



# WHAT'S REALLY YOURS?

A Practical Guide to Understanding and Legally  
Securing Your Business Assets



# Introduction - Why It Matters

**You've worked hard to build your business and brand. Let's make absolutely sure you own it.**

As a mission-driven business owner, the value you're creating extends far beyond your immediate revenue. Your name, logo, content, course materials, signature processes, and even your client lists are assets—just like your bank account and equipment. They are collectively known as Intellectual Property (IP).

IP refers to creations of the mind. It's the legal framework that gives you ownership rights over your creative and innovative works, allowing you to use them exclusively and stop others from using them without permission.



## *important tip*

Protecting your intellectual property isn't just about avoiding theft. It's about increasing your business's value, establishing credibility, securing funding, and building a solid foundation for confident growth and scaling.

This guide will help you:

- 💡 Understand the 4 main types of intellectual property
  - 💡 Identify what assets in your business can (and should) be protected
  - 💡 Learn practical steps to secure your ownership rights
  - 💡 Create your own IP inventory and action plan
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# PATENTS

Protect your **inventions** with a patent.

A patent is a property right given to an inventor to "exclude others from making, using, offering for sale, or selling" the invention in the U.S. or "importing" the invention into the U.S.

## UTILITY PATENTS

Protects the function  
– or how something  
is used or works.

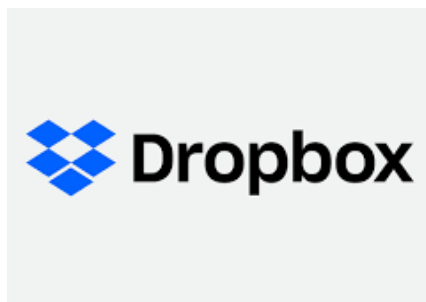
## DESIGN PATENTS

Protects how  
something looks

## PLANT PATENTS

Protects new and  
distinctive plants.  
(Very Rare)

## PATENT EXAMPLES



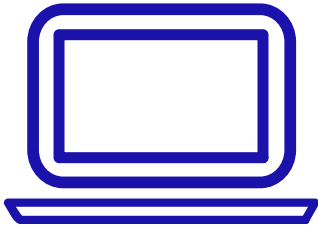
**UTILITY PATENT**



**DESIGN PATENT**

# TRADEMARKS

Trademarks protect your **brand**.



Your trademark is what helps customers recognize you. It's the logo, name, or phrase you use to make your products or services stand out in the marketplace. Essentially, it's the source indicator that ensures customers keep coming back to your business, not a competitor's.

## EXAMPLE BRAND PROTECTION

### WORD MARKS

Dunkin Donuts

Dunkin'

### LOGOS

DUNKIN'

DUNKIN'  
DONUTS



### SLOGANS

Time to Make the Donuts'

America Runs on Dunkin'

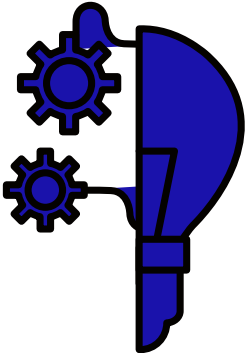
Protect it by:

- **Use:** Consistently using your mark in commerce.
- **File:** File your federal trademark application early
- **Mark:** Using <sup>TM</sup> until registered; ® after registration.



# COPYRIGHTS

It's a common misconception, but ideas alone cannot be legally protected.



The law doesn't protect the thought of writing a novel, launching a course, or designing a logo.

However, the moment you fix that idea into a tangible format—like writing the course outline, drafting the novel, or sketching the logo—that resulting original work can be protected by Copyright.

***Simply put: You get protection for what you create, not what you only think.***

## TYPES OF WORKS:

- Literary works
- Performing Arts
- Visual Arts
- Digital Content
- Motion Pictures
- Photographs

## COPYRIGHT OWNERS MAY:

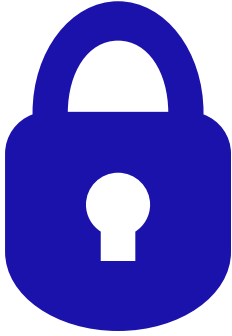
- Sell
- Reproduce
- Distribute
- Perform
- Display
- Prepare derivative work



Protect it by:

- Including © [year] [your business name]. All rights reserved.
- Registering key works for added protection and enforcement power.

# TRADE SECRETS



A Trade Secret is any valuable private business information that gives your company a competitive edge.

This includes things like your secret formulas, recipes, unique processes, customer lists, or proprietary business methods—provided you actively work to keep them secret.

