

The Creative Shield: The Artist's Guide to Copyrights, Trademarks & Brand Monetization

TRADE SECRET OR NAH?

+ WHEN TO USE AN NDA

(A Quick Guide for Creatives Who Want to Protect Their Process)

What's a Trade Secret?

A **trade secret** is **any private info** that:

- Gives you a **competitive advantage**
- Isn't publicly known
- You **actively keep confidential**

✅ TRADE SECRET? YES, IF...

Info Type	Example	Risk if Unprotected
Unique creative process	Your signature editing style for reels	Someone copies your entire workflow
Concept materials	Unreleased scripts, sketchbooks, beat maps	Idea gets stolen before you launch
Pricing structure	Your licensing rates, royalty splits, discount strategy	Underpriced or undercut by competitors
Business methods	How you attract clients, sell merch, automate services	Your success model gets copied
Client or vendor lists	VIP collectors, trusted printers or stylists	Someone poaches your network

❌ NOT A TRADE SECRET IF...

- You've **posted it publicly**
- You **didn't ask for confidentiality**
- It's **common industry knowledge**

WHEN TO USE AN NDA (NON-DISCLOSURE AGREEMENT)

Use an NDA when you're sharing **valuable private info** with someone **before a formal contract is signed**. NDAs say: *"You can look, but don't steal, copy, or share."*

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Use an NDA When:

- Pitching an idea for a film, book, or brand
- Showing unreleased work to a gallery or collaborator
- Talking pricing with a potential business partner
- Sharing your process or tools during a collaboration meeting
- Reviewing prototypes with a vendor or manufacturer

Pro Tip:

Even a one-page NDA can **protect your genius**.

Use one **before** you send the deck, script, or file, not after.

✦ Bonus Artist Tip:

If it would hurt your business to see it go public, or if it's your secret sauce, protect it like it's gold.

Disclaimer:

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