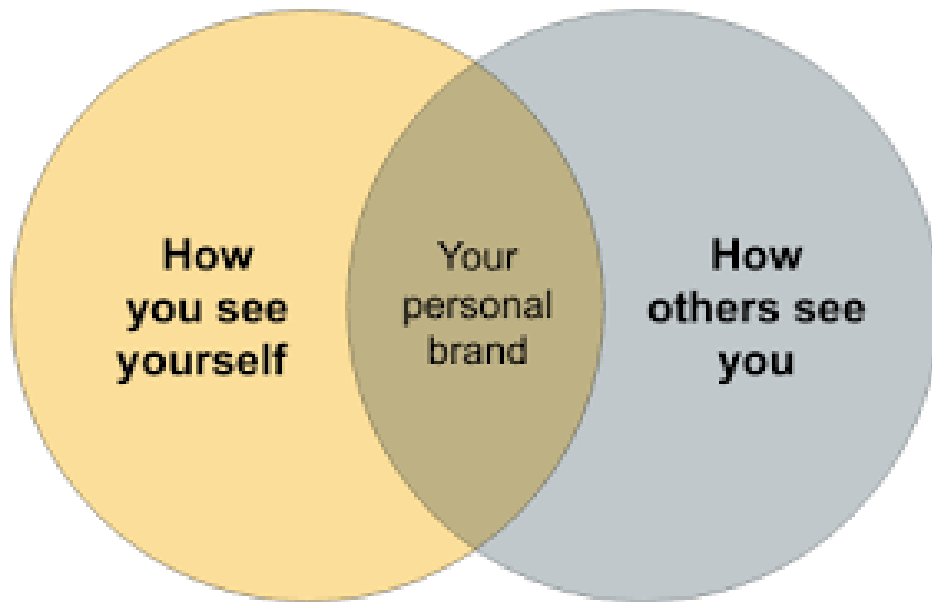
Brand Protection/Management

Intellectual Property Law Webinar
Legal Resources Network (LRN)

Presented by:
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Counsel
Intellectual Property Practice
Group

Name, Image and Likeness (NIL)

Why is your brand important? (Individual vs. Business)



Trademark/Copyright Protection

Individual's Name, Stage Name, Alias, Slogan, Phrase

Establish foundation/brand that will carry on a message/mission for the future

Exclusive ownership of intellectual property created by your brand

Copyright considerations with respect to photos, videos, and other creative content generated by an individual

State Legislation vs. Federal Legislation

- State Legislation
 - Examples
- Federal Legislation
 - Examples

Domain Name Dispute Proceedings

Domain Name Ownership

Register and secure domain names associated with individual's name, stage name, foundation/brand

Utilize Uniform Dispute Resolution Policy proceedings to protect and secure domain names associated with an individual's brand or personal name

- Prevent others from taking advantage of goodwill associated with an individual
- Prevent others from securing domain names in order to extract large monetary payments

Inexpensive and quick mechanism for addressing threats to an individual brand

Works collaboratively with trademark registration/protection (common law and registered mark)

Startups and Entrepreneurs



Work with existing clients including athletes, influencers, and entertainers to pre-emptively identify key considerations (licensing, merchandise, etc.) and blind spots in intellectual property protection strategy



Develop overarching intellectual property protection strategy that is responsive to future goals/needs



Help clients understand their individual brand needs and customize a strategy that is responsive to cost considerations



Consider that individual's brand and company's brand may be intertwined

Client Counseling Considerations for Startups and Entrepreneurs

LeBron James

- LBJ Trademarks, LLC
 - Filed 60+ trademark applications
 - At least 32 trademark registrations
- Brand Endorsements
 - 2K Sports, AT&T, Beats Electronics, Coca-Cola, GMC, KIA Motors, Nike, RIMOWA, Walmart, Ruffles, Tonal, Mountain Dew, Wheaties, Space Jam, Crypto.com, LIFEWTR
- Brands – Personal Investment
 - Blaze Pizza
 - SpringHill Entertainment
 - “Uninterrupted” – Media Company
 - Ladder
- LeBron James Family Foundation
 - Charitable causes
 - Charitable mission

