

NFT and Intellectual Property Intersection: Licensing, Monitoring, Enforcement Strategies

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This CLE course will guide IP counsel on non-fungible tokens (NFTs) and the intersection with IP. The panelist will discuss the current lay of the land and examine IP protection, licensing, and enforcement strategies. The panelist will also discuss the growing number of lawsuits related to NFTs and offer practical advice for avoiding the mistakes made that led to these lawsuits.

Description

Everything is being tokenized these days. An NFT represents ownership of a digital asset, which is recorded on a blockchain. The NFT market has exploded and has gotten record prices including \$69 million for a piece of digital art. While NFTs have presented **opportunities for IP owners**, they have also resulted in potential problems and a growing number of lawsuits.

NFTs create another avenue for IP owners to monetize their IP. NFTs can represent almost any real or intangible property, including music, virtual items in video games, collectibles, tweets, news articles, or even real estate. Many brand owners are looking to cash in on this phenomenon by **licensing their IP for use in NFTs**.

As brand owners venture into NFT creation or licensing and due to the unique issues with NFTs, IP owners should **reexamine their strategies for both protecting and licensing** their IP. They also need to be aware of some of the unique aspects of NFTs and blockchain technology to maximize revenue, protect their brand, and avoid liability.

Listen as James G. Gatto, Blockchain & Fintech Team Leader at Sheppard Mullin, examines the intersection between NFTs and IP. The panelist will discuss the current lay of the land for NFTs, examine licensing issues and strategies, and discuss liability avoidance. He will also discuss best practices for monitoring for and addressing infringement.

Outline

1. Overview of NFTs and current trends
2. Overview of NFT litigation
3. The intersection of NFTs and IP
 1. IP protection strategies for NFTs (patents, design patents, trademark, copyright, trade dress)

2. IP infringement monitoring and enforcement challenges and strategies
4. Licensing of IP for NFTs
 1. Key issues
 2. Strategies
5. Significance of terms of service and other legal issues

Benefits

The panelist will review these and other key issues:

- What are the opportunities and risks associated with NFTs?
- As the IP owner, what factors should be considered when determining whether to create an NFT?
- What steps should IP owners and their counsel take if their IP has been infringed in an NFT?
- Practical advice and lessons to be learned from the growing number of NFT-related lawsuits

Register here.

Presented By:

- **Jim Gatto**, *Partner*, Sheppard Mullin

Questions? Please contact customerservice@straffordpub.com

Attorneys

James G. Gatto

Industries

Blockchain and Fintech