## TRADE SECRET EXAMPLES:



The Coca-Cola recipe is a famous trade secret reportedly kept in a vault in its Atlanta headquarters.



Google's search algorithm is a closely guarded secret that is constantly refined to prevent businesses and people from gaming the system.

Protect it by:

- Using NDAs and confidentiality clauses.
- Limiting internal access ("need-to-know" basis).
- Training staff on confidentiality.

# Your Intellectual Property (IP) Inventory



## *Why Track Your Assets?*

As a smart business owner, you know good record-keeping is crucial for finance. The same is true for your creative assets!

Keeping detailed records about the Intellectual Property you create and own is essential for proving ownership, protecting against infringement, and maximizing your business valuation.

## How to Complete the Inventory:

On the attached IP Inventory Checklist, you'll document the vital details for every piece of IP in your business.

For each asset record:

- **Asset Name & Description:** Record the Title or Project Name and a brief, clear description of the work.
- **Creators & Contributors:** List everyone who worked on the asset. If you hired a freelancer, contractor, or received help from someone in your network, include their name.
- **Current Legal Owner:** Clearly state the current legal owner of the IP (e.g., "Your Company, LLC" or "Jane Doe, Sole Proprietor").
- **Creation Date & Proof:** Write the date the IP was created or first used, and make sure to save any available proof (drafts, timestamped files, invoices) to substantiate that date.

👉 Click Here for your **IP Inventory Spreadsheet**

[https://docs.google.com/spreadsheets/d/18JWIKnW18b5Dpjin2ubz4sHHejs\\_ctv4/edit?usp=sharing](https://docs.google.com/spreadsheets/d/18JWIKnW18b5Dpjin2ubz4sHHejs_ctv4/edit?usp=sharing)

***Pro-Tip: This inventory is your defensive shield and your future asset map!  
Keep it updated regularly.***

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# Identify Your Business Asset

Business Asset/ Description	Created By	Who Owns It	IP Type	Next Legal Step
Logo	Designer (contractor)	Ownership only if rights were assigned in writing	Trademark	1. Confirm assignment 2. File federal trademark application
Podcast Episodes	You (host) and guest contributors	You own your recordings; guests may need release agreements	Copyright *Trademark for Podcast name	1. Add copyright notice 2. Register key episodes or podcast artwork
Online Course	You	You	Copyright Trademark	1. Register the course content with Copyright Office 2. Trademark the course name
Ebooks	You	You	Copyright	Register book with Copyright Office
Client/Donor List	You and Your employees	You/ Your Business	Trade Secret	1. Use NDAs 2. Secure access
Internal Processes or Frameworks	You and Your team	You/Your Business	Trade Secret	1. Limit access 2. NDAs 3. Document confidentiality practices
Presentation Deck/ Workshop	You	You	Copyright	1. Add copyright notice 2. Register the deck or workshop materials
Prototype of New Design	You/Product Designer	1. Depends on contract 2. Confirm written assignment	Patent (Utility and/or Design)	1. Avoid public disclosure 2. Document creation 3. Consider patent search/consult patent counsel



## Quick Action Checklist

1. Use <sup>TM</sup> or © symbols on your materials.
2. Review contractor agreements for IP ownership clauses.
3. Document internal processes for safeguarding proprietary information.
4. Register your trademarks.
5. Register major copyrights (courses, books, designs).
6. Use NDAs when sharing confidential info.
7. Secure all relevant social media handles and domain names.
8. Maintain a current IP Inventory Sheet.
9. Schedule a brand protection review annually.
10. Centralize Your IP Documentation



# Ready to Own What's Yours?

“ The key to success is to own your own ideas, and the commitment to their execution.

- Unknown

The first step is understanding your rights.  
The next is putting them into action.



# You Don't Have to Protect Your Work Alone.

You're building something with purpose. As your brand and business grow, the value of what you create grows too — your name, your ideas, your programs, your content, your reputation.

We help you secure those assets, not just on paper, but as part of a real, workable business strategy.

At Melanie Cunningham Law Office P.C., we support mission-driven businesses and nonprofits with:

- Brand Protection & Trademarks
- Copyright, Licensing & Content Ownership
- Trade Secret Governance
- Business Contracts & Contractor IP Rights
- Fractional & On-Demand Counsel
- Compliance & Risk Advisory
- Legal Systems & Templates for Scaling

Whether you're launching something new or ready to legally strengthen what you've built, we're here to help you protect it with clarity, confidence, and strategy.

Your brand is an asset. Let's make sure it stays yours.



*Thank you!*

**Schedule a Consultation:**

**<https://mclaw.as.me/>**



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