

Trademark, Copyright & Brand Protection

Polsinelli partners with clients to develop brand protection strategies that assist growth, mitigate risk and strengthen competitive advantage across evolving markets. Nationally ranked for Trademark Law by *Best Law Firms* and recognized as a leader in Intellectual Property Litigation by *BTI Litigation Outlook*, Polsinelli's trademark, copyright and branding attorneys help clients protect, manage and enforce brands that support market position, consumer trust and long-term business value.

Brand Protection for Competitive Markets

Clients across consumer products and luxury goods, life sciences, health care, pharmaceuticals and technology turn to Polsinelli for strategic counsel on complex brand and trademark decisions, developing comprehensive strategies for clearance, protection, portfolio management and commercialization that advance business objectives and preserve brand value. We also advise clients in highly regulated industries where advertising, labeling and market-facing claims intersect with U.S. Food and Drug Administration (FDA) and Federal Trade Commission (FTC) considerations. Our work spans:

Brand clearance and portfolio strategy

- Trademark clearance, registration and risk analysis
- State, federal and worldwide trademark portfolio management and coordinated international brand strategy
- Copyright registration and clearance

Advertising, marketing and regulated claims

- Advertising, marketing, labeling and promotional review
- Claim substantiation and regulated product advertising counseling
- Advertising, publicity rights and Lanham Act disputes

Enforcement, disputes and brand protection

- Trademark and copyright enforcement, district court litigation, ITC Section 337 investigations and defense
- Opposition and cancellation proceedings before the Trademark Trial and Appeal Board (TTAB)
- Domain name disputes, Uniform Domain Name Dispute-Resolution Policy (UDRP) proceedings before organizations such as WIPO and the National Arbitration Forum (NAF) and Anti-Cybersquatting Consumer Protection Act (ACPA) litigation
- Trade dress protection and enforcement
- Brand policing and anti-counterfeiting programs
- Online enforcement and marketplace takedowns
- Technology-enabled brand protection and online enforcement strategies, including support through the Solare Brand Enforcement Program

Matters

- Managed 100% of trademark prosecution and enforcement work for a large Catholic health care organization for the United States and foreign matters.
- Successfully opposed or negotiated more than 10 Trademark Trial and Appeal Board settlements leading to increasing the strength of the social network client's various trademarked brands.
- Represented toy manufacturer in the negotiation of an endorsement deal where we had to also balance the rights/obligations of the client's licensor.
- Negotiated a licensing agreement with well-known toy company client while navigating litigation against a prior licensor and issues with tariffs.
- Obtained a judgment on a dilution claim against a Chinese manufacturer of products and worked with a multinational e-commerce company to take down offending listings.
- Successfully defended an attack on a client's registered trademark on the basis of genericness before the TTAB.
- Took an ownership dispute through oral argument and successfully canceled registrations before the TTAB on behalf of a popular food destination spot in Hawaii.
- Coordinated multiple international investigations into counterfeit operations leading to large-scale seizures of counterfeit products in the U.S., Asia and Europe for a cosmetic client, the IP holder of many brands.
- Brought several enforcement actions in the U.S. for our client, the largest privately held manufacturer of professional nail products in the world, including (a) receiving a court order against a cargo and freight company for transporting counterfeit products into the U.S. and (b) receiving a default judgment of more than \$1 million against various distributors and salons carrying and selling counterfeit products.
- Consistently remove bad faith domain squatters through UDRP proceedings from consumer facing retail clients to oil and gas clients.