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Intellectual Property Litigation

The Firm's intellectual property attorneys have considerable experience representing clients in all phases of intellectual property disputes, from drafting or responding to initial cease and desist letters through all stages of litigation including filing or defending against requests for injunctions, discovery, trials, and appeals. The Firm's intellectual property litigation practice is particularly focused in the areas of trademarks, trade dress, copyrights, unfair competition, false advertising, domain names, and anti-counterfeiting. And where clients may have disputes involving patent rights, the Firm has established relationships with knowledgeable patent attorneys to whom clients may be referred.

The intellectual property attorneys in the Firm have represented clients in litigations from a broad range of industries including fashion and apparel, retail and wholesale, food and beverages, telecommunications, consumer products, cosmetics, publishing, software and technology, architectural designs, and e-commerce. The Firm's intellectual property litigation practice is also nationwide in scope as we have represented clients in federal courts across the United States. We are also capable of utilizing our relationships with foreign intellectual

property counsel who can assist with representing clients in intellectual property disputes in foreign jurisdictions.

Trademarks and Copyrights

In addition to counseling clients on the adoption, use, and registration of trademarks and service marks, the Firm's intellectual property attorneys have experience in litigating trademark disputes and related claims under the federal Lanham Act and state trademark and unfair competition laws. Claims under these laws have included claims for trademark and service mark infringement, trademark dilution, counterfeiting, false designation of origin, false advertising, trade dress infringement, and state anti-dilution and unfair competition claims. The Firm's intellectual property attorneys also have extensive experience in prosecuting or defending against claims for copyright infringement. Below are descriptions of a few of the types of litigations the Firm's intellectual property attorneys have handled in the past:

- Represented an international beverage manufacturer in a trade dress dispute over the design of a unique and distinctive bottle;
- Represented apparel companies in filing claims for or defending against copyright infringement of fabric designs;
- Represented nationally recognized retailers in trademark, trade dress, and copyright infringement actions over ladies' handbags and accessories and children's products;
- Represented global consumer products companies in trademark counterfeiting and trade dress civil actions;
- Represented an architect in a copyright infringement action over the design of one of New York City's recently constructed landmark skyscrapers;

- Represented a global telecommunications company in trademark counterfeiting and infringement cases;
- Represented major publishing companies in trademark and copyright infringement actions;
- Represented a technology company in copyright infringement actions concerning computer software and graphical user interfaces; and
- Represented a medical products company in a false advertising lawsuit resulting in a successful defense verdict after a three-week jury trial.

The Firm also regularly represents clients in opposition and cancellation proceedings before the United States Trademark Trial and Appeal Board (TTAB) at the United States Patent & Trademark Office (USPTO) and in connection with similar international opposition and cancellation proceedings through our relationships with foreign intellectual property counsel.

Domain Names

The Firm's intellectual property attorneys have also successfully represented clients in domain name disputes by recovering domain names registered by cybersquatters or domain name hijackers. We have handled proceedings under the Internet Corporation for Assigned Names and Numbers' (ICANN's) Uniform Domain Name Dispute Resolution Policy (UDRP). We have also represented clients in federal court lawsuits under the federal Anti-Cybersquatting Consumer Protection Act (ACPA), a statutory subsection of the federal Lanham Act governing trademarks and service marks. Some examples of successful domain name disputes our intellectual property attorneys have handled in the past include:

- Recovering a domain name through a UDRP proceeding on behalf of a leading manufacturer of women's swimwear;

- Recovering a domain name through a UDRP proceeding on behalf of an entertainment industry trade association; and
- Recovering a domain name on behalf of a major publishing company in a trademark infringement and anti-cybersquatting lawsuit.

THE INTELLECTUAL PROPERTY PRACTICE GROUP

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