



## TOP 10 WAYS TO LOSE RIGHTS IN YOUR IP

10. Don't bother to assert your rights at time of contracting
9. Treat the IP provisions of your prime contracts/subcontracts/teaming agreements as meaningless "boilerplate," including those limitation on damages clauses that leave you with nothing
8. Trust the Government – why take the time to mark unsolicited and solicited proposals and "marketing" discussion documents with the correct FAR System Legends or other restrictive legend?
7. Feel free to rewrite or reword the FAR and DFARS legends, like traffic laws in Boston, aren't they just "suggestions"?
6. Don't worry about marking all your data – hard, soft, initial deliveries, later deliveries, duplicate copies
5. Include proprietary data in Technical, Maintenance, Training, or Operating Manuals
4. Ignore the need for provisions requiring the transfer of IP rights in agreements with your employees, consultants, and subcontractors
3. Deliver unprotected data in routine technical discussions with the Government, prime contractors, or subcontractors during contract performance – they will appreciate your trust and informality
2. Don't worry about maintaining your IP-related records – no one is ever going to ask you to prove that you developed that item, component or process wholly at private expense
1. Voluntarily agree to give the Government rights greater than those specified in the FAR System Regulations and law without careful consideration and planning – no one can really make what you do anyway

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