Subject: Re: Trademarks and intellectual property rights
Posted by MQracing on Wed, 14 Sep 2005 06:57:57 GMT
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Hi Wayne:just to amplify one addtl point;you wrote;:::I'm not sure whether Altec would have been able to assign rights to you. There are some pretty strict rules governing the transfer of trademarks. See "Transfers of Intellectual Property" by the Ladas & Parry firm. Beyond that, it appears there are several people that are using this name, and I think DST has the longest record of consistent use in commerce.:::Bear in mind that Mr. Merry (president of Altec) had legal counsel representing the Altec firm and that my wife had legal counsel representing her interests in the trademark.Bear in mind further that the transfer was filed with and accepted by the US patent and trademark office. that the US Patent and Trademark Office issued subsequent to the transfer of the trademark a renewal in my wife's name of the said subject trade mark.As I understand it... anyone who might have thought that the transfer was not legal or appropiate would have had notice printed in the federal registry and could have challenged the assignment before it was granted. No one contested the assignment of the trademark from the Altec Lansign Corporation to my wife.That the government accepted the transfer of ownership of the said trademark and subsequently issued a renewal (upon proper applicaton for such) of the same trademark to my wife is pretty strong evidence that the subject Peerless trademark is in fact owned by my wife. msl