

# Trademark, Copyright & Branding Litigation

Polsinelli's Trademark, Copyright and Branding Litigation practice has decades of experience preserving clients' rights in trade, advertising and publicity, including work on behalf of some of the world's most well-known brands. Whether enforcing rights against infringers or defending against claims, Polsinelli helps clients protect their valuable intellectual property and achieve their business objectives. The group has received national recognition for this talent, most recently with a national Tier One ranking for Trademark Law in "Best Law Firms<sup>®</sup>" list by *Best Lawyers<sup>®</sup>* and as a Leader in Intellectual Property Litigation by *BTI Litigation Outlook*.

Responsible stewardship of a company's reputation begins before the filing of a complaint. Polsinelli's trademark and copyright litigation team assists clients with establishing anti-counterfeiting and policing programs and monitoring federal registrations, including significant experience with the Uniform Domain-Name Dispute-Resolution Policy (UDRP). Polsinelli helps companies secure pre-litigation resolutions when they are consistent with business objectives. In those instances where litigation is necessary, Polsinelli's experienced litigators manage cases from preliminary injunction through trial and appeal.

The group's attorneys have experience that includes not only state and federal litigation, but also proceedings before the Trademark Trial and Appeal Board ("TTAB") and the International Trade Commission ("ITC"). Polsinelli's trademark and copyright litigation team regularly initiates and defends opposition or cancellation proceedings before the TTAB. They have also obtained and enforced general exclusion orders under the jurisdiction of the ITC, established robust and complex anti-counterfeiting programs, regularly work on matters involving trade dress, and navigate the complexities of consumer surveys. By adapting legal theories to clients' market realities, Polsinelli executes cost-effective strategies that enhance and preserve valuable brands.

## Matters

---

- Second-chaired a 10-day jury trial in New Jersey federal court for a consumer products company facing claims of trademark infringement.
- Second-chaired a Paragraph IV patent infringement trial before in the U.S. District Court for the District of Delaware brought against a foreign pharmaceutical company and its U.S. subsidiary under the Hatch-Waxman Act.
- Brought several enforcement actions in the U.S. for our client, one of the largest privately held manufacturers 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.

- Coordinated multiple international investigations into counterfeit operations leading to large-scale seizures of counterfeit products in the U.S., Asia and Europe for a cosmetics industry client with many well-known brands.
- Represented a toy manufacturing company in a case involving patent infringement, trade dress on the product's look, trade dress on the product's packaging, and false advertising claims. After a three-day evidentiary hearing, we successfully defeated Plaintiff's Motion for Preliminary Injunction, which the court denied in its entirety.