

Help us on an Intellectual Property issue in Ty Ty Georgia!

Disclaimer: The names of exporters and their stories have been changed to protect their identity. The names and expertise of our advisors are very real and often understated. The story is funny, the advice is authentic.

Dear Betty Sue,

How ya'll doing down there in Texas. Greetings from Ty Ty, GA. We grow some of the best pecans in the U.S. (did ya know that Georgia is the #1 pecan growing state?) We have a brand of spiced pecans called Southern Hotty and it has been a big success. We are receiving more orders

worldwide and our brand is becoming well known. Right now we have a TM but no formal ®. Recently we received an email from a Chinese firm warning us that a trademark is going to be filed by another company in China. We have no immediate need for a ® in China. We don't yet ship to China but we might one day soon. How should I respond or should I respond at all? From what I've heard tell this a common scam. I read the story about Michael Jordan and it looks pretty shaky with intellectual property in China. Need some advice if you got an expert that can help us.



™Pecan with an ® Attitude

Dear ™ Pecan with an ® Attitude,

Ya know we Texans love pecans, especially Earnie Earl. Bet he can't wait to try some of your Southern Hotties. I understand the Chinese are buying up pecans like lotto tickets at a 2 for 1. You are right to be cautious of this well-known intellectual property scam (see our paper on 5 top scams), but we need to look at all sides of the barn cause there could be some answers we're missing. Let's ask our expert, Mr. James Saikin, a senior technologist and global operations specialist who has taken the lead in startup, development and acquisition of numerous technology companies. He assists with intellectual property strategy and has written and assisted with over 100 patents. James' specialties include power systems, energy control systems, nano-technology, composites, applied material, semiconductors, optics and defense systems. Mr. Saikin obtained a BA in Physics from Texas A & M. His Juris Doctorate in Law from Oklahoma City University allows him to plan IP strategy while staying out of the courtroom.

Betty Sue (loving a Pecan gal with an attitude and the smarts to get good advice)

Dear Betty Sue and ™Pecan with an ® Attitude,

The very best advice here is: do not engage directly. Immediately contact counsel and let them handle it. In my opinion, the only sensible course of action is to seek a trusted advisor who is knowledgeable in these matters. My clients used to receive these letters about once per month after a formal filing with the United States Patent and Trademark Office. The very public nature of the filing provides all the information necessary for unscrupulous operators to scam anyone. While we may assume it is a scam, it is always preferable to establish a legal basis at this juncture to assist in the defense of a potential future infringement claim if it is not a scam or least let others know you are vigilant in protecting your brand.

Jame Saikin, Leaderinsight

Let's get people excited about exporting!

#BettySueExportQueen

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