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

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?


Other Online Resources

- 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

- Drahos, Peter, A Philosophy of Intellectual Property (2016) (eBook)