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The Benefits of Trade Secret Protection



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Intellectual Property ("IP") can be one of your company's most valuable assets. Your specific product, brand and other identifiers are often the components that define your company. Therefore, protection of your IP is an extremely important factor to the success of your business. Many business owners' applications for patents, trademarks and copyrights are denied, and they do not know what their options are from there.

Protection for abstract ideas — The Supreme Court has determined that patents cannot protect merely abstract ideas, even if the abstract idea is carried out by a computer. This makes it difficult for trade secrets such as source codes algorithms, software code, recipes, manufacturing methods and customer lists, to name a few, to qualify for patent protection. However, under the Uniform Trade Secrets Act, there are only two primary requirements for IP to qualify for trade secret protection:

- There is inherent economic value in keeping the information unknown to the public; and
- You have reasonable efforts in place to maintain this secrecy.

No disclosure requirements — When you apply for a patent, one of the requirements is that you disclose the formula or design for your idea, thereby losing trade secret protection. On the other hand, by definition, a trade secret will remain a secret. Some companies that have famously benefited from the nondisclosure of trade secrets include WD-40, KFC, Coca-Cola, Mrs. Field's Cookies, and Google (for its search algorithm).

No set expiration date — Unlike other forms of IP protection, trade secrets do not expire in a predetermined amount of time.

Overall, trade secrets can be extremely valuable for some business owners. Many business owners rely on ideas, formulas, inventions and other types of intellectual property in order to make a profit. In order to prevent others from misappropriating your valued intellectual property, you always want to obtain legal protection.



Success Story

SLG's client, a managed services provider, was under contract to develop and support a certain platform offered by its customer. The customer then decided to terminate the platform as well as the relationships it had with its existing customers, and with SLG's client. A dispute arose as to the amount to pay SLG's client at time of termination. SLG aggressively pursued the claim and threatened to initiate legal proceedings if the contract was not honored. SLG assisted the client reach a compromise arrangement wherein the rights to the discontinued platform and the customer relationships were transferred to SLG's client. By so doing, SLG's client avoided costly litigation; the customer got to reduce the amount it had to pay; and the end-user customers kept using the platform and avoided disruption to their operations. It was a win-win-win solution.

4 Common Legal Issues That Arise in Commercial Real Estate Transactions



Commercial real estate transactions can be lucrative investments, however there may also be high risk due to the amount of money that is generally at stake. The following are some examples of legal issues that sometimes arise during the sale or purchase of commercial property.

1. Accurate property valuation —

Stephen Beals, Esq. Pieces of real estate are often unique with no exact comparison based on size, age, use, and/or state of the building or land, making accurate valuation significantly more challenging.

2. Due diligence — Just like any type of business transaction, commercial real estate transactions require considerable investigation. This allows a buyer to know exactly what is involved in the transaction and sheds light on any potential problems with their intended use. For example, you will want to make sure that the zoning for

the property allows your intended use, reviewing title of the property will identify liens and easements, and identifying the property corners will assist in identifying possible encroachments.

3. Assumption of liability — Prior to purchasing a piece of commercial real estate, you will want to ensure you are not assuming liability for any violations of law that may exist. For example, if you buy the property and then later find out that environmental hazards exist, you will be liable for eliminating the hazard whether or not you or the previous owner actually caused it.

4. Evaluation of financial risk — Real estate can be a great investment for your business, though such purchases can also tie up a significant amount of liquid assets for a lengthy period of time.

All of these long-term risks should be evaluated before you close any type of commercial real estate transaction.



Summertime! Let's Grill!

The weather is warm and it is time to enjoy your dinner on the patio. Check out these tips to ensure your grilling is on point this season.



- You do not need to compulsively flip. Also, do not force the flip, the meat should be easy to turn when it is ready.
- Push the back of a spoon into the middle of a burger before grilling. This will stop it from poofing up in the middle and help it to cook evenly.
- Use the grill like the hand on a clock. First place item at 10 o'clock then move it to 2 o'clock. Then flip and repeat. That will give it those perfect grill marks.
- Once you remove meat from the grill, cover in foil and let it rest for 5 minutes so the juices can settle on the inside. This will ensure it does not dry out.

Six Dumb Questions Real Attorneys Have Asked In Court

- 1) "How many times have you committed suicide?"
- 2) "Were you alone or by yourself?"
- 3) "Was it you or your brother who was killed?"
- 4) "Without saying anything, tell the jury what you did next."
- 5) "Was that the same nose you broke as a child?"
- 6) "Now, doctor, isn't it true that when a person dies in his sleep, he doesn't know about it until the next morning?"



Attorney Stephen Moses Joins SLG



Stephen Moses, Esq.

Structure Law Group, LLP is pleased to announce that veteran attorney Stephen Moses has joined the firm. Prior to joining Structure Law Group, Mr. Moses worked with a Fortune 50 technology company in the Middle East, a top tier San Francisco law firm, a software start-up company in Silicon Valley and other regional law firms that represent the San Francisco Bay Area's business community.

"I am excited to join Structure Law Group and I look forward to working with the firm's existing and future clients," said Mr. Moses. "Stephen's extensive experience in private practice and as in-house counsel perfectly complements our practice," said SLG partner Mark Figueiredo. He added, "His particular expertise in licensing and e-commerce adds valuable depth and perspective so we can better serve our clients."

Mr. Moses represents both emerging and established companies as outside corporate counsel. He regularly advises on all commercial transactions and drafts and negotiates complex business agreements including technology licensing and distribution agreements. Mr. Moses also counsels clients on Internet and e-commerce platforms, protection of intellectual property assets and employment matters.

In addition, Mr. Moses also handles complex civil business litigation involving business and commercial disputes including claims for misappropriation of trade secrets, trademark infringement, unfair competition, fraud and misrepresentation, and breach of contract. He is also a mediation panel member for the Alameda and Contra Costa County Superior Courts, where he assists other attorneys and their clients in resolving business disputes.



It's A Boy!

Structure Law Group has another new member to announce. Our very own Laura Nicasio gave birth to her second son Hayden this last May. Congratulations to Laura, Jose, and Mateo! Laura will be returning from maternity leave soon.



Employment Corner

Interview do's and don'ts

May I ask...?	Yes or No	Reason
How many days were you out sick last year?	No.	The answer may include a disability and its severity
Have you ever been addicted to any illegal substance or alcohol?	No.	Addiction is considered a disability.
Other than sick days, how many days were you gone last year?	Yes.	The answer focuses on an attendance issue not associated with disability.
Have you ever taken illegal drugs?	No.	Answering "Yes" could reveal a disability.
Are you currently taking illegal drugs?	Yes.	Current use of an illegal drug is not a covered disability.



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Dates To Remember

- July 26 Parents Day
- August 10 National Lazy day
- August 21 Senior Citizens Day
- August 26 Women's Equality Day
- September 7 Labor Day
- September 13 Positive Thinking Day



Mark Figueiredo, Esq.



Rebecca McCracken, Esq.



Stephen Beals, Esq.

Did You Know?

- A pregnant goldfish is called a twit.
- On average, 12 newborns will be given to the wrong parents each day.
- A 17-year-old named Robert G. Heft designed the 50-star American flag in 1958.
- Orcas (killer whales) kill sharks by torpedoing up into the shark's stomach from underneath, causing the shark to explode.
- There are more chickens in the world than people.



Stephen Moses, Esq.



Jaclyn Ford, Esq.



Tanya Falleiro, Esq.

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www.sanjosebusinesslawyersblog.com.

We appreciate your referrals!