

Urquhart-Dykes & Lord LLP
Intellectual Property Review
Preliminary Audit

CHARTERED PATENT ATTORNEYS
EUROPEAN PATENT ATTORNEYS
REGISTERED TRADE MARK ATTORNEYS
EUROPEAN TRADE MARK ATTORNEYS



INTELLECTUAL PROPERTY REVIEW -SELF AUDIT

Company Name		Please affix your business card or fill in the details
Contact Person	Tel	
Address	Fax	

	YES	NO	OTHER COMMENT
NAMES AND LOGOS			
Have you obtained trade mark registration of:			
• your company name?			
• your product/service names?			
• your logos?			
Is this protected in the UK or in other jurisdictions?			
Do you permit others to use your names/logos?			
If yes, is the agreement in writing?			
Do you have a procedure in place for policing infringements?			
Have you ever found others using or threatening to use similar names/logos to yours?			
Are all your registered trade marks in use?			
If not, how long is it since un-used marks were last used?			
DOMAIN NAMES AND THE INTERNET			
• Do you have a registered domain name?			
• Do you have a web site and, if so, did you design it?			
• Do you advertise products for sale on your site?			

	YES	NO	OTHER COMMENT
• Do you allow people to link to your site			
• Do you link to any other sites?			
• If so, do you link in by framing?			
• Do you allow people to download material from your site or access and use data from it?			
• Do you have a procedure in place for monitoring correct use of the trade marks by your employees/distributors?			
DESIGNS AND INVENTIONS			
Do you come up with unique or innovative products or ways for making them?			
Do you have procedures for identifying patents made by employees?			
• do they include advantages over competitors' products or processes?			
• do you consider patent protection before disclosure?			
• do your designs have eye appeal?			
• do you consider registered design protection before disclosure?			
Were the products designed in-house?			
If so, does the designer have a written contract of employment with you?			
If so, is the employee's contract of employment clear that you own the copyright?			
Have all original sketches plans etc been recorded and kept in a safe place?			
If the products were designed by an outside designer (ie not an employee), is there a written agreement with the designer?			
If they are prepared by an outsider:			
• Is there a written agreement covering the work?			
• have you taken an assignment of the copyright?			
• has the outsider waived his moral rights?			
• have any warranties been given in relation to the works?			

GRAPHICS			
Do you have any of the following especially prepared for you:			
• sales literature?			
• advertisements?			
• user manuals?			
• get-up of services?			
Are they prepared in-house?			
If so, is the employee's contract of employment clear that you own the copyright?			
If they are prepared by an outsider:			
• Is there a written agreement covering the work?			
• have you taken an assignment of the copyright?			
• has the outsider waived his moral rights?			
• have any warranties been given in relation to the works?			
Have you taken a licence to use someone else's graphics?			
Do you have the right to use these graphics as you need for your business?			
Have you licensed anyone else to use your graphics?			
If so, is this for a limited purpose?			
Do you have written contracts with those who supply your advertising/design work?			
TRADE SECRETS			
Do you have a policy on what access employees may have to:			
• corporate literature and other material?			
• your commercial information (customer lists supplier lists, sales records etc)?			
• your computer system?			
• your know-how (marketing know-how, technical know-how, research and development document documentation, etc)?			
• your e-mail system?			

• the internet?			
Do your contracts of employment contain restrictive covenants?			
Are you involved in any joint venture with other organisations involving research and development?			
Do you licence others to use your trade secrets?			
Have you taken licences from others to use their trade secrets?			
Do you have a standard form of "undertaking/confidentiality agreement" which you take from outsiders who are given access to your trade secrets for what-ever reason?			
Do you have a policy concerning disclosure of research and development ideas?			
DATABASES			
Do you maintain a database information system?			
Is it electronic, manual or both?			
Is it maintained and updated by in-house personnel?			
Do you allow third parties to access and use the database?			
If yes do you have a written agreement with such users			
Do you buy in or take a licence to use any data?			
COMPUTER SYSTEMS			
Do you produce computer software in-house?			
Do your employees' contracts of employment cover the use of software?			
Do you have computer software tailor made for you by outsiders?			
If so, was this developed under a written contract/assignment of copyright?			
Do you licence others to use software specially prepared by you?			
Have you purchased or leased a computer system including hardware/software/maintenance?			
Is all the software used in your business licensed by the owner for all use that is made of it?			

Do you have a disaster recovery contract in case your computer system becomes inoperable in an emergency?			
Do you keep a central record of all your software licences (including all standard application software)?			
PATENTS			
Do you file for patent protection of inventions?			
Is this protection obtained in the UK or worldwide?			
Does the company license its patented technology to third parties?			
Is there any Intra Group licensing?			
Do you have a publication policy in respect of inventions you decide not to patent?			
Do you maintain a vigorous system of recording experiments/inventions in verified laboratory notebooks?			
Do you have a procedure for detecting potential and actual infringers?			
AGENCY/DISTRIBUTION/FRANCHISING			
Do you have any of the following:			
• agents?			
• distributors?			
• franchisees?			
• contract manufacturing?			
If the answer is yes, do they have written contracts?			
FINANCIAL			
Is any of your IPRs the subject of a charge or mortgage to any bank or financial institution?			
If yes have such charges been recorded against any registered rights?			
Do you keep a record of turnover per product?			
Do you keep a record of advertising spend?			

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