Quick Links for LeBron James Trademarks

- | | | | |
|------------------------------|--------------------------|---|--|
| 1. HABITS OF PROMISE | 10. LEBRON | 19. LEBRON JAMES FAMILY FOUNDATION | 26. JUST A KID FROM AKRON |
| 2. I PROMISE CIRCLES | 11. KING JAMES | 20. I PROMISE SCHOOL | 27. IRISH 23 FOREVER |
| 3. Logo #1 | 12. CHOSEN1 | 21. LRMR VENTURES | 28. I PROMISE |
| 4. HOUSE THREETHIRTY | 13. LEBRON JAMES | 22. TEAM STRIVE FOR GREATNESS | 29. THE LEBRON JAMES FAMILY FOUNDATION |
| 5. TEAM STRIVE FOR GREATNESS | 14. I PROMISE SCHOOL | 23. THE I PROMISE SCHOOL | 30. LEBRON |
| 6. STRIVING FOR GREATNESS | 15. H HOUSE THREE THIRTY | 24. NOTHING IS GIVEN. EVERYTHING IS EARNED. | 31. LEBRON |
| 7. STRIVING 4 GREATNESS | 16. HOUSE THREE THIRTY | 25. JUST A KID FROM AKRON | 32. LEBRON |
| 8. STRIVE 4 GREATNESS | 17. HOUSE THREE THIRTY | | |
| 9. STRIVE FOR GREATNESS | 18. YOUR ZONE | | |

Source: www.gerbenlaw.com



Tom Brady

- TBD TM, LLC
 - 125+ trademark registrations
- Brand Endorsements and Investments
 - Aston Martin, Christopher Cloos, FTX, Molecule Mattresses, Hertz, Subway, IWC Schaffhausen, Under Armour, Madden NFL, UGG, T-Mobile, Wheels Up, many others
- TB12 Foundation

Quick Links for Tom Brady Trademarks

1. TOM BRADY	34. BRADY	67. TOM BRADY	100. TB12
2. TOM BRADY	35. BRADY	68. TOM BRADY	101. TB12
3. TOM BRADY	36. BRADY	69. TOM BRADY	102. TB12
4. TOM BRADY	37. BRADY	70. TOM BRADY	103. TB12
5. TOM BRADY	38. BRADY	71. TOM BRADY	104. TB12
6. TOM BRADY	39. BRADY	72. TOM BRADY	105. TB12
7. TOM BRADY	40. BRADY	73. TOM BRADY	106. TB12
8. TOM BRADY	41. BRADY	74. TOM BRADY	107. SUSTAINED PEAK PERFORMANCE
9. BRADY	42. BRADY	75. TOM BRADY	108. TB12 FOUNDATION
10. TOM BRADY	43. BRADY	76. TB12	109. TB12
11. TOM BRADY	44. BRADY	77. TB12	110. TB12
12. TOM BRADY	45. BRADY	78. TB12	111. TB12
13. TOM BRADY	46. BRADY	79. TB12	112. TB12
14. TOM BRADY	47. BRADY	80. TB12	113. TB12
15. TOM BRADY	48. BRADY	81. TB12	114. TB12
16. TOM BRADY	49. BRADY	82. TB12	115. TB12
17. TOM BRADY	50. TOM BRADY	83. TB12	116. TB12
18. TOM BRADY	51. TOM BRADY	84. TB12	117. TB12
19. TOM BRADY	52. TOM BRADY	85. TB12	118. TB12
20. TOM BRADY	53. TOM BRADY	86. TB12	119. TB12
21. TOM BRADY	54. TOM BRADY	87. TB12	120. TB12
22. BRADY	55. TOM BRADY	88. TAMPA BRADY	121. TB12
23. BRADY	56. TOM BRADY	89. TOMPA BAY	122. TB12
24. BRADY	57. TOM BRADY	90. TB12	123. TB12
25. BRADY	58. TOM BRADY	91. TB12	124. TB12
26. BRADY	59. TOM BRADY	92. TB12	125. TB12
27. BRADY	60. TOM BRADY	93. TB12	126. TB12
28. BRADY	61. TOM BRADY	94. TB12	127. TB12
29. BRADY	62. TOM BRADY	95. TB12	128. BRADY
30. BRADY	63. TOM BRADY	96. TB12	129. TB12
31. BRADY	64. TOM BRADY	97. TB12	
32. BRADY	65. TOM BRADY	98. TB12	
33. BRADY	66. TOM BRADY	99. TB12	

Importance of Holistic Approach



Business Formation

Business Law and Transactions

Social Media Law

Full-Service Approach (Collaborative)

Business Formation

- Separate entity to handle licensing, endorsement, and sponsorship opportunities
- Tax considerations (non-profit foundation, etc.)

