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COURT APPLIES "REASONABLENESS" STANDARD TO INVENTION ASSIGNMENT

By: Corky Klett



In South Carolina, restrictive covenants not to compete are generally disfavored and strictly construed against employers. To be enforceable, covenants not to compete must be necessary to protect the legitimate interests of an employer, reasonably limited in time and place, not unduly harsh in curtailing a former employee's ability to earn a livelihood, reasonable from a public policy standpoint, and supported by valuable consideration.

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"I LOST FIFTY POUNDS USING THIS PRODUCT!!!"

By: Gary Beaver



The Federal Trade Commission ("FTC") made significant changes to its guidelines governing endorsements and testimonials in advertisements (the "Guidelines"). The changes took effect on December 1, 2009, and increase the possibility of liability under the FTC Act. The Guidelines had last been changed in 1980. The Guidelines are not binding law but they are administrative

interpretations which are given great weight in enforcing the FTC Act against deceptive advertising. [Read more...](#)

WHY SHOULD CASH-STRAPPED START-UP COMPANIES SPEND MONEY ON IP ATTORNEYS?

By: Todd Serbin



The decision to start a new company is a brave one considering the uncertainty of success even in the best of economic times. One thing that is more certain, however, is the relationship between company value and the intellectual property owned by that company.

According to the October 22, 2005 issue of The Economist, up to 75% of the value of US public companies was based on their intellectual property (up from 40% in 1980). It is estimated that Microsoft's intellectual property including the trademark in its brand, copyrights in its software, and its patent

portfolio is responsible for over 99% of its \$274 billion value, and that Coca-Cola's combined brands alone are worth an astounding \$67 billion (as of 2008), more than half of its \$133 billion market value. Industry leader IBM receives an annual revenue stream of approximately \$1 billion in licensing fees from the 40,000 patents it owns worldwide. [Read more...](#)

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