



JERRY HAYNES LAW

REGISTERED PATENT ATTORNEY

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PROTECTING PRODUCTS OF HUMAN CREATIVITY AND INNOVATION

Located in Medford, Oregon, Jerry Haynes Law assists individuals and businesses in Oregon, California, throughout the United States, and overseas commercialize their inventions and other creations by securing patents, trademarks, negotiating software and technology license agreements, and forming technology-based businesses.

EDUCATION

Patent and trademark attorneys prepare, file and pursue patent and trademark applications in the United States Patent and Trademark Office, and patent lawyers are required to have a technical and science education.

I received that education with a Bachelor of Science in chemical engineering from Washington University in St. Louis, Missouri; and a Bachelor of Arts in mathematics from Lewis and Clark College in Portland, Oregon. I received my law degree from George Washington University in Washington, D.C.

EXPERIENCE

I am a registered patent attorney and licensed to practice law in both California and Oregon and am a member of the Jackson County and Multnomah County Bar Associations. I have over twenty-five years of legal experience, including being the vice president and general counsel of two publicly traded technology companies as well as being lead counsel for the Consumer Electronics and Optical Products business groups of the world's largest semiconductor company. I am also a former Vice President and a board member of the Southern Oregon Telecommunications and Technology Council.

At Jerry Haynes Law, you will find a northern California and southern Oregon patent and trademark attorney dedicated to finding technical solutions that help my clients succeed.

When I meet with clients, I take the time to listen carefully to the individual business goals of each client, then work to address the underlying legal issues.

I know that intellectual property law can be confusing to many people, which is why I educate my clients about the processes involved in defining, acquiring, and asserting their intellectual property rights, including their patents, trademarks, and trade secrets for new products, computer programs, inventions, and other assets of human creativity.

I also help inventors and businesses with a wide variety of legal needs such as licensing agreements, non-compete agreements, confidentiality agreements, and commercial transactions.

Contact me and let me help you with your technical and business needs. My legal fees are competitive, and payment plans are available.

AREAS OF PRACTICE

- Intellectual Property
- Patents, Trademarks, Copyrights & Trade Secrets
- Technology and Software Licensing
- Mergers & Acquisitions

ATTORNEY PROFILE

Bar Admissions

Oregon, 1993

California, 1985

U.S. Patent and Trademark Office, 1988

Texas, 1989 (inactive)

Louisiana, 1991 (inactive)

Education

George Washington University National Law Center,
Washington, District of Columbia, 1985

J.D. with honors

Washington University, St. Louis, MO, 1981

B.S. Major: Chemical Engineering

Lewis & Clark College, Portland, OR, 1980

B.A. Major: Mathematics

Past Employment Positions

Group Counsel, Intel Corporation

General Counsel, Level One Communications, Inc.

VP & General Counsel, Acres Gaming, Inc.

VP & General Counsel, OXIS International, Inc.

Patent Counsel, Kaiser Aluminum & Chemical Company

IP and Litigation Counsel, Chevron Corporation

I am committed to helping my clients succeed. My undergraduate degrees in chemical engineering and mathematics give me the necessary technical and scientific education required to understand your technical assets and business.

I am dedicated to my clients and to offering personal service. I am serious about taking the time to understand my clients' business goals and working to tackle the legal issues necessary to accomplish those goals.

Contact me for an initial consultation. My fees are reasonable and I can work with clients on payment plans.

PATENTS

TRADEMARKS

TRADE SECRETS

LICENSING

MERGERS &

ACQUISITIONS

PATENTS

A patent for an invention is the grant of a property right to the inventor, issued by the USPTO. The term of a new patent is 20 years from the date on which the application for the patent was filed in the United States or, in special cases, from the date an earlier related application was filed, subject to the payment of maintenance fees. US patent grants are effective only within the United States, US territories, and US possessions.

The right conferred by the patent grant is, “the right to exclude others from making, using, offering for sale, or selling” the invention in the United States or “importing” the invention into the United States. What is granted is not the right to make, use, offer for sale, sell or import, but the right to exclude others from making, using, offering for sale, selling or importing the invention

When considering whether to patent an idea for a product, your patent attorney will ask the following questions:

1. Has someone already patented or published your idea?

Conducting a patent search for existing patents and documents is key to determining whether your idea may be patentable.

2. Will your invention be profitable? On the issue of profitability, you should consider the costs of obtaining a patent, as well as the costs of marketing and producing the product.

There are also maintenance fees, and possibly, costs of filing for additional patents, as improvements and expanded markets are identified. You will also need to consider the costs of hiring an attorney to help you with the complicated patent filing process. The costs of marketing and producing the product will vary

depending on the product, and the degree to which you rely on professional services, such as marketing firms and manufacturing companies.

