

Paul Nini, professor of visual communication design at Ohio State, says technical teaching is embedded in studio courses such as this motion graphics lab.

## CHANGE: Grads have lots to process

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coming more about having conversations with the target market.

GSW is focused on health care, so its staff is looking for new ways to use technology to contact people when they are making health-care decisions.

"The iPad now is launching a whole new device to communicate one-on-one with people," Deschamps said. "What are the possibilities of these easier, modifiable, customizable tools?"

GSW has a digital lab team dedicated to scoping out new directions. Team member Sean Cowan recently wrote on his blog: "With the ever increasing use of smart phones and the huge array of mobile tablet devices about to ship, users will expect content to be relevant not only to the type of device they are viewing it on but where

they are when they view it."

New creative workers coming out of schools can draw and manipulate computer files, but that's not enough, said Ritz of Planet R. Jobs in the future will demand more people management and project management skills, he said. The creative industries also will need to be bullish on the green movement. "We have to take a careful life cycle approach," Ritz said.

For someone just starting to train for a creative career, the signposts can be confusing. Technology, design basics, personal interaction and environmental stewardship are all very different directions. And there's no crystal ball.

"One thing we know for sure is that it will change a lot," said Nini of Ohio State.

ROBERT CELASCHI is a freelance writer.

## Brand due diligence saves millions

Often, a business' brand or trademark is its single most valuable asset. However, as Victoria's Secret has taught us, just as easily a brand can be a business's biggest liability.



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Victor and Cathy Moseley learned this when Columbus-based Victoria's Secret sued them over their use of "Victor's Secret" for their Kentucky adult novelty store and website. The Moseleys had to spend significant money defending the case, which reached the U.S. Supreme Court, and ultimately faced a costly rebranding effort. They were forced to stop using the name because the court said it would "dilute" the Victoria's Secret famous trademark. The Moseleys could have prevented their troubles.

Many new businesses fail to conduct simple due diligence before launching a branding concept. Consequences include a complete rebrand, losing a website, attorneys' fees and large liability awards. Also, a court might determine the entrepreneur knew about the trademark registration, making him a "willful infringer" who can be held liable for large damages.

For large companies, the costs of a rebrand could be hundreds of millions of dollars. Businesses that are served with a cease and desist letter regarding their company name or logo are faced with a Catch 22 decision: Either change the name or product mark after investing substantial funds or litigate the issues.

The costs of changing a business name can be enormous. For example, imagine a fast-food chain with 500 restaurants was forced to change its name. If the average cost to change the electric signs on each

restaurant was \$10,000, this comes to \$5 million for just signs alone.

Then there's the damage of lost goodwill that's worth more than the hard costs. In some cases, a change of a name may even effectively mean the end of a business.

Best practices prior to launching a new branding concept include a trademark search, legal analysis and opinion. Marks that are not identical but similar can still infringe on existing trademarks.

If the search and opinion are favorable or the owner is comfortable with the risks, the owner should apply for state and federal trademark registration, a crucial element in intellectual property protection strategy. A registered owner is presumed to have exclusive nationwide rights to use any mark that is confusingly similar to their mark.

In addition, after a period of five years, a registrant has the right to declare the mark "incontestable," further protecting the user against attacks from unknown users. In general, a search and registration can be relatively inexpensive especially when compared to the cost of potential infringing litigation and/or future name change.

LEON BASS is of counsel to the Columbus law firm of Chester Willcox & Saxbe LLP. [leon@leonbass.com](mailto:leon@leonbass.com) | 624-431-2277

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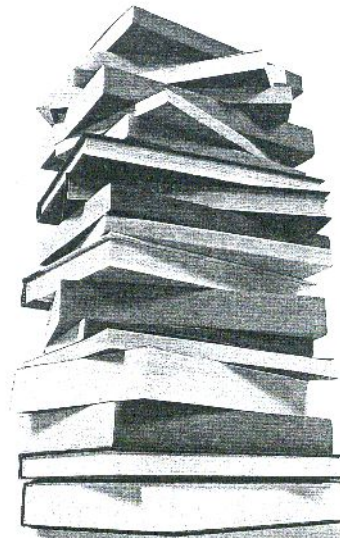


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