# Dean A. Kent

Shareholder

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## Overview

Dean Kent is a Shareholder in the firm's Litigatonand Dispute Resolution Group and Chair of the firm's Intellectual Property Litigation Practice. Heis an experienced trial lawyer who represents regional and national businesses in connection with intellectual property matters, complex business disputes, and property rights issues. Dean also represents clients in eminent domain and property rights litigation matters and provides business entities with advice regarding litigation and strategic development matters.

Dean has represented clients inactions before the United States Trademark Trial and Appeal Board and arbitration proceedings conducted before the World Intellectual Property Organization (WIPO), American Arbitration Association, and the Financial Industry Regulatory Authority (FINRA). He also has experience in unfair competition, fair debt collection practices,ERISAlitigation, and bankruptcy.

## Representative Matters

Dean has represented clients in a wide variety of complex litigation matters including intellectual property, non-competes, theft of trade secrets,tortiousinterference, complex real estate, employment disputes, shareholder disputes, corporatedissolutionsand shareholder derivative claims.These engagements have included:

**Intellectual Property Litigation**

- 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.
- 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.
- Obtained arbitration award in favor of national financial services entity with regard to trademark infringement issues and domain name dispute with competitor.
- Successfully defend national grower and distributor of fruit and fruit products in defense of trademark infringement and trade dress claims.
- Obtained a Federal Court judgment for trademark infringement for improper use of national client's trademark for service related business.
- Won WIPO arbitration and secured the turnover of infringing domain name resulting from inappropriate use of client's federal trademark.

## Practice Areas

- Intellectual Property
- Litigation and Dispute Resolution
- Eminent Domain and Property Rights Litigation
- Cybersecurity and Data Privacy
- Hospitality
- ERISA, Employee Benefits and Compensation

## Education

- J.D., University of Florida Levin College of Law, 2000
- B.S., with honors, Business Administration, University of Florida, 1996

## Admissions

- Florida
- United States District Court, Middle and Southern Districts of Florida
- United States Court of Appeals, Eleventh Circuit
- United States Court of Appeals for the Federal Circuit

**Theft Of Trade Secrets/Unfair Competition**

- Represented Tampa Bay Area founded, quick service concept restaurant in litigation regarding theft of its trade secrets and related unfair competition claims.
- Successfully defended clients in a Civil RICO, unfair competition, and fraud litigation regarding the sale of a medical business, in State Court and Bankruptcy adversary proceedings.

**Cybersecurity**

- Represented national mortgage brokerage in connection with defense of cybersecurity related claims from alleged wire transfer fraud in connection to home acquisition.
- Represented regional software company with litigation and advice regarding former employee hacking and unauthorized access issues, and related coordination with Department of Homeland Security, FBI, and local law enforcement.

**Corporate Disputes/ Derivative Suits**

- Represented minority shareholder in derivative suit for breach of fiduciary duties regarding sale and development of nearly 9 contiguous acres of real property in Channelside District in Tampa, Florida.
- Represented minority shareholder in connection with derivative suit for dissolution and breach of fiduciary duties in connection with multi-state, multi-facility pharmaceutical company.
- Represented minority shareholder in& multi-facility medical practice and various real estate entities with prosecution of derivative claims and reformation and rescission of various inappropriate related party agreements and related party loans.
- Represented minority shareholder in appraisal rights dispute regarding sale of business/dilution and valuation of state-wide business.
- Obtained temporary injunction, secured the appointment of a receiver, and obtained constructive trust over air filtration products company's assets for minority shareholder.

**Non-Competes**

- Obtained temporary and permanent injunctions against former employee and competitor company for breach of non-compete agreement and tortious interference on behalf of regional insurance company.
- Obtained temporary and permanent injunction against former employee for improper solicitation of clients and violation of non-compete for Southeastern United States Continuing Professional Education Company.
- Successfully represented former owner and officer of acquired entity in connection with opposing enforcement of non-compete agreement.

