

Trademark Litigation

Trademark litigation is a specialized field, and one with an immense impact. In today's interconnected world, brands are extraordinarily valuable assets. For hundreds of years, trademarks have been used to document how brands are identified and protected. The attorneys of Rothwell Figg's Trademark Litigation practice focus on ensuring that protection is as effective, strategic, and beneficial as the law permits by providing high level enforcement of trademark rights for the firm's clients.

When necessary, we're skilled at playing for keeps. We are experienced in counseling clients, and helping them attack infringers by planning and executing comprehensive approaches to enforcement.

We are experienced in using all of the tools and remedies of enforcement, including:

- Obtaining temporary and emergency relief;
- Demanding compliance with court orders or registered trademark rights;
- Initiating and aggressively pursuing infringement actions or defending such actions;
- Conducting consumer surveys on secondary meaning, confusion, and other trademark and false advertising resources to bolster our clients' positions;
- Enforcing word and design marks, and unregistered trade dress;
- Litigating trade dress disputes;
- And when necessary to achieve our clients' business and strategic goals, taking a dispute to trial before judge or jury.

We do not seek out litigation as a first resort, but there are instances when it is the only effective and practical course. In those cases, we're staunch advocates with an abundance of experience representing clients in Federal Court and before the Trademark Trial and Appeal Board (TTAB), as well as other tribunals worldwide. Wherever we advocate, we ensure that clients' marks are protected to the fullest extent of applicable law, including securing all remedies from injunctions to motions to dismiss and summary judgment.

The ubiquity and impact of new technologies, particularly social media, is another facet of trademark law with which we're intimately familiar. Members of our team have had substantial expertise in the online world since the very beginning of internet trademark disputes, and have expertise in the most significant technologies, including cryptocurrencies, different forms of artificial intelligence and machine learning, and more. In the online world in general, and in e-commerce in particular, we aggressively protect our clients' trademark rights as well as resolve domain name disputes and cybersquatting issues in a variety of tribunals, including Federal Court and domain registration authorities.

While we have extensive experience litigating civil actions in Federal Courts, we also have one of the nation's most active and experienced practices for opposition and cancellation proceedings before the TTAB.

We also excel at the strategic work that can help prevent litigation. We devise customized approaches that are tailored to each client's situation, needs, and priorities, including developing global management programs for clients' portfolios, whether they're an American company with a handful of marks, or a multinational entity with hundreds. In the latter case, we partner with associates worldwide, to ensure coverage in the markets that matter. Many of our trademark attorneys have different cultural backgrounds, enabling them to work and communicate with clients all over the world, and to explain the peculiarities of the American system to those who may be unfamiliar with it.

We are a flexible group of experienced attorneys. Our approach stresses efficient practices borne out of decades of success in protecting and defending brands. We leverage our systems and experience to deliver great results and uncompromising service while always keeping an eye on our clients' budgets and business goals.