
Preface

The Intellectual Property Handbook: A Practical Guide for Franchise, Business, and IP Counsel Practitioners, 2nd Edition, is—like its predecessor—targeted to complement and enhance the collection of excellent publications by the ABA Forum on Franchising and the ABA Section of Intellectual Property Law, such as the Forum’s *Covenants against Competition in Franchise Agreements* and the *Mergers and Acquisitions of Franchise Companies*, and the Section’s *Crash Course on U.S. Patent Law* and *Copyright Remedies: A Litigator’s Guide to Damages and Other Relief*. Sponsored by both the Forum on Franchising and the Intellectual Property Law Section, *The Intellectual Property Handbook* is designed to serve as a comprehensive single-volume treatment of all the major types of intellectual property (IP).

As did the first edition, this updated edition features an overview of domestic and international trademark laws, domain name, cyber law and social media issues, and copyright, patent, and trade secret laws, as well as an important overview of the intersection of IP issues and cutting-edge technology. Our mandate and goal as editors was to provide both substantive and practical guidance to a wide audience of non-IP specialists: franchise practitioners and general practitioners; in-house corporate counsel who regularly address IP issues; paralegals and novice intellectual property practitioners looking for a practical overview of IP; and IP specialists in one area who need a refresher or grounding in another. We believe and hope that *The Intellectual Property Handbook* will prove to be a valuable and frequently used resource for each of these readers.

This compilation resulted from numerous hours of hard work and dedication and the concerted efforts of many. First and foremost, we want to thank the authors of the individual chapters for their perseverance and patience through the evolution of this project: Sherin Sakr for her hard work (with Chris Bussert) in updating the chapter on U.S. trademark law (Chapter 1); Ann Ford for guiding the reader through the maze of trademark registration and protection issues outside the United States (Chapter 2); Jonathan Jennings for his treatment of the oft-changing world of domain name, cyber law, and social media legal issues (Chapter 3); Susan Upton Douglass for navigating the complexities of copyright law (Chapter 4); the

team of Laura Burson, Martin Bader, and Craig Madson for clearly explaining complicated patent issues (Chapter 5); Mike Lockerby, who extensively updated Henry Su's original detailed coverage of trade secrets (Chapter 6); and Mike Lindsey for his innovative and practical approach to addressing a variety of emerging topics at the confluence of technology and intellectual property (Chapter 7). The end result of these authors' work provides the bar with a wealth of information in a practical and easy-to-use format.

Our appreciation and gratitude do not stop, however, with the authors. We owe a huge thank-you to Karen Satterlee, the current chair of the Forum on Franchising, who helped us organize and implement this second edition. We must also express our heartfelt thanks to Paul Jones and Jim Goniea, our liaisons on this project, for keeping us on schedule and offering tips and guidance along the way. In addition, we must also thank Pamela Banner Krupka, a past chair of the Section of Intellectual Property Law, for her help in lining up additional authors for this edition. We also have great appreciation for and owe considerable thanks to Sarah Forbes Orwig, the ABA Book Publishing executive editor charged with the overall publication responsibility for this project. Without the ongoing efforts of these key players and their patience, support, and appropriate occasional prodding, this updated edition would not have come to fruition.

In addition, we want to thank our law partners at our respective firms, Kilpatrick Townsend & Stockton LLP and Morgan, Lewis & Bockius LLP, whose support for this project is much appreciated.

Finally, we would be woefully remiss if we did not acknowledge the encouragement and understanding of our spouses, who patiently supported (and endured) our work on evenings, over weekends, and during vacations on this project.

As with many areas of the law, intellectual property is subject to frequent change. As a result, although the content of the *Handbook* is current today, perhaps more than in other substantive legal practice areas, chances are high that one or more subtopics will be affected, altered in some subtle but important way, or even superseded altogether by the enactment of new laws or the impact of new court decisions—or both—often driven by the impact of our fast-paced information and technology-based society. Consequently, although this new edition provides a strong foundation for one's knowledge base in these areas, practitioners should consult with an experienced intellectual property attorney on any matter of strategic importance to their practice and clients to ensure that they base their strategy decisions on the most recent developments in IP laws.

We hope that you turn often to *The Intellectual Property Handbook: A Practical Guide for Franchise, Business, and IP Counsel Practitioners, 2nd Edition*, as a stand-alone primer and useful resource on a broad range of intellectual property issues.

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September 2016