**Property Rights/Eminent Domain**

- Represented local government authority in connection with acquisition of various properties and rights of way in connection with planned extension of an elevated toll road in Tampa, Florida.
- Represented developer in connection with eminent domain taking by DOT of portion of parcel of land in Pasco County, Florida.
- Represented homeowner and related business in connection with eminent domain taking of easement in connection with expansion of underground natural gas lines through the State of Florida.
- Represented real estate developer in connection with obtaining injunctive relief, specific performance and related relief in connection with tortious interference and breach of agreement claims to 1,757 acres of vacant real property in Hillsborough County, Florida.

**Bankruptcy Litigation**

- Represented world's largest supplier of martial arts equipment in various bankruptcy adversary proceedings and in connection with client's successful bid for debtor's assets in bankruptcy auction.
- Represented former manager of light heavyweight world champion in connection with bankruptcy adversary proceeding seeking injunctive relief, damages, and enforcement of arbitration proceeding in connection with HBO televised, boxing match in Las Vegas, Nevada.

- Represented bankruptcy trustee in connection with assertion of 65 fraudulent transfer and breach of fiduciary duty adversary proceedings.

**ERISA Litigation**

- Represented statewide flooring company as Plaintiff in asserting breach of ERISA fiduciary duty claims in Federal Court and on appeal to the 11th Circuit Court of Appeals.
- Prevailed in appeal before the 11th Circuit Court of Appeals on claims of arbitrability of contract and ERISA related claims.
- Successfully defend national media company in various ERISA actions filed in Federal Court regarding refusal to pay short term and long term disability benefits to employees.
- Successfully represented clients in recovery of damages for violations of ERISA fiduciary duties against their advisors and a national insurance company in Federal Court.

## Honors and Distinctions

- *Tampa Magazine's Top Lawyers List*, 2021-2024
- AV Preeminent Peer Review Rated by Martindale-Hubbell
- *The Best Lawyers in America,*Commercial Litigation; Intellectual Property Litigation, 2021-2024
- *Florida Super Lawyers,* Rising Star, 2009, 2010, 2013-2014
- *Florida Trend's Legal Elite,* Up & Comers, 2008
- *Tampa Bay Business Journal*, Up & Comers Under 40, 2008
- City of Oldsmar Leadership 2000 Award, 1996

## Professional Involvement

- Hillsborough County Bar Association, Young Lawyer's Division
- American Bar Association
- Licensed Real Estate Sales Associate, Florida since 2013
- AAA, Arbitrator, Consumer Disputes

## Community Involvement

- Tampa Bay Chamber, member, 2022
- Leadership Tampa Class of 2015
- Keystone Little League, Board of Directors, 2014-2015
- Greater Tampa Chamber of Commerce Small Business of the Year Committee, 2013-2014
  - Co-chair Nominations Committee, 2014
- Upper Tampa Bay Chamber of Commerce, Trustee's Council, 2005-2009
- Leadership Tampa Bay, 2004
- The Tampa Connection, 2004
  - Vice Chairman, 2009-2010
  - Board of Directors, 2005-2011
- Forest Hills Youth Baseball
  - Board of Directors, 2010
- Jesuit High School Alumni Advisory Board, 2002

## Thought Leadership

- Dean Kent Discusses Patent Infringement Lawsuit in Tampa Bay Business Journal, *Tampa Bay Business Journal*, September 2023
- Dean Kent Discusses High Profile Copyright Lawsuit with Daily Business Review, *Daily Business Review,* May 2021
- Speaker,ABA Forum on the Entertainment and Sports Industries 40th Anniversary Annual Meeting, October 2018
- Dean Kent and Lindsay Lopez Discuss Their Successful Representation of the Commodores in IPWatchdog, Author, IPWatchdog, 2018
- "New Federal Trade Secret Act: What Businesses Need To Know," Author, May 2016
- Opportunities for U.S. Cuba trade, *Lawyer* (a publication of Hillsborough County Bar Association), 2001