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## **Unique Opportunity for Nonprofits to Protect Key Intellectual Property**

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A little-known program offered by the Secretary of the Commonwealth's Office since 2005 affords nonprofit organizations an easy and cost-effective mechanism to provide helpful legal protection to a nonprofit organization's name, logo, and motto.

To be clear, registration under this program is not a substitute or alternative for incorporation, registering a fictitious name at the local and state level as required under applicable law, registration of a trademark or service mark or any other registration or similar activity of the State Corporation Commission, nor does registration with the Office of the Secretary of the Commonwealth authorize an organization to conduct business in Virginia. Nonetheless, registration under the program does afford added legal rights and leverage to a smaller nonprofit organization that perhaps lacks the resources to pursue formal trademark registrations for intellectual property assets that are eligible for protection under this program.

The program includes an enforcement mechanism to deal with infringing uses of registered property, and there are criminal penalties for unauthorized use of a registered organization's name or a registered motto, logo, or insignia.

Details of the program and registration forms are available at:

<http://www.commonwealth.virginia.gov/officialdocuments/OrgRegistries/index.cfm>

The registration process is simple and the filing fee is only \$7.50. Currently, fewer than 100 of the estimated 40,000 tax-exempt organizations in Virginia have taken advantage of this unique opportunity. So spread the word throughout the Virginia nonprofit community and consider taking advantage of this underutilized program.