

## **Section 35 Questions**

**Is your product protected by a patent or trade secrets which would make it difficult for new competition to enter your market?**

No		1	2
By trade secret		3	4 5
By trademark only		6	7 8
Yes, by patent and trademark		9	10

**Are there existing companies which could quickly and inexpensively modify their products to compete with you?**

Yes, more than 5		1	2
Yes, less than 5		3	4
Yes, two		5	6
Yes, one		7	8
No, none		9	10

**Would it prove costly and unprofitable for a big company to compete with you in your market niche?**

No		1	2
Possibly		3	4 5
Probably		6	7 8
Yes		9	10


**If new competition springs up, will they have to spend as much as you did to get started or will they be able to use your experience, goodwill, and resources to leapfrog you?**

Could use my experience and goodwill		1	2
Would have to spend some money		3	4 5 6 7 8
Would have to spend as much or more than me		9	10

**Do you have a catchy and trademarkable name for the product so that people will still look for your particular product if and when competition does surface?**

No	1	2					
It's catchy but not trademarkable	3	4	5	6	7	8	
Yes, it's catchy and trademarkable	9	10					

**Is the product easy to copy or does it require lots of work, tooling, and expertise?**

Yes, easy to copy		1	2				
Moderately hard to copy		3	4	5			
Hard to copy		6	7	8			
Very hard to copy		9	10				

**If your product is being produced for you by contract manufacturers, do you have non-competition agreements from their employees who are working on your product?**

No	1	2					
Working on it	3	4	5	6	7	8	
Yes	9	10					

**Are you attending all of the applicable trade shows for products similar to yours?**

No	1	2					
I am attending a few	3	4	5	6	7	8	
Yes	9	10					

**If you expect foreign competition are there tariffs, trade restrictions or VAT taxes which will help you compete?**

No	1	2					
Some	3	4	5	6	7	8	
Yes	9	10					

**Will any new competitors face large “sunken” costs to compete with you??**

No

1 2

Some

3 4 5 6 7 8

Yes

9 10

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