



Kelley S. Gordon

Associate

Tel 312.474.6649
kgordon@marshallip.com

Kelley first became interested in intellectual property at a young age in appreciating her Grandfather's hand drawn car designs turned real-life vehicles commissioned during his time working for a large US automotive corporation in Detroit. While in college at Indiana University, Kelley fostered her interest in IP and majored in Cognitive Science, focusing her studies in computer science, linguistics, psychology, finance, and art history. Kelley worked in a research laboratory dedicated to the use of artificial intelligence in detecting the onset of Alzheimer's and dementia. Over the course of her undergraduate studies, Kelley valued how developments in each area of study were worthy of proprietary protection.

Kelley went on to earn her dually accredited US/UK Master's degree in art history and visual culture from Richmond The American International University in London, UK where she authored her dissertation on the global state of *droite de suite* (artists' resale royalty rights), with particular focuses on China, the EU, and the US. Following her Master's degree Kelley earned her Juris Doctor from The John Marshall Law School in Chicago (now University of Illinois-Chicago School of Law) where she earned her certificate in Intellectual Property Law.

Following law school, Kelley worked at a boutique firm handling commercial litigation and commercial collection matters, which enabled her to effectively and creatively litigate disputes and collect satisfaction of judgments obtained in favor of her clients. Kelley then worked for a national law firm counseling and representing clients in litigation matters addressing intellectual property disputes including trademarks, trade dress, copyrights, and design patents; unfair competition; trade secrets; data privacy and technology concerns; and restrictive covenant employment matters.

Kelley's background in both science and the arts in combination with a broad range of litigation experience allows her to provide unique guidance in advising clients with their litigation and enforcement strategies across a variety of industries including pharmaceuticals, technology, consumer products, and service industries. Kelley assists clients with their individualized global and domestic portfolio maintenance goals, develops enforcement strategies, and serves clients' litigation needs before the Trademark Trial and Appeals Board, District Court and the United States International Trade Commission.

In addition to counseling clients in branding strategies and aiding clients in registering trademarks and copyrights, Kelley's practice focuses on enforcement of clients' intellectual property through opposition

and cancellation proceedings, social media enforcement, Uniform Domain-Name Dispute-Resolution Policy proceedings, and District Court litigation.

Practices

- Copyrights
- IP Litigation
- Trademarks

Representative Experience

- Defended and counter prosecuted trade dress infringement claim involving related utility and design patents, trademark infringement, unfair competition, unfair business practices, tortious interference with prospective economic advantage, fraudulent inducement into contract based on patent assignment, and rescission claims
- Defended and negotiated favorable settlement on behalf of individual accused of copyright infringement of motion picture
- Regularly conduct trademark due diligence including trademark searches, review use of mark and corresponding classes, currency of title, licensing agreements, and potential common law rights
- Aided in defense of trade secret misappropriation in breach of restrictive covenants and violations of state laws resulting in favorable settlement

Background and Credentials

Kelley received her J.D. from The John Marshall Law School with a certificate in Intellectual Property. While in law school, she attended a summer program at Peking University Institute of International Intellectual Property in Beijing, China, and was also a member of Phi Alpha Delta and the Intellectual Property Law Society. She holds a Bachelor of Arts in Cognitive Science with a concentration in Psychological & Brain Sciences from Indiana University. As an undergraduate student, she served as the Phi Alpha Delta Pre-Law Fraternity President and received the award for "Best Attorney Overall" at the Phi Alpha Delta national mock trial competition.

Education

- The John Marshall Law School (J.D.)
 - Certificate in Intellectual Property
- Richmond, The American International University, in London (M.A.)
 - Art History & Visual Culture
- Indiana University (B.A.)
 - Cognitive Science

Bar Admissions

- Illinois
- U.S. District Court, Central District of Illinois
- U.S. District Court, Northern District of Illinois
- U.S. Court of Appeals, Seventh Circuit

Publications and Presentations

- "Survival of the Fittest: Enforcement for the 2020 COVID-19 Trademarks," Co-Author, *Thomson Reuters Westlaw*, November 12, 2020.
- "Panel Discussion on the Booking.com Supreme Court Decision," Moderator, August 28, 2020.
- "Hand It Over—Trademark Infringers' Profits at Risk Even Without Proof of Willfulness," *Marshall Gerstein Alert*, Co-Author, April 28, 2020.
- Chapter 6: eDiscovery, "Business and Commercial Litigation Handbook," *Illinois Institute for Continuing Legal Education*, 2019 Edition.

Community and Professional Involvement

- Copyright Society of the USA (CSUSA) Midwest Chapter Co-Chair (2020-2022)
- Chicago Women in Intellectual Property (CHiWIP), Professional Development Committee Member (2019-2021)
- Defense Research Institute, Intellectual Property Litigation Trademark Vice Chair (2020-2021) and Intellectual Property Committee Young Lawyer Liaison (2019-2020)
- Chicago Bar Association, YLS Intellectual Property Committee Co-Chair (2018-2019)
- Intellectual Property Law Association of Chicago (IPLAC)
- Chicago Bar Association, Judicial Evaluation Committee Investigation Division Member, Intellectual Property Committee Member, Commercial Litigation Committee Member, Cyber Law and Data Privacy Committee Member
- International Association of Privacy Professionals (IAPP)