

In the Client's Own Words

Working with Erik: "I love working with Erik. He's pragmatic, he's flexible, he's always accommodating and always goes the extra mile."

Emerging Media: "Somebody squatted on the Twitter user name for our 'Transparent Me' brand name. When we tried to register the user name, it came to our attention. Erik quickly got Twitter to cancel their registration. The reason I bring it up is I think it's a new area of law that Erik is already deeply involved in. It's great knowing our attorney is on top of all this emerging media."

Personal Service: "We started registering trademarks on our company name. We soon found out there was another company with the same name in another state. Erik helped us navigate exactly how to get through that process. He handled all our filings for us and told us what was going on each step of the way."

Expert Guidance: "Erik's advice was crucial from the time we first filed, through all the motions, and to the time we got the first opposition to one of the trademark applications. He navigated us successfully through how it would work with the USPTO and, ultimately, a federal case."

Enforcement: "Another thing Erik is really good at is enforcement. We have a lot of content online, a lot of material, and he's been very vigilant when people have flat out copied our website or copied articles that we've written, or tried to poach on the domain name that we have. He's been extremely vigilant and successful at getting it corrected quickly."

The Big Picture: "Not only is he an expert and a reliable advisor but he also understands from a business perspective what the whole big picture is. Erik just gets it."

Experience is our trademark.

Client

Nick Fishman
Chief Marketing Officer

Company

EmployeeScreenIQ®

EmployeeScreenIQ was named a 2010 Weatherhead 100 Award Winner as one of the 100 fastest growing companies in Northeast Ohio for each of the last six years.

Scope of Work

EMP&A has worked with EmployeeScreenIQ on a variety of projects including:

- Rebranding the company to create a more distinctive brand name and identity
- Registering multiple brand names and logos with the USPTO
- Defending Internet intellectual property assets from brand name and content infringement
- Dealing with multiple social media issues including a Twitter account squatter

Trademark is our experience.

In the Client's Own Words

Difficult Filings Solved: "We wanted to file our brand names, including Collectorz.com®. It proved to be very difficult because it was initially found to be too descriptive. So Erik had to do a lot of work to prove that we were using Collectorz.com since 2000 and that it was not descriptive. And he was successful in getting the registration for us."

Flat-Fee Terms: "With other firms, every time you phone them you know you get billed for 10 minutes by phone. We work with Erik on a flexible retainer. He's not counting every five-minute email unless it gets substantially over the agreed project scope. But it's always very reasonable pricing."

Technology Focus: "We have companies copying our software. And then we hire Erik to do a cease and desist. He usually only has to send a letter and then the infringer stops. We have hired him three or four times now."

International Liaison: "We've hired him for software filings, trademark filings, and cease and desists. He has also looked at our new terms of service from his U.S. perspective because we are in Europe. There are different laws. I see him as the expert in his area."

Attorney with a Smile: "I think he is an expert. He is also a very funny guy. He always responds to my emails and adds a personal note. Yes, he is an expert but he's also very friendly."

Connects with his Audience: "Erik's speeches are really to the point, filled with information, and it's not too, too much. There was another lawyer I heard talking about patents; I did not understand a word from it. When he speaks, Erik can give good examples, and you know what he is talking about."

Software Forte: "He knows his stuff because he works for a lot of software vendors – big and small ones. He knows what the industry is all about."

No More Sleepless Nights: "Before we discovered Erik, we did the 'cease and desist' ourselves. It took a lot of time, a lot of work, a lot of negative energy. Then we hired Erik and, with him, it's just a breeze. I just send him an email. I say we have another infringer. We can focus on our business and know that Erik is handling the negotiation. No more sleepless nights worrying about some guy in India who is making money off your software."

Experience is our trademark.

Client

Sytske Hermans

Company

Bitz & Pixelz®

Scope of Work

EMP&A has worked with international client Bitz & Pixelz based in Amsterdam regarding their brand names for several years. Projects include:

- Registering multiple names in the U.S.
- Applying to register iPhone app brand name
- Dealing with multiple infringers and cybersquatters
- Advising regarding terms of use and other issues
- Registering U.S. copyrights for software

Trademark is our experience.

In the Client's Own Words

Experience Matters: "He's been involved with the Patent and Trademark Office for quite a while. He's very well-versed in these matters – all sorts relating to registration, infringement or trademarks."

Protecting the Business: "We've had a number of situations in which certain search firms or vendors have tried to piggyback on our marks – in all their variations and misspellings. And people have tried to capture our potential students and steer them towards other colleges or other sites that have nothing to do with us. This has been a big problem in recent years. Erik has helped us craft some cease and desist actions which have had a very good effect."

Tried & True: "I turn to Erik for all my intellectual property needs, especially relating to trademarks. Good things happen with Erik."

Success with a Tough Mark: "Study Cafe is a fairly generic set of words but, with Erik's expertise, we were able to position the mark as a pretty unique mark. And successfully get it approved for registration."

Clear Counsel: "Erik provides a very complete evaluation of a trademark so that, when his research gets back to me along with his opinion, it's very clear what action we need to take. So I think that's one of the greatest things that he offers."

How Is It To Work with Erik? "Very, very simple. I think maybe one or two times I've had to get on the phone with him. Which is rare – a lot of attorneys I have to get on the phone with and explain things further. He can grasp what is necessary just by reading an initial email. And he's prompt in his response. I never have any issues with his customer service."

Good Value: "Absolutely. Even if I could do it in-house, it's worth my while and to the company's benefit to have someone who is really experienced and who can get it done economically and efficiently."

Thorough Approach: "He's been great to work with. Whenever I've asked for something, he provides a full, complete answer. And really attacks all aspects of a trademark issue."

Experience is our trademark. Trademark is our experience.

Client

Matt Gerber

Company

CollegeAmerica®

Scope of Work

EMP&A has worked with in-house counsel for CollegeAmerica and their related companies to register and protect several brand names and deal with several infringement/cybersquatter issues over the years.