Application for CPC Project Assistance
Herreshoff Maritime Museum Intellectual Property Project

SECTION 1: Organization Information

Name of Organization: Herreshoff Maritime Museum/ Americas Cup Hall of Fame (HMM)

Type of Organization: Private (non-profit)

Name of Contact Person:
Lawrence D. Lavers
Chief Operating Officer

Address of Organization/Contact Person:
Herreshoff Maritime Museum / Americas Cup Hall of Fame
One Burnside Street, PO Box 450
Bristol, RI 02809 - 0450

Phone: (401) 253-5000 Fax: (401) 253-6222

E-mail: l.lavers@herreshoff.org

Type of Organization
Private nonprofit, 501c3.

Description of Organization and Mission:
The Herreshoff Marine Museum/ America’s Cup Hall of Fame, founded in 1971, is dedicated to the education and inspiration of the public through presentations of the history and innovative work of the Herreshoff Manufacturing Company (HMCo) and the America’s Cup competition.

The Museum, bordering beautiful Narragansett Bay in Bristol, Rhode Island, is one of the nation’s most important historical maritime treasures. We celebrate excellence in design, innovation, technology, manufacturing, and education through museum displays and educational events, sponsoring symposia on classic yacht design and restoration, hosting classic yacht regattas, and operating an outstanding sailing school for youth and adults.

Over the past decades HMM has been best known for its unequaled collection of beautiful Herreshoff yachts, with accompanying “storyboard” picture exhibits, Classic Yacht Symposia, and waterfront activities. Recently, HMM has embarked on a new strategy to emphasize a more comprehensive range of maritime and America’s Cup exhibits, with exhibits featuring HMCo’s U.S. Navy business, Herreshoff’s marine steam engines, America’s Cup notables, and the Reliance project, for example. The Reliance project is perhaps the most ambitious of these endeavors. The Museum is building a museum quality 1/6th scale static display replica of the famous 1903 America’s Cup winner “Reliance” which will become a cornerstone display and source of related museum exhibits. This model will be 33’ in length and more than 37’ in height.

HMM executives and directors recognize that the success of this strategy will be a major factor in creating an important regional and national museum. To that end, the Museum must also develop:

- Its museum infrastructure, notably communications, information management, documentation, and research;
Appropriate legal underpinnings to ensure that the Museum protects its intellectual property while assuring that it does not infringe on the intellectual property of others, and

A new exhibit strategy to include exhibit prioritization, use of varied exhibit media, and enhanced visitor experience, to name a few attributes. HMM should leverage exhibit strategies developed by other leading maritime museums.

**How did you hear about the CPC?**

Through:

Peter Wilbur  
Associate Vice President  
Community & Government Relations  
Roger Williams University

**SECTION 2: Project Description**

**Title of the Project:** Intellectual Property Project

**Project Locations:**
Herreshoff Maritime Museum/ Americas Cup Hall of Fame  
One Burnside Street, PO Box 450  
Bristol, RI 02809 - 0450

**General Project Description:**
HMM has a number of logos, symbols, and trademarks that have never been protected in any formal way. The famous Herreshoff script, and the forms of manufacturer’s plates that were applied to all HMM boats are just two examples. Items bearing these marks are sold in the Museum store, displayed in signage around the Museum, and used in advertising pieces. In addition, the Museum has a collection of several thousand photographs, many of which are over 100 years old. Some have been displayed in the Museum’s exhibits for years, but many remain in the archives and have largely been unseen by the general public. We also would like to offer for sale images of items in our collection for use on cards or as decorative images on souvenirs and other articles.

The Museum would like to understand its rights, obligations and opportunities relating to these assets. What must we do to protect the use of the marketing and display items? Can we prevent others from using our logos, or require them to pay licensing fees if they do? When must we give credit to photographers, some of whom may be unknown? At what point can we freely use images produced many years ago without obligation to the originator of the image?

Once we understand what our rights and obligations are, the Museum will need to make whatever filings and adopt whatever policies are needed to protect those rights. In addition, there must be a process in place to monitor continued protection of rights and observance of obligations.

**Potential Scope of Work/Tasks for RWU CPC:**
HMM anticipates that RWU CPC would manage and staff the complete project, with assistance as required by HMM staff. HMM believes this project should interest students at the Roger Williams University School of Law.

Key tasks include:

**Task One: Intellectual Property Project Plan**
RWU students will develop a brief Intellectual Property Project Plan to include statement of objectives, scope, resources, tasks and/ or phases, schedule, and cost estimate for HMM review and approval. The Plan should, at a minimum, cover the topics outlined in the general description above.
The Museum will make its staff available to RWU to assist in this task. It believes museum personnel would be helpful for briefing the students on:

- The nature and extent of logos, trademarks and other marketing images used by the Museum
- The nature and origins of images in our collections
- Other institutions that possess or exhibit some portion of the Herreshoff heritage.

