

OUR PRACTICE

Trademark and Unfair Competition Litigation

We understand the value of your name. We also understand the practical and legal problems that arise when someone uses your name or attempts to associate their business with you without your permission, or accuses you of infringement. Baker Donelson's intellectual property litigation attorneys have advised clients, both plaintiffs and defendants, in hundreds of cases involving trademark infringement, trade dress infringement and unfair competition.

Whether filing suit against an infringer or defending against a claim of infringement, developing both legal and non-legal strategies at an early stage is critically important. From the initial claim and throughout the process, including prosecuting or defending against temporary restraining orders or preliminary injunctions, Baker Donelson's intellectual property litigation attorneys have extensive knowledge and experience gained from handling cases involving trademark infringement, trade dress infringement, and unfair competition throughout the United States for a wide variety of clients, from small start-ups to Fortune 100 companies. We advise clients not only on litigation issues, but also on the practical aspects of proper trademark usage, pre-litigation protection, and avoiding infringement claims.

Our litigators also have experience in non-traditional litigation forums. We routinely represent clients before the Trademark Trial and Appeal Board (TTAB) in opposition and cancellation proceedings, and we have worked with clients to obtain domain name cancellations and transfers through ICANN dispute resolution proceedings. We have advised clients on infringement issues in jurisdictions throughout the world, including developing proprietary systems to track and reduce infringement by serial offenders in foreign jurisdictions.



Representative Matters

- Represented the world's largest cheerleading and dance company in trademark, copyright, and proprietary information litigation matters.
- Handled trademark and copyright infringement claims for a nationally-known real estate educator.
- Represented a large ceiling fan manufacturer in several patent and trademark infringement litigation matters throughout the United States.
- Won judgment for a national restaurant chain against a competitor for trade dress infringement.
- Serve as trademark litigation and prosecution counsel to an international medical garment manufacturer.
- Serve as intellectual property litigation and prosecution counsel to an international refrigerator component manufacturer.
- Has resolved hundreds of trademark infringement disputes on behalf of mark owners and in defense of alleged infringers.
- Represented an international beverage company in trademark litigation, resulting in a finding of infringement against the opposing party.
- Defended a restaurant against trademark infringement claims including instituting cancellation proceedings at the Trademark Trial and Appeal Board.
- Prosecuted a trade dress infringement lawsuit that resulted in the redesign of a product.
- Defended a trademark infringement lawsuit using a First Amendment defense that resulted in favorable settlement for the client.
- Obtained reversal of a district court's denial of preliminary injunction in a trademark infringement lawsuit.