

A Playing Field for Trademark Pirates

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Now that President Obama has lifted trade restrictions, American businesses are considering whether to expand their operations to Cuba. For some corporations, it makes immediate sense. For others, it may not. But regardless of your company's short-term plans, you must be aware that trademark pirates will file trademark applications for your trademarks in their own name, and then try to sell them back to you for a large ransom. Even if your company has no plans to do business in Cuba in the near future, third-party registration of your company's trademarks opens the door for counterfeits of your products—and may well close the door on your ability to do business there in the future. What can you do now? Your options may include proactive filing to beat the pirates at their own game. If they've filed first, you may be able to take legal action under Cuban law and certain Pan-American treaties. To learn more about how this threat may impact your business, and how you may protect your trademarks, please contact a member of our intellectual property and technology group.

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