HMM believes that the following HMM community members could provide insights for the preparation of the Project Plan:

- Larry Lavers, Chief Operating Officer
- Dyer Jones, Chief Executive Officer
- Lydia Bergeron, Chief Financial Officer
- Margaret Church, Visitor Experience and Retail Manager
- John Palmieri, Curator
- Norene Rickson, Librarian

This task would be completed by presentation of the draft Project Plan to HMM and CPC executives and its acceptance by HMM.

**Task Two: Assessment of the Current Situation**

This Task should at a minimum provide HMM with:

- A summary of the laws regulating the Museum’s intellectual property rights and obligations,
- An assessment of what protection is available to HMM under those laws,
- A review of how those laws affect the use by the Museum of the images in its collections as display items, items for sale, or in advertising.

HMM executives and staff noted above could be available in supporting roles as defined in your Project Plan. This Task would be completed by presentation of the draft Assessment to HMM and CPC executives and its acceptance by HMM.

**Task Three: Review of Alternatives and Recommendations**

In this task students will review the benefits and problems with potential alternative courses of action by HMM to protect its intellectual property and to ensure that the Museum respects the intellectual property of others. Best courses of action will be recommended.

This Task would be completed by presentation of the draft Recommendations to HMM and CPC executives and its acceptance by HMM.

**Task Four: Filing to Protect HMM Intellectual Property**

This task will consist of preparing necessary documents for filing with appropriate agencies for protection of the Museum’s intellectual property. The actual filings may be done by the students, by executives of HMM, or by a practicing attorney engaged by the Museum, depending on the requirements of the process.

This task would be completed by filing the documents or delivery to the Museum of documents ready for filing, as deemed appropriate in previous tasks.

**Proposed Project Schedule (when the tasks/project needs to be completed):**

HMM would like this project to be completed in the 2013-2014 academic year, and proposes the following schedule:

- Project Plan and assessment (Tasks One and Two) to be completed this fall semester.
- Recommendations and Filing for Protection (Tasks Three and Four) to be completed in the spring semester 2014.
Other information to help us to better understand the project (we encourage feel free to include pictures, site documentation, maps etc.):

- Images of several of our logos / trademarks are attached.
- We recommend a visit to the museum to view how these images are used, and to understand the nature and scope of our collections.

SECTION 3: Project Outcomes

Please describe how this project will benefit your organization:
This project is an important step in providing a stable financial future for the Museum. The Herreshoff “brand” is well known internationally, and stands for quality, excellence of design, and premium products. In addition to protecting our image, protection of our intellectual property will enable us to take advantages of marketing opportunities in other markets to help fund the mission of the Museum.

At the same time, respecting the rights of others will help us avoid unnecessary, embarrassing and potentially costly infringements of the rights of others.

Please describe how this project might benefit the overall community, including who could benefit from this project (i.e. target groups, neighborhoods, the region/city/town as a whole, etc.).
HMM is one of Rhode Island’s better known tourist attractions, particularly internationally. A successful and vibrant museum will help to attract tourists to the Town of Bristol as well as the State of Rhode Island and the New England region.

SECTION 4: Financial Information

What is your organization’s annual operating budget?
$1.3 Million

What are your major sources of funding?
- Major donations
- Rent
- Fund-raising events
- Memberships
- Waterfront marine revenues
- Admissions
- Grants

How much funding from your annual operating budget is set aside for this project (if any)?
- None has been budgeted.
- Some small amounts may be able to be allocated to cover out-of-pocket expenses

SECTION 5: Private Sector Involvement

Have you or your organization discussed the project with practicing professionals (e.g. architect, engineer, planner, etc.)?
No, our budget does not provide enough funds to support the required professional fees.

If yes, please explain why you have chosen to seek assistance from the RWU CPC with your project request, instead of undertaking the project using fee-for-services from a paid professional:
Not Applicable
SECTION 6: Supporting Documents

Please include the following items when submitting your application:

- Budget for the current fiscal year
- List of current Board members
- Copies of supporting resources identified in section 2 as needed to support your application

The following files accompany this application:

- 2013 budget with comparisons 12 06 12
- Herreshoff Marine Museum Board of Directors April 2013
- HMM Rondel (HMM logo)
- Builderplate (builder's plate, may be used on belt buckle or other souvenirs)
- HER-X signals w script (Herreshoff script and crossed private signals)
- HMM Burgee color (Herreshoff Burgee)