



Copyright, Trademark and Trade Secret Litigation

WilmerHale's profound trial experience in copyright, trademark and trade secret litigation across US and international venues offers our clients the best of both worlds: the courtroom acumen of a trusted advisor with a trial history that exceeds our competition, combined with a creative approach to litigation of any scope and complexity. The world's most recognized brand names across industries rely on us to protect their copyright, trademark, trade secret, trade dress and domain name rights – often their most valuable assets.

PRACTICE AT A GLANCE

- We protect local and global brands from infringement and dilution, defending our clients in litigation involving trademark and trade dress infringement, domain name misuse and cybersquatting.
- Trade secret protection is increasingly relevant for companies because of the increased risk of cyber intrusion. Clients rely on us to help them navigate this complex terrain as we seek to guard their trade secrets against theft.
- Our clients consistently seek our counsel in matters centered on the dissemination and transmission of copyrighted works and content, as well as for guidance on critical issues surrounding copyright protection for movies, television, music and other forms of art.
- We have diverse industry experience, which allows us to advise on cutting-edge and novel copyright and trademark protection matters for companies – giving us an edge in devising litigation strategy that meets legal needs and forwards business goals.

100+

lawyers with scientific and technical backgrounds

45+

trademark litigation matters over the past ten years

35+

trade secret litigation matters in the past ten years



Clients note that WilmerHale has, “a deep and knowledgeable bench of attorneys who approach litigation practically and create flawless work product.”

— U.S. News - Best Lawyers

EXPERIENCE

Eagle Harbor Holdings, LLC, and Mediustech, LLC v. Ford Motor

Company: WilmerHale achieved a major victory for Ford when the jury returned a verdict finding that Ford had not infringed any of the four asserted patents and finding that the plaintiffs and their CEO had misappropriated Ford's trade secrets. The plaintiffs had sought over \$750 million in damages, making this Ford's largest patent litigation in its history.

Jaguar Land Rover Limited v. Bombardier Recreational Products Inc.:

WilmerHale obtained a full defense verdict for our client Bombardier Recreational Products (BRP) defeating a \$130 million trademark infringement claim brought by Jaguar Land Rover Limited. Following an eight-day trial, an eight-person jury rendered a 7-1 verdict in BRP's favor, finding that BRP's Can-Am Defender off-road vehicle did not infringe Land Rover's trademark for DEFENDER.

Stone Brewing Co., LLC v. Molson Coors Brewing Company:

WilmerHale secured a "big win" for MillerCoors in one of the "Top 7 Trademark Rulings of 2019" per Law360, when the district court denied Stone Brewing's motion seeking a preliminary injunction in a highly publicized trademark action against our client. The plaintiff sought to force MillerCoors to change beer cans and packaging for Keystone Light, which the company redesigned in 2017.

Matt Furie vs. Infowars, LLC: WilmerHale obtained a significant copyright victory for artist Matt Furie when Alex Jones's Infowars media outlet agreed to disgorge all its profit from the unauthorized sale of a poster that featured Mr. Furie's iconic "Pepe the Frog" character. WilmerHale successfully defeated Infowars's summary judgment argument that the posters were protected by fair use, Infowars conceded instead of facing a jury trial.

Omega SA v. 375 Canal, LLC: WilmerHale secured a decisive victory for our clients The Swatch Group and Omega SA against a Canal Street landlord that leased space to a counterfeiter. The jury unanimously held the landlord liable and awarded our client \$1.1 million in damages based on the sale of a single counterfeit watch. On appeal, the Second Circuit again sided with Omega, affirming the judgment for contributory trademark infringement.

Saint Lawrence Communications, LLC v. Motorola Mobility LLC:

WilmerHale achieved a significant victory for Motorola Mobility, obtaining a favorable settlement that ended multiple litigations filed by Saint Lawrence globally. We acted as lead counsel in the copyright case which argued that Motorola violated Saint Lawrence's copyrights when it modified the AMR-WB source code to design around the allegedly infringed patents, successfully mediating and negotiation resolution in all cases.

For more information, please contact:

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RECOGNITION

- **The American Lawyer** has named WilmerHale the winner of its biennial IP Litigation Department of the Year contest twice and a finalist six times.
- **Chambers USA** has ranked WilmerHale Band 1 since 2011, with every US office ranked.
- **U.S. News - Best Lawyers** listed WilmerHale in its "Best Law Firms" rankings and honored the firm with first-tier national rankings in Copyright and Trademark Law.
- **Law360** named our victory in the *Omega SA v. 375 Canal, LLC* appeal as one of the top trademark rulings of 2021.
- **Legal 500** ranked WilmerHale's Intellectual Property Practice in the "Top Tier" in its 2011-2020 editions.
- **BTI Consulting Group** named WilmerHale an IP Litigation Powerhouse in the 2019 edition of BTI Litigation Outlook and an IP Litigation Standout—among the top 5% of all firms—in the 2018 and 2017 editions.