Intellectual Property

Intellectual property is considered by many businesses to be their most valuable assets. Intellectual property includes patents, trademarks, copyrights, trade secrets, and other unique ideas that provide a competitive advantage and build equity and name recognition in a brand. New technologies are rapidly developing in almost every business sector and industry, with established multinational corporations, early development companies, startups, and entrepreneurs, as well as individual inventors, authors and other artists all recognizing the importance of safeguarding their innovations and protecting their creations. Trenam lawyers advise clients in their acquisition, development, preservation, protection, and transfer of valuable intellectual property rights. Our lawyers are experienced in negotiating and drafting license agreements for patents, copyrights, software, and other innovations, as well as offering advice and counsel regarding available forms of intellectual property protection. Additionally, we represent clients when there are allegations of trademark, copyright, or patent infringement.

Practice Areas Include

- Filing, prosecuting and maintaining trademarks, service marks and logos at the United States Patent and Trademark Office, Trademark Trial and Appeal Board, State and Federal Courts and other state and international offices.
- Conducting trademark clearance searches and counseling on trademark use and protection strategies.
- Drafting and negotiating patent, trademark and software license agreements.
- Representing clients in connection with trademark disputes in State and Federal Courts and before the Trademark Trial and Appeal Board, including opposition and cancellation proceedings and other cease and desist, and unfair competition matters.
- Counseling clients on brand strategy, trademark watching and policing, and managing large trademark portfolios.
- Assisting clients with domain name and Internet related matters, including domain name registration, take down notices, WIPO domain name disputes and cybersquatting.
- Conducting significant IP and commercial due diligence investigations in the context of analyzing complex commercial or technical aspects of corporate transactions.
- Representing clients in disputes involving prosecuting and defending trademarks, copyrights, trade secrets, and patents.

Representative Matters

- Represented manufacturer of medical products in a number of patent infringement claims.
- Represented a medical supply company in litigation against a former executive and his new employer for breaching a non-competition and confidentiality agreement and misappropriation of trade secrets.
- Represented a water excavation company in litigation before the Trademark Trial and Appeal Board against a former employee and competitor who sought to obtain a trademark on the client's proprietary information. Successfully obtained a dismissal of the trademark application for fraud on the TTAB.
- Represented a nutritional bar company identify and acquire three trademarks for its business name and primary slogan.
- Represented publicly-traded funding company in removing multimillion dollar deceptive trade practices class action to federal court, and in defeating motion to certify plaintiff class.
- Represented Grammy Award winning music group and the owner of its intellectual property in a successful trademark ownership (and infringement) trial regarding use and ownership of the band's name, blocking the improper use of the group's name by a former, founding member of the group, and obtained a worldwide preliminary and permanent injunction. This matter has been appealed to and affirmed twice by the Eleventh Circuit Court of Appeals.
- Represented regional menswear retailer in the successful defense and settlement of a trademark infringement dispute asserted in Federal Court with famous men's lifestyle magazines publisher.
- Obtained judgment at trial for reality-television company in connection with its production of nationally syndicated, home renovation show involving alleged copyright and invasion of privacy issues with finding of no liability.
- Represented national company in connection with trademark registrations arising from rebranding and related office actions in United States Patent and Trademark Office.
- Represented nationally recognized fitness personality's shoe brand in defense of United States Patent and Trademark Office Trademark Trial and Appeal Board petition to cancel trademark.
- Represented international biotech designer/manufacturer and related corporate principals in defense and prosecution of intellectual property, software, copyright, contract and shareholder claims in multiple state, federal and international courts.
- Represented commercial music services provider in federal lawsuit involving claims of intentional interference, false representations, trade secrets, and conspiracy; obtained favorable settlement for client, which included a full release of all claims.
- Defended restaurant and obtained dismissal of misappropriation of trade secrets, conspiracy and tortious interference claims against client.
- Achieved a successful resolution for a company in a trademark infringement action against a defendant who registered domain names confusingly similar to company's marks (commonly known as “cybersquatting”).
- Represented a dietary and health supplement manufacturer against damage claims based on alleged violations of non-compete and trade secret violations.

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