

Check out Derek Fahey's firm website! [CLICK HERE](#)



Our Watch Service

Once you have determined that a trademark watching service is a valuable asset for protecting your brand, the next step is to decide which service is right for you. Much of that depends on your particular needs. Do you just want someone who will monitor for potentially infringing marks on your behalf? Or perhaps you need help deciding which opposing marks pose the biggest threat?

We can help you decide the best fit for you or answer any questions that you may have about the process. For example, if you find multiple, potentially infringing marks, we can assist you in determining which mark, if any, poses the biggest threat to your brand(s). To determine which potentially infringing mark poses the biggest threat to your brand, one of the tools we utilize is the “likelihood of confusion” or “confusingly similar” analysis. There are several factors to consider in such an analysis including (1) the type of trademark, whether the mark is a “strong” or “weak” mark, (2) the similarity of marks, (3) the similarity of the goods and/or services associated with the marks, (4) the identity of retail outlets and purchasers, (5) the similarity of advertising media used, (6) intent of the potential infringer, and (7) actual confusion between the marks.

Additionally, we would be to assist you in determining whether your mark has “priority” over the potentially infringing mark. Priority means that a mark has superior trademark rights to that of another mark. To prove priority, a trademark owner must show that the owner’s use predates that of a potentially infringing mark.

The trademark attorneys at The Plus IP Firm help businesses and creators protect their brands. The patent attorneys at The Plus IP Firm have helped hundreds of businesses file and protect their products. To discuss your options, call us for a free consultation to see how we can help.

