

# The role of IP in building a reputable, knowledge-based law firm

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Intellectual Property (IP) rights are intangible assets that are either the creations of minds or are chosen or created in the form of distinctive signs. Among IP rights, trademarks and copyrights stand out as the most important and relevant for use by law firms. Trademarks form the legal basis for protecting a law firm's brand, while copyrights form the legal basis for protecting its knowledge. Trademarks provide an exclusive ownership and protection perpetually as long as they exist, while copyrights provide similar rights for a certain period of time.

In terms of establishing the brand of a law firm, the first step is to choose a distinctive name and create a logo that is distinct from others in the market. Once a firm adopts a name and logo as a trademark, trademark applications should immediately be filed in the jurisdictions that the firm currently provides services and has plans to provide services in the future.

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Internet domain names are not regarded among IP rights but, due to their nature, they are related to trademarks and have become very important over the past decade. Therefore, internet domain names for the word parts of trademarks along with relevant and most popular extensions should also be registered as they become available.

All lawyers produce briefs, memoranda, pleadings, contracts, checklists, manuals, e-mail messages, letters, reports, application forms, articles, databases and other written texts in the course of performing their tasks. Researching legal information, analysing it, identifying the information to be used and

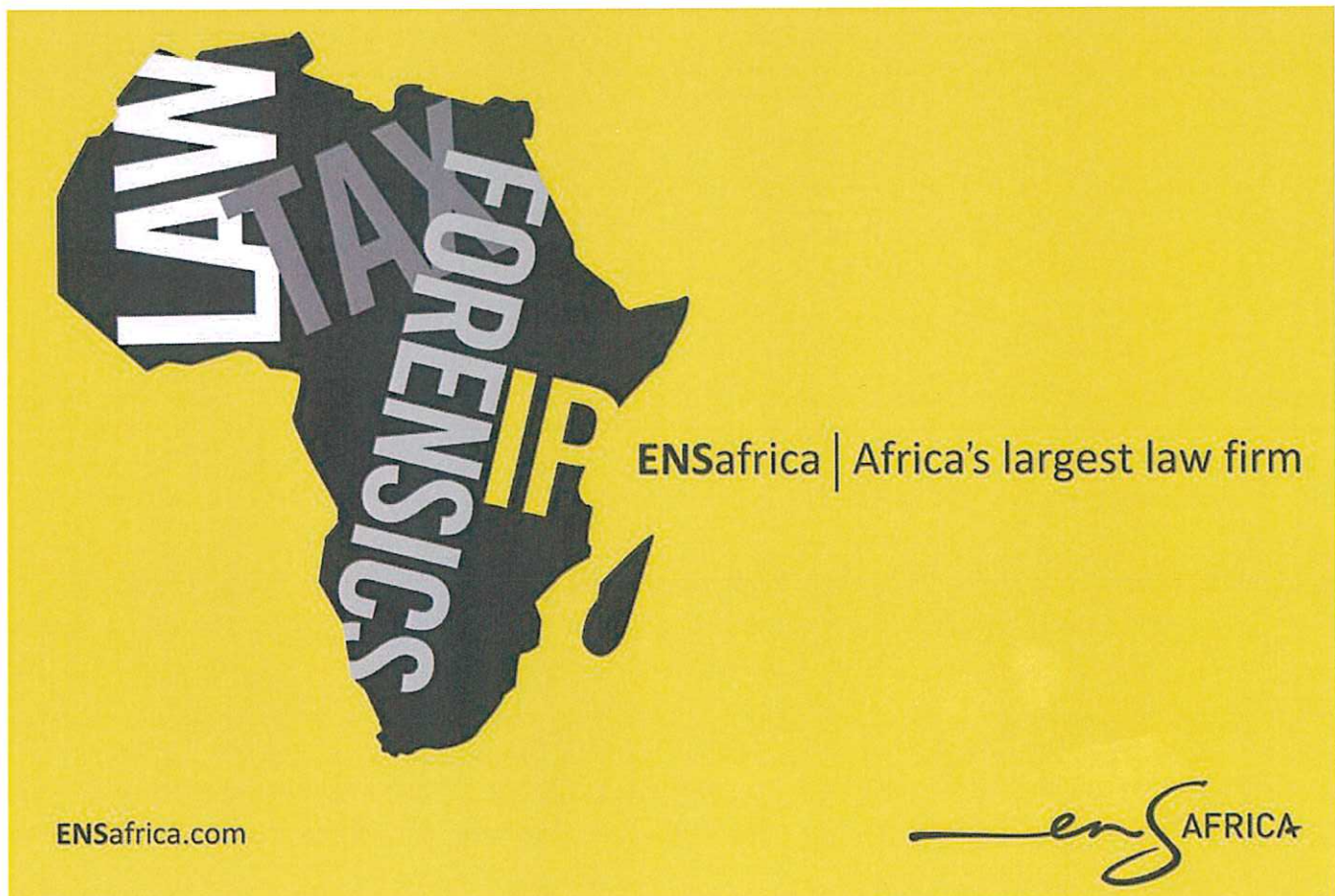
incorporating it into legal advice, briefs and pleadings, which may all qualify as work products, in a way that would convince a client or a judge, is the art of delivering legal services and the quality of the texts created changes from one lawyer to another. If original, and if they bear the personal imprint of their owners, these texts are protected under the copyright laws in most countries.

Recent developments in information and communication technologies have made it much easier to copy and reproduce any work product. So copyright protection on work product has become more important than ever. Law firms should ensure they

retain the copyright on all work products created by their professionals. Additionally, everyone should be properly made aware that the law firm retains copyrights over their work products. On the other hand, since the legal services profession is knowledge-based and work products constitute an important component of knowledge, an intranet should be set up within the firm allowing easy access to such work products.

Creating and maintaining a reputable and trusted brand and forming a knowledge-based organisation have become increasingly important for law firms squeezed by globalisation, and IP rights play a vital role in achieving these goals. There may be challenges but these may be overcome by creating awareness of IP and ensuring the commitment and contribution of all members of the firm to the creation and protection of intellectual property.

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