

## Trademark and Advertising



### HIGHLIGHTS

#### ■ Unmatched Experience Scaling Technology and Life Science Brands

We have guided an extraordinary number of tech and life science businesses on issues ranging from trademark clearance and prosecution to complex transactions and high-stakes litigation in courts across the U.S. and in other countries. Our attorneys offer strategic advice as companies establish their identities during early stages of growth and as they expand their activities and scale their brands across markets.

#### ■ Pragmatic Advice

We offer pragmatic advice to enterprises on selection and protection of business and product names; advertising campaigns; disputes and regulatory matters; domain name and social media issues; labeling and packaging; retail and consumer protection laws; contests and sweepstakes; unfair competition; IP transactions; and personal publicity rights.

#### ■ Extensive Copyright Expertise

Our attorneys counsel clients on cutting-edge issues related to copyright protection, including content licensing and content ownership agreements, software licensing agreements, printed works for consumer and commercial use, statutory exemptions and licenses, fair use, reproduction agreements, and derivative works, distribution, and public performance rights. The firm has exceptional experience [litigating cutting-edge copyright issues](#) and [counseling on digital exploitation of copyrighted content](#).

#### ■ Advocacy and Dispute Resolution

We routinely represent clients in trademark, copyright and advertising disputes, including in courts across the U.S., before the U.S. Patent and Trademark Office and before government offices around the world. We also have significant experience in proceedings before the National Advertising Division of the Better Business Bureau (NAD) and in FTC and state regulatory investigations.

### OVERVIEW

Business success can be driven by the strength and vitality of a company's marketplace identity. We partner with businesses and organizations to develop sophisticated strategies to build and grow brands and marketing content. We work closely with a trusted network of global counsel to guide our clients internationally.

We counsel clients in numerous fields, including e-commerce, consumer products, computer software and hardware, life sciences, medical devices, [healthcare](#), [automotive and transportation services](#), finance, [gaming](#), entertainment, and sports. Our clients range from growth-minded start-ups to multinational companies with operations and customers around the world. We work routinely with disruptors seeking to convert game-changing ideas into world-changing products and rare skills into innovative services.



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Among the issues that we advise on are:

- Brand selection, enforcement, and defense
- Development of intellectual property portfolios
- Licenses and transfers of intellectual property
- Internet and social media liability issues
- Domain names
- Trade dress
- Advertising and marketing campaigns
- Promotions, contests and sweepstakes
- Fair use of trademarks and copyrighted content
- False advertising
- Consumer protection issues

We assist clients with all forms of media and copyrightable works, including [digital content](#), audiovisual presentations, software, film, literature, images, photography, and recorded music and sounds. Our attorneys have substantial copyright law experience in conjunction with both commercial transactions and licensing.

We regularly work with clients on [commercial transactions and agreements](#) driven by brands, content and advertising, including strategic alliances, partnerships, and joint ventures; asset sales and spinouts; content and trademark licenses; and advertising and PR agency agreements, among others.

Our attorneys have also achieved exceptional results in [trademark and copyright litigation](#), including in bet-the-brand cases. We have considerable experience in forums where intellectual property and false advertising cases are often litigated, such as the Trademark Trial and Appeal Board, federal district courts and appellate courts, and the National Advertising Division of the Better Business Bureau (NAD).