



Design Rights

Protection

Kilpatrick's Design Rights Practice focuses on helping our clients protect and manage the visual aspects of a product, ensuring that these designs remain the exclusive property of the creator or company. Kilpatrick has substantial experience in protecting and enforcing design rights in all areas of intellectual property including patents, copyrights, trademarks, and trade dress.

Patent

Design patents safeguard the unique visual characteristics of a product. Unlike utility patents, which protect the functional aspects of inventions, design patents cover the ornamental design of a manufactured item. This includes the shape, surface ornamentation, and overall appearance, ensuring that competitors cannot produce a similar-looking product that confuses consumers. The popularity of design patents is growing rapidly as they become more recognized for their value in protecting design rights. Based on our significant insight and experience, Kilpatrick provides strategic advice on the requirements for obtaining design patents, and the advantageous breadth, procedural aspects, and enforcement options of design patents.

Trademark and Copyright

Trademarks and trade dress design play critical roles in distinguishing a company's products or services from those of competitors. Effective protection of trademarks and trade dress is essential for maintaining brand identity, consumer trust, and market position. Trademarks are identifiers, such as logos, names, or slogans, that signify the source of goods or services. Trade dress refers to the visual appearance of a product or its packaging and can include shapes, colors, and designs that signify the product's source to consumers. Copyrights protect original works of authorship, including new visual works and new three-dimensional designs that are incorporated into products. Legal expertise in this field ensures that these valuable assets are properly registered, defended against infringement, and enforced to maximize their value. Kilpatrick's team helps clients put in place a robust trademark and trade dress protection strategy, which is integral to preserving brand integrity, fostering consumer trust, and safeguarding competitive advantage.

International Design Rights

Our lawyers know the international aspects of design patents and have supervised the prosecution of thousands of design patent applications around the world. We advise our client on sophisticated strategies for protecting their design rights based on the interplay of patents with other IP tools available including trademarks and copyrights.

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