



### **TRADEMARKS**

- Litigation of trademark and trade dress infringement and dilution
  - Federal and state courts (bench and jury trials)
  - Appellate advocacy before the U.S. Courts of Appeals
- U.S. Patent and Trademark Office proceedings
- International Trade Commission proceedings
- Management of foreign and international litigation
- Mediation and arbitration services
- Alternative dispute resolution
- Trademark clearance (U.S. and international)
- Counseling on selection and clearance of trademarks, service marks, trade dress and trade identity
- Prosecution of U.S. and international trademark and service mark applications
- Strategies for expeditious and cost-efficient multi-country filing
- Cost-effective management of U.S. and international trademark portfolios
- Preparation of internal client guidelines and presentations to ensure proper and consistent trademark use
- Ownership transfer and security interest issues
- Design and implementation of protection strategies
- Monitoring and policing adverse use

### **LICENSING AND DUE DILIGENCE**

- Negotiation and drafting of trademark license agreements
- Confidentiality agreements
- Distribution agreements
- Contractor intellectual property agreements
- E-commerce transactions
- Strategic alliances and joint ventures
- Intellectual property asset portfolio audits
- Due diligence research into rights to be sold or acquired
- Breach of contract litigation

### **TRADE SECRETS**

- Litigation of trade secret misappropriation
  - Federal and state courts (bench and jury trials)
  - Appellate advocacy before the U.S. Courts of Appeals

- Development and maintenance of policies and procedures specific to trade secrets
- Preparation of confidentiality, nondisclosure, and noncompetitive employee agreements

## **COPYRIGHT**

- Litigation of copyright infringement
  - Federal courts (bench and jury trials)
  - Appellate advocacy before the U.S. Courts of Appeals
- Copyright registration, including computer software, websites, databases and other new technologies.
- Counseling regarding the Digital Millennium Copyright Act
- Licenses and agreements, including software development and licensing, website development, publishing contracts, work for hire agreements, releases, assignments and transfers
- Monitoring and investigating infringements

## **ANTI-COUNTERFEITING**

- Counterfeit *ex parte* seizures and litigation
- Global anti-counterfeiting programs

## **INTERNET AND E-COMMERCE**

- Counseling on Internet business development
- Website advertising clearance
- E-mail and Internet usage policies
- Digital signature and encryption issues
- On-line license agreements
- Website disclaimers and development agreements
- Internet privacy policies
- Strategies regarding Internet sales and e-commerce
- Database protection and invasion disputes
- Negotiation and drafting of e-commerce transactional agreements
- Click-through use agreements
- DMCA take-down demands

## **DOMAIN NAMES**

- Domain name, website and cybersquatting litigation
  - Federal courts (bench and jury trials)
  - Appellate advocacy before the U.S. Courts of Appeals
  - ICANN UDRP proceedings
- Strategies for registration and administration of domain name portfolios in the generic and country-code top-level domains
- Registration, acquisition and protection of domain names
- WIPO and National Arbitration Forum (NAF) proceedings
- Federal court ACPA *in rem* actions
- Counseling regarding cybersmear campaigns, gripe sites, parody and adverse publicity
- Metatag and key word disputes

- Linking and framing issues
- Domain name portfolio management

### **BRAND DEVELOPMENT AND PROTECTION**

- Strategic planning for brand protection
- Creation, maintenance and protection of brand portfolio
- Enhancement of strength and distinctiveness of client's brands
- Preliminary name searching and clearance
- Counseling for brand managers
- Review of marketing and promotional materials
- Strategic positioning and protection of famous or well-known marks
- Strategies to prevent tarnishing or dilution of brands
- Co-branding agreements

### **ADVERTISING AND PROMOTIONS**

- Advertising copy review, claim substantiation and clearance
- False and misleading advertising litigation
- Libel, commercial disparagement and defamation actions
- Sweepstakes rules and management
- Federal Trade Commission actions
- Proceedings before the National Advertising Division of the Better Business Bureaus, Inc.
- Right of publicity and privacy counseling and litigation
- Sponsorship and fulfillment agreements

### **ALTERNATIVE DISPUTE RESOLUTION AND EXPERT OPINIONS**

- Mediation of intellectual property disputes
- Arbitration of infringement and licensing disputes
- Settlement negotiations
- Second opinion
- Expert opinions and testimony