Business Law and Transactions

- Review of contractual agreements associated with licensing, endorsement, and sponsorship opportunities
- Exclusivity, Confidentiality, and Moral/Social Responsibility Clauses

Social Media Law

- Federal Trade Commission considerations for endorsement guidelines (influencers)
- Social media platform guidelines

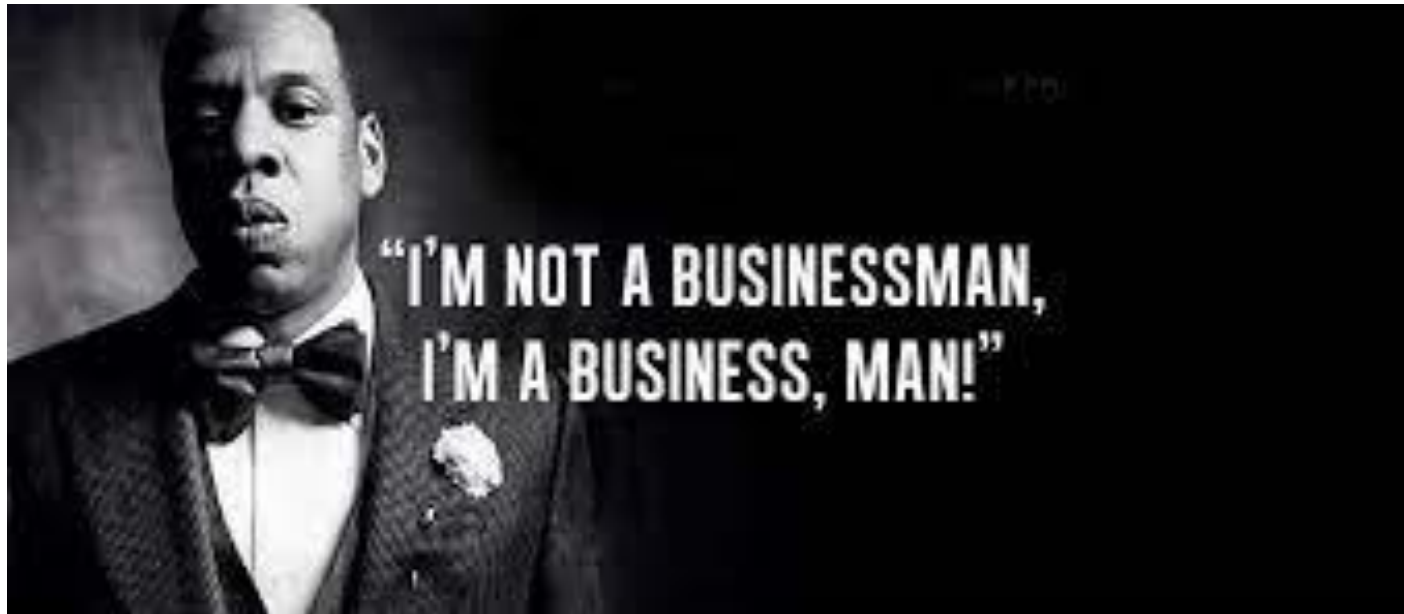
Summary Outline Slide

- Trademark/Copyright Protection
 - Individual's Name, Stage Name, Alias, Slogan, Phrase
 - Establish foundation/brand that will carry on message/mission for the future
 - Exclusive ownership of intellectual property created
 - Copyright with respect to photos, videos and other creative content created by individual
- Domain Name Ownership
 - Register and secure domain names associated with individual's name, stage name, foundation/brand
 - UDRP proceedings to protect domain names associated with individual's trademarks and personal names (prevent others from taking advantage of goodwill associated with individual or demanding large payments in exchange for domain name)
- Client Counseling
 - Work with existing clients including athletes, influencers, and entertainers to pre-emptively identify key considerations (licensing, merchandise, etc.) and blind spots
 - Overarching intellectual property protection strategy that is responsive to future goals/needs

Collaboration With Other Practice Groups

- Business Formation (separate entity to handle licensing, endorsement and sponsorship opportunities)
 - Business Formation and Governance
 - Tax Law
- Business Law and Transactions
 - Review of contractual agreements associated with licensing, endorsement and sponsorship opportunities
 - Exclusivity, Confidentiality, and Moral/Social Responsibility Clause Provisions
- Social Media Law
 - FTC considerations for endorsement guidelines
 - Social Media Platform guidelines

Brand Protection/Management



Questions?

THANK YOU



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