Chapter 6

What must a person do to preserve the copyrights to material he/she creates and when do the right attach?

What are the requirements for giving notice of copyright?

How can a copyright be preserved internationally?

What, if any, action must be taken by the copyright holder before he/she may sue for infringement?

What kinds of materials can be copyrighted and what kinds cannot?

Who is the holder of the copyright?

What specific rights are granted to the holder of a copyright?

What is duration of copyrights?

How, if at all, may copyrights be transferred by the holder to others?

What is the work-for-hire rule? Who and what are covered by it?

What kinds of sanctions can a court impose for violation of a copyright?

Under what circumstances will and won't a court award money damages for a copyright violation?

What limitations are there on money damages if the copyright owner can't show evidence of actually damaged by the infringement?

When will/won't a court find that a satire is a copyright violation?

How similar to the original must a copy be in order for a court to determine that a copyright was violated?

What is the "fair use doctrine" and how do courts apply it?

Chapter 7

What is the legal definition of a trademark and how does it differ from a trade name?

What kinds of marks are encompassed within the term, trademark, and what does each distinguish?

If manufacturers of two different and unrelated products want to register the same name as a trademark, which can do so? Why? Are there any exceptions?

What is a strong mark and how does it differ from a weak mark?

How can a person notify others that her mark is registered?
Can a mark be protected while his registration application is being processed? If so, how?

Must a mark be in use in order for its owner to register it? Why/why not?

What is the penalty for using the notice of registration symbol with an unregistered mark?

What is the duration of a trademark? Is it renewable? How?

What remedies are available to a person whose trademark is infringed?

When will a court award punitive damages for trademark infringement?

What is meant by the term, genericide and how can it be avoided?

Why should you hire a professional to do a trademark search instead of doing it yourself?

What types of marks are prohibited in the Principal Register of trademarks?

Can a person who fails to register a trademark still prohibit others from using it? How/why?

Under what circumstances may a slogan be registered as a trademark?

How may state, county and city laws affect trademarks?