Nonprofit Copyright and Business Strategy

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You are the executive director of a metro nonprofit that provides job training to formerly incarcerated women. You've just received a phone call from your board chair alerting you that she has learned of a startup nonprofit with a mission so similar to your organization's that it may be confusing in the public eye. That and their name is derivative of your organization's name. What will you do, if anything, and why?

For many nonprofit organizations, copyright issues are becoming a matter of concern with the growth in the number of social work organizations. There is no copyright on short pieces of writing, whether it is a business or an organization name. An organization's name cannot be copyrighted, irrespective of how original it is. The same is the case with an organization's policies and agendas. Many organizations are working on similar issues that are on par with each other. One cannot banish the other one or stop it from working (Eikenberry & Kluver, 2004). The best way to protect an organization's structure, especially its name, is by associating it with a commercial product or service. This form of branding is called trademark protection and is legally binding. Other organizations won't be able to copy the company's agenda or cause marketplace confusion. Also, there won't be any need to go through the long process of registering the organization's name for trademark protection to come into effect. Still, many organizations register with the U.S. Patent and Trademark Office as a preventive measure to come in handy during a legal dispute. Also, if it feels feasible, one can only talk to the rival organization and ask them to stop using the company name and agendas. If they do not respond in a reasonable manner, they need to be dealt with legally. It is essential to keep in mind that copyright only protects innovative and original expressions (Selsky & Parker, 2005).

In most cases, the new NGO might be impressed with the progress of a company and want to establish something similar. Copyright law does not guard ideas; it only shelters how the concept can be implemented. Giving your work a business strategic shape can positively affect the company's

reputation in the future. Copyright law does not protect facts and theories. Anyone who creates a scientific method or discovers a previously unknown fact cannot prevent others from creating new works or otherwise using that theory or fact (Keyes, Schwartz, Vidal & Bratt, 1996).

Briefly describe the evolution of U.S. business strategy and its diffusion into the nonprofit sector.

America's nonprofit private sector, with 1.5 million organizations, has played a vital role in American life. The nonprofit industry and its services serve a wide range of human needs, whether related to health services, education, providing food or human services, drug abuse prevention, or relief for the poor (Eikenberry, 2009). Nonprofit organizations link Americans to various opportunities for earning, volunteering, or serving their country. They advocate ideas for public policy and promote ideas and philosophies. The business strategy has evolved and kept on changing over time. Presently, it has become more independent and socially responsible (Keyes, Schwartz, Vidal & Bratt, 1996).

In the past decade, just like business and government, the nonprofit sector had to evolve dramatically according to the political landscape, focusing on social policies. The curves of this landscape are based on some factors (Nyssens, 2007):

- A new and continuously developing mix of peoples and cultures
- Direct and communicative technology in all aspects of life
- Economized and decentralized governments
- A global marketplace
- A commercial occurrence encompassing all aspects of life
- A swelling, volatile economy through which a limited number of people are benefitted

These new changes impose a variety of prospects and problems for the nonprofit sector. The good thing about these changes is the possibility of new partnerships between businesses and nonprofit organizations, giving NGOs the benefit of getting more financial sources dependent on what they can tap. In contrast, the downfall is that it will bring for-profit contenders into customized nonprofit fields and impose financial stresses on NGOs, forcing them to generate profit-making bodies. It will jeopardize the ability of NGOs to focus on their public service duties. Nonprofit dependence on revenue from charges for service and facilities, already significant, has grown significantly over the past decades. Income generated from charity work has also grown during this last decade. All of this signifies the role and effect of business activities on the Nonprofit Sector (Austin, Stevenson & Wei-Skillern, 2006).

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