



Let's Go Legal

Intellectual Property

Speakers: Jodi Nishioka and Nancy Stephens

00:00:00 Video description: The text "Let's Go Legal! The right road to compliance and protection" appears at the top of the screen. An animated orange smart car drives down a country road on a sunny day. On the bottom of the screen are the Nonprofit Association of Washington logo, the shape of the state of Washington made of colorful shapes with the words "Nonprofit Association of Washington" under it, and the Communities Rise Logo, the word "Communities" arching over the word "Rise" with two curved yellow lines intersecting underneath.

00:00:04 Video description: The screen fades to white. The text "Intellectual Property" appears on the left side of the screen. A graphic of a camera inside a grey circle appears on the right side of the screen.

00:00:06 Jodi: Your car has a special look and feel. It has a brand, whether it is a Ford or a Cadillac.

00:00:12 Video description: The Let's Go Legal color wheel appears on the screen. The color wheel is split into five sections with an orange smart car with a license plate that says "LGL" at the center. The five sections are labeled, state law (orange), federal law (red), fundraising (purple), employment (blue), and intellectual property (green). A line in the shape of a "T" comes off each section connecting icons and words related to each section. The screen fades to white and text reading "Your name, Your logo, Your website, Special Materials" appears.

00:00:13 Jodi: For nonprofits, you have a name, a logo, a website, and maybe some special materials that express who you are as an organization. Those need to be protected. There are five things to know about intellectual property.

00:00:28 Video description: *The video zooms into the Intellectual Property section of the color wheel. At the top of the screen is text that reads "Every organization has a unique look-and maybe some special materials- that need to be protected. Those driving need to know the rules of the road." Five icons are next to the color wheel: a light bulb, a key, a handshake, a padlock, and a computer screen. Text that reads "Definition" appears next to the lightbulb icon.*

00:00:29 Jodi: First, what is intellectual property?

00:00:31 Video description: *The screen fades to white. Text that reads "What is intellectual property? The assets you can't touch" appears.*

00:00:32 Jodi: The phrase intellectual property refers to the assets that you can't touch. There are four kinds:

00:00:40 Video description: *The previous text disappears and text that reads "Trademarks, Patents, Copyrights, Trade Secrets" appears.*

00:00:39 Jodi: trademarks, like the Nike swoosh, patents for inventions, copyrights, like what a book would have, and trade secrets like the recipe to Coca-Cola.

00:00:52 Video description: *The LGL color wheel zoomed in to the intellectual property section appears on the screen again. Text that reads "Ownership" appears next to the key icon.*

00:00:52 Jodi: Second, ownership. Intellectual property tends to be owned by its creator. In the case of nonprofits, this should be the organization, not the individual who created it.

00:01:09 Video description: *Text that reads "Respect" appears next to the handshake icon.*

00:01:09 Jodi: Third, respect. Just as we need to treat others how we want to be treated, it is important to respect the intellectual property of others. Nonprofits often use clip art and photos from websites without permission. The owner could ask you to stop. One other note- when you are choosing a name for your nonprofit, make sure that no one else is already using what you have in mind or something similar. You can find this out by searching the Internet and contacting the U.S. Patent and Trade Office.

00:01:45 Video description: *Text that reads "Privacy policy" appears next to the padlock icon.*

00:01:44 Jodi: Fourth, privacy policies. We live in a world where data is collected about us all of the time. Your community members want to know that they can trust how you are using this information. By implementing a privacy policy and posting it on your website, you tell your community what you will do with their information.

00:02:05 Video description: *Text that reads "Website" appears next to the computer screen icon.*

00:02:04 Jodi: Fifth, website and online usage. Your website is very public. Everyone can see it, can take from it, and you can take from others. There are some basic protections to follow. Let's hear from intellectual property attorney Nancy Stephens for more about intellectual property.

00:02:25 Video description: *The screen fades to white then a video of a light skinned person with short dark hair wearing a sparkly grey sweater, a purple shirt, and a*

necklace appears on screen. Behind them is a light grey wall. The LGL color wheel appears in the left corner with text of the speaker's name, Nancy Stephens.

00:02:24 Nancy: In my work with nonprofit organizations. I find that there are three large hurdles to overcome when it comes to intellectual property. One that I see is a mistake that's made often is the ownership of intellectual property. Nonprofit organizations in particular seem to not understand that the intellectual property that they have is actually owned by the organization. Your website is not under the control of your webmaster and should not your even your domain name should not be owned by your webmaster. Your trademark should be in the name of the company. Nonprofits have an obligation that no single owner will benefit from the organization and that that what you do take in belongs to the organization. So it's important that your intangible assets are also in the name of your organization.

Another problem is artwork. It sounds like a simple thing. This is what you have on your website. A lot of times you would get very creative, and you find something on a website. You clip it out, throw it on your website. Don't do that. Almost everything is owned by someone now, and all the artwork is owned, and there are ways to scour the web and find out what's there. And you will get letters from whoever owns this artwork, so make sure it's yours, make sure it's original, make sure whoever is giving it to you represents to you that it is original artwork.

Another important aspect is the data that you collect. You need to be transparent about how you're using your data. Let your users know how it's going to be used, as it's often done through your terms and conditions of your website.

00:04:11 Video description: *The LGL color wheel appears on screen with a text list of key documents that appear one by one: "photo releases, privacy policy."*

00:04:10 Jodi: There are some key documents to review and keep up to date: photo releases and a privacy policy.

00:04:16 Video description: *A preview of the Intellectual Property Checklist appears on the screen with a large green check mark.*

00:04:17 Jodi: Your kit includes a checklist to help you move forward.

00:04:20 Video description: *The Intellectual Property Checklist moves off the screen to reveal a drawing of a person washing the animated smart car.*

00:04:24 Video description: *Let's Go Legal! The right road to compliance and protection. An animated smart car drives down a country road on a sunny day.*

00:04:31 Video description: *The screen fades to white with a pencil drawing of a country road through some hills. Text that reads "Download the Let's Go Legal guide: nonprofitwa.org/learn. Tell your board about Boards In Gear (BIG) & Finance Unlocked for Nonprofits (FUN) also available from Nonprofit Association of Washington" scrolls up the screen, pauses for a few seconds and then disappears.*

00:04:36 Video description: *Text that reads "Let's go Legal was guided by a team of legal advisors. We greatly appreciate their contribution: Brenda Tausch Lapora, Jodi Nishioka, Judy Andrews, Nancy Stephens, Taylor Ball. Their contribution should not be viewed as legal advice" scrolls up the screen, pauses for a few seconds, and then disappears.*

00:04:40 Video description: *Text that reads "Let's Go Legal was created by Nonprofit Association of Washington and Communities Rise, and was sponsored by the Washington Office of the Secretary of State. ©2022 Nonprofit Association of Washington. All rights reserved. Music: Smiling Cars by David Szesztay" scrolls up the screen and pauses for a few seconds, and then disappears.*

00:04:44 Video description: *The screen fades to black. Text that reads "3 Choices Creative Communications" appears on the screen above a logo of an eye. Under the eye, text reads "3greatchoices.com."*

