

What is intellectual property law?

- ◆ Intellectual property (“IP”) law protects inventions and various forms of artistic and scientific expression. Intellectual property law has been developed through the enactment of statutes and through a body of case law.
- ◆ Intellectual property can be broken down into specialized areas: patent rights, copyrights, trademarks, unfair competition, and trade secrets.
 - **Patent law** involves protecting an inventor’s property rights. Under United States law, a patent is a right granted to the inventor of: (1) A process, machine, article of manufacture, or composition of matter; and (2) Is new, useful, and non-obvious. A patent is the right to exclude others from using a new technology.
 - **Copyright law** concerns the rights of creators of works in the entertainment, publishing, and fine arts industries.
 - Lawyers working in **trademarks and unfair competition** work with clients to choose trademarks, clear them for use, and register them.
 - Lawyers who work on **trade secrets** advise clients about how to keep their industry secrets and litigate on their behalf when a trade secret has been improperly acquired.

Where do intellectual property lawyers work?

- ◆ **Private law firms:** Attorneys specializing in patent, trademark, and copyright law often work in the intellectual property department of large general practice law firms or in small to medium size boutique law firms.
- ◆ **Federal government:** IP lawyers may work in the Patent and Trademark office, a federal agency of the United States.
- ◆ **In-house counsel:** IP lawyers may work in a corporation’s legal department as in-house counsel. Some example of companies that might staff in-house lawyers include pharmaceutical companies, medical device manufacturers (e.g., Medtronic), music record labels, or publishing houses.

What can I do as a law student to help me prepare for a practice in intellectual property law?

- ◆ The following courses would provide a student with substantive information about intellectual property law:
 - Copyright
 - Cyber law
 - Patent law
 - Sports law
- ◆ Participate in law review, a law journal, or legal writing competitions
- ◆ Clerk for a federal judge or do a judicial externship
- ◆ Work as a summer associate or law clerk for an IP law firm
- ◆ Join the IP section of the Memphis Bar Association or the American Bar Association

What skills or qualifications are most important for IP lawyers?

- ◆ Having a Bachelor’s of Science
- ◆ Good oral and written communication skills
- ◆ Negotiation skills
- ◆ Interest in technology and innovation
- ◆ Able to work with people of diverse/international cultures
- ◆ An understanding of business and economics
- ◆ An awareness of social and consumer issues

Resources for Intellectual Property Law



University of Memphis
Law School
Career Services Office

Join the American Bar Association's Intellectual Property Section

- ◆ http://www.americanbar.org/groups/intellectual_property_law.html
- ◆ Check out *Landslide*: *Landslide*® magazine, published by the ABA Section of Intellectual Property Law (ABA-IPL), provides articles on contemporary issues in intellectual property law for attorneys practicing in the field and others interested in the subject matter. *Landslide* magazine is available online to ABA-IPL members.
- ◆ The Memphis Bar Association has an intellectual property/entertainment section which sometimes sponsors CLEs that provide great networking opportunities

Who can take the Patent Bar?

- ◆ <http://www.ipwatchdog.com/patent-bar-exam/patent-bar-qualifications>

Other Online Resources

- ◆ Website for the United States Patent and Trademark Office:
<https://www.uspto.gov> (Check out their “Learning Tools & Links”)
- ◆ Website for the World Intellectual Property Organization (“WIPO”), the global forum for intellectual property services, policy, information, and cooperation:
www.wipo.int/portal/en/

University of Memphis Law Library Resources

- ◆ Johnson, Stephen, *Guide to Intellectual Property* (2015) (eBook)
- ◆ Drahos, Peter, *A Philosophy of Intellectual Property* (2016) (eBook)
- ◆ McJohn, Stephen M., *Intellectual Property: Examples and Explanations* (2015) (in open reserve area on the first floor—Call No. KF2980 .M42 2015)
- ◆ Gerck, David R. *New Practitioner's Guide to Intellectual Property* (2012) (on third floor of law library—Call No. KF2979 G47 2012)