

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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