

# Trademarks

## Trademark Services — Strengthening Brands and Protecting Reputations

Communication technologies and channels have evolved quickly, but the power of a positive reputation remains the same. As reliance on e-commerce and social media have grown and public opinion changes faster than the wind, today's brands are more valuable—and more vulnerable—than ever before. To protect their good names and market positions, businesses and organizations around the world choose Marshall, Gerstein & Borun LLP.

### Decades of experience, focus and depth

Marshall Gerstein has maintained an exclusive focus on intellectual property issues since our Firm was founded more than 60 years ago. We have extensive knowledge of all aspects of trademark selection, registration, transactions, and enforcement. Attorneys in our group have nearly two decades of experience on average in trademark law, enabling us to develop and deliver practical, innovative strategies, and achieve efficiencies that can only result from a long and successful practice. No issue is too small or too large: drawing on our deep bench, we handle large portfolios and business-critical deals with the same skill and responsiveness that we provide when managing day-to-day client concerns.

As IP-focused litigators, we have achieved major victories in scores of cases before the Trademark Trial and Appeal Board and in U.S. district courts. We handle all forms of trademark advocacy, including infringement proceedings, opposition, cancellation, and concurrent use proceedings, and Uniform Dispute Resolution Policy proceedings against cybersquatters.

### Market leaders

Marshall Gerstein has been ranked among the world's leading trademark firms by *Managing IP* and *World Trademark Review 1000*. Our trademark lawyers are sought-after writers and speakers who regularly provide thought leadership on emerging issues such as trademark tacking, offensive marks, and the eroding presumption of irreparable harm.

### Comprehensive services

We serve as strategic business partners through every phase of branding strategy and protection, including:

- Advertising review and sponsorship
- Domain name acquisition, enforcement, registration, and maintenance
- E-commerce and social media issues
- Global brand strategies
- Litigation of trademark infringement and dilution cases
- Portfolio management
- Privacy and publicity rights
- Trade dress and design rights
- Trademark applications, opposition, and cancellation proceedings
- Trademark clearance, registration, and counseling
- Trademark licensing, due diligence, and transfers
- Trademark policing and enforcement
- Trademark Trial and Appeal Board proceedings
- Uniform Dispute Resolution Policy (UDRP) issues

To ensure comprehensive, international brand protection, we work with a network of trusted foreign associates to manage global trademark portfolios and enforcement programs in key jurisdictions around the world.

**Lean staffing, value-added service**

We believe that law firm services should align with client needs and business objectives. Our trademark teams provide top-quality legal services efficiently and with a clear understanding of internal deadlines and budget priorities. We have implemented numerous methodologies to streamline our overall processes, improve responsiveness, reduce overhead, offer alternative billing arrangements, and enhance value.

**Leveraging technology**

To protect our clients' brands and reputations from threats near and far, we employ sophisticated online systems and databases available for worldwide availability searches, application filings, and monitoring and maintenance of registered marks. We have developed proprietary, automated systems that improve client service and manage costs. These in-house systems allow us to report USPTO activity faster, accelerate document preparation for applications, amendments, and responses, and enable immediate access to client files and documents whenever questions arise.

**Representative clients**

- Amgen, Inc.
- Baxter Healthcare Corp.
- BioMarin Pharmaceutical, Inc.
- CDW Corp.
- Crosman Corp.
- Emerson Electrical Co.
- Ivy Kirzhner New York
- Generation Brands
- Goss International Corp.
- JRS Pharma LP
- Knowles Electronics, LLC
- Maria Pinto Licensing, LLC
- Medela
- The Estate of Vivian Maier
- Onyx Pharmaceuticals
- Parrot SA
- Reliv International, Inc.
- Shop-Vac Corp.
- Splits59
- The Smoke Daddy
- Warner/Chappell Music, Inc.
- Zenith Electronics, LLP

**Representative matter**

- **Protecting an Orphan Drug**  
We handled Raptor Pharmaceutical Corp.'s worldwide registration and defense of all trademarks covering PROCYSBI, a revolutionary drug that offers hope for sufferers of nephropathic cystinosis, a severe and often fatal metabolic disorder.