3. What are the alternatives to obtaining a patent? In addition to evaluating the potential upside of obtaining a patent, you should also consider the disadvantages. Once you obtain a patent, others will be free to examine your product and potentially copy or improve it.

Although a patent theoretically protects you from infringement, pursuing litigation against an infringer can be costly. Also, some inventions that have a brief market life or small market niche may not be worth patenting if you think you can enter the market before others have time to react and imitate your product.

If you are an individual inventor who wants to protect the technology of your business or collect royalties from the companies who license your invention, you need a patent attorney to make sure your utility or design patent is properly filed and prosecuted before the USPTO.

California and Oregon Intellectual Property Attorney

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TRADEMARKS

A trademark is a word, phrase, symbol or design, or a combination that identifies and distinguishes the source of the goods or services of one party from those of others.

Because registering a trademark requires extensive knowledge of trademark law and procedures it is highly recommended that you use the services of a trademark attorney. A trademark attorney can advise you on many aspects of your trademark filing and on trademark services. For example:

1. A trademark attorney should be used when choosing a product name or a slogan. Ideally, your trademark attorney would order a trademark clearance search report. Your trademark attorney should then counsel you on the results of the trademark search and whether it is safe to proceed with using the proposed name.
2. A trademark attorney should then help you draft the trademark application. Your trademark attorney should pay special attention to the description of the product ("goods and services"), because this will affect how likely you are to register a trademark.
3. A trademark attorney can help ensure that your trademark application is complete. For example, your trademark attorney should review your specimen and drawing page to determine that they satisfy the requirements of the USPTO. This specimen will differ slightly depending on whether your mark is a trademark logo, trademark slogan or product name trademark.
4. A trademark attorney should be able to work with the USPTO to answer any objections the examining USPTO attorney may have with your trademark application. Your trademark attorney should write briefs that address any

initial objections to register the trademark.

In sum, a trademark attorney will be able to counsel you on all facets of protecting and registering a trademark.

When you want to make sure the rights to your business and product's name, appearance, and marketing concepts are protected through a registered trademark, you need a trademark attorney to register your trademarks with the UPTO.

LICENSING

“Licensing” is granting permission to use intellectual property rights, such as trademarks, patents, or technology, under defined conditions.

Patent licensing benefits an inventor who lacks the resources or interest to manufacture and market the idea. It also benefits the manufacturer by reducing the need for costly research and development departments while obtaining unique ideas.

Trademark licensing is necessary when you wish to allow others to use your business or product names.

I can assist you with the licensing process and also help you license your invention, software, or trademarks to your business partners.

TRADE SECRETS

A trade secret is a formula, pattern, physical device, idea, process, compilation of information or other information that 1) provides a business with a competitive advantage, and 2) is treated in a way that can reasonably be expected to prevent the public or competitors from learning about it, absent improper acquisition or theft.

You should consider trade secret protection if:

1. You are willing to accept the risk that your competitors may independently discover your innovations, your innovations are not easily subject to reverse engineering, you wish to keep your innovations secret for a time period longer than the period of enforceability of a patent, your innovations have independent value derived from the fact that they are secret, and you are willing to take steps to identify trade secrets and to protect the secrecy of these secrets.

2. Your business depends on a secret list of ingredients, a confidential proprietary process, other knowledge that cannot be patented or the details of your invention before your patent application issues as a patent. The best form of protection for each innovation should be determined on a case by case basis, with the advice of a patent attorney. I draft strong, enforceable confidentiality agreements for your business partners, customers, investors, and employees and help your business develop business alliances, policies and processes that protect the confidential information your business needs.

MERGERS & ACQUISITIONS

Acquisition is defined as: acquiring control of a business by stock or asset purchase either hostile or friendly.

In today's business world mergers and acquisitions are a fact of life. Many of these transactions receive extensive media coverage, while most go relatively unnoticed. These deals can be worth hundreds of millions or even billions of dollars and can determine the future of these companies for years to come. An acquisition could be the passing of a small family business to the next generation. Merger

and acquisition attorneys are an integral part of this process by ironing out all the legal details to make this transition as smooth as possible. The terms merger and acquisition are usually used simultaneously, but they do have slightly different meanings. A merger is the combining of two or more companies to form a larger one. It is usually a mutual decision between the companies. An acquisition occurs when one company buys a majority interest in another.

Mergers and acquisitions involve very complex legal issues. As a result, merger and acquisition lawyers are involved in every step of the process. Businesses depend on the legal expertise of these lawyers to achieve the most favorable results for all parties involved.

When companies merge with or acquire other companies, I am effective in working with your business team to make sure technical assets, such as patents, trademarks, copyrights, and trade secrets are protected. I also perform due diligence and contract reviews.



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