

OUR PRACTICE

Intellectual Property

Baker Donelson's Intellectual Property Group is responsible for the protection of inventions and other forms of intellectual property for clients ranging from start-ups to Fortune 500 companies. We obtain, defend, and enforce patents, trademarks and copyrights in the United States and throughout the world. The Firm has developed relationships with intellectual property lawyers in many major foreign countries, and has facilitated applications for patents and registration of trademarks in more than 145 foreign jurisdictions.

Our attorneys have a reputation for a practical, common sense business approach to client concerns, coupled with sophistication in a wide range of technical areas. As an IP boutique housed in a full-service business law firm, we manage your assets in the context of your comprehensive business and competition strategy. We offer strategy for resolving difficult freedom-to-operate obstacles, negotiating licensing and material transfer agreements, and utilizing effectively existing intellectual property portfolios to strengthen clients' competitive positions.



Representative Matters

- Successfully represented a designer and manufacturer of cheerleading apparel in a copyright infringement suit, including successful appeal to the Sixth Circuit Court of Appeals, which was affirmed by a 6-2 decision of the United States Supreme Court, where the Court established a new standard and resolved a circuit split regarding the proper test for conceptual separability and copyrightability applicable for two-dimensional artwork applied to useful articles.
- Manage and enforce large international trademark portfolios for clients in artificial intelligence (AI) software and AI services; consumer and cosmetics; building materials; food products and restaurant services; automotive; clothing and apparel; health and medical services; and senior and assisted living facilities, including providing brand advice and strategy for growth.
- Advised recording artists and songwriters regarding entertainment/music industry agreements and protection of intellectual property, including negotiation of publishing agreements, 360 deals, drafting and negotiating synchronization licenses for use of songs in films, drafting recording agreements for Grammy® Award winning artists, and counseling artists on obtaining commercial success.
- Serve as patent counsel to an international machinery and replacement parts manufacturer.
- Serve as patent counsel to an independent engineering firm designing trusses for space-based applications.
- Serve as IP counsel for multiple consumer goods manufacturers and resellers.
- Represented a software company in a breach of contract dispute with a state agency, resolving intellectual property issues arising from the contract.
- Regularly enforce copyrights through the Digital Millennium Copyright Act (DMCA) for numerous clients.
- Serve as intellectual property counsel to several microbreweries in Memphis.
- Serve as IP counsel for the enforcement of large international trademark portfolios for multiple clients in the fashion and athletic wear industries.
- Represented a petitioner in a Covered Business Method (CBM) proceeding before PTAB.
- Secured the transfer of numerous domain names to a well-known television network, a provider of travel information services, and a well-known restaurant chain under the Uniform Domain Name Dispute Resolution Policy (UDRP).
- Negotiated copyright licenses in the contexts of book publishing, music sampling, and software.

- Represented a commercial and residential renewable energy company in trademark, copyright, contract, and collection matters.
- Serve as patent counsel to a national financial services company.