

Andrew Hartman

University of Colorado Law School
112 Wolf Law Building 401 UCB
Boulder, CO 80309-0401
Phone: (303) 492-5290 / (720) 432-2747
E-mail: andy.hartman@colorado.edu

Education

Georgetown University Law Center, Washington, D.C. J.D., *cum laude*, 1989.
Staff member/Article and Notes Editor, *American Criminal Law Review*.
The University of Michigan, Ann Arbor, Michigan. A.B. 1986. Political Science.

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Current Positions and appointments

University of Colorado Law School, Boulder, Colorado. (2001 – date).

Experiential Learning Program Director (2009-date), Coordinator (2009-2011)

- Fundraising for comps, public service program; alumni outreach
- Run externship program of 200+ students/year
- Develop and teach externship workshop class, ethics and networking topics
- Manage Public Service Pledge program
- Developed USOC Athlete Ombudsman pro bono program
- Orientation and graduation planning assistance and execution
- Professionalism program planning with judiciary
- Inclusive excellence program planning with CCIE, CU and DU
- Advise re ABA rules, ethical issues and disputes for Dean's Office, interface with counsel
- Student Wellness Series planning, CU Counseling and Psych. Services liaison
- Student counseling on classes, career, professional and personal issues
- Student fee committee review and student group outreach
- Clifford Calhoun Public Interest Award and fellowship award coordination
- Coordinate (and develop) merged moot court and trial comp program, Barrister's Council
- Loan Repayment Assistance Program planning, applications and committee work
- Bar association (Sam Cary, CHBA, APABA) event planning and outreach
- LLM planning and coordination with externship program

Adjunct professor of law(2001 – date)

- Trademark/unfair competition and copyright classes, 11 semesters over 10 years
- 300+ students since inception, cutting edge advertising and new media issues
- IP faculty curriculum development with Prof. Ohm, Surden; result: new IP rights class

Gross Hartman LLC, Boulder, Colorado (2010 – date).

Founding partner in corporate, business and intellectual property law firm that counsels clients in the full range of corporate and securities matters, including public and private financing transactions, mergers and acquisitions, strategic corporate relationships, corporate governance, employee incentive programs and executive hiring. Also focus on branding, advertising, trademark, copyright and trade secret topics, as well as disputes and expert witness work in these fields.

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Past Positions

Cooley Godward Kronish LLP, Colorado. Partner (2000 – 2009). Partner in 500+ emerging company/technology national law firm. Diverse domestic and international IP practice including: advertising, new media, social networking, trademark, copyright, patent, IP licensing, trade secret, non-compete disputes, transactional assistance, prosecution and IP counseling matters. Outside general counsel role for many clients.

- Head of Colorado IP/litigation practice of approx. 20 attorneys/paralegals
- Risk Management (ethics) partner for Colorado office of 80 professionals
- Chair firm wide junior IP/litigation associate review committee. (2001-2008)

Reed Smith/Sachnoff & Weaver, Chicago.(1995 – 2000). Partner (1998 – 2000). Associate (1995 – 1998). Associate, promoted to partner in technology oriented law firm. Corporate department. Transaction IP, advertising law, media law, IP counseling and prosecution, litigation, M&A.

Brinks Hofer Gilson & Lione, Chicago. Associate (1990 – 1995). Associate in 100+ IP boutique. Wide range of counseling, advertising review, licensing, litigation and prosecution matters.

Boards/memberships/bar admission

Colorado Secretary of State Business Advisory Board. (2011 – date). Advisory board to Secretary of State on corporate and business matters.

International Trademark Association (1991 – date). Various committees and activities.

Colorado IP Inns of Court (2010 – date). Charter member of new Inn of Court.

Secretary of State/Colorado Bar Association Special Committee on Trademark Law Revision. (2005-2006). Responsible for drafting overhaul of Colorado state trademark law.

Bar admissions:

Illinois (1989 – date)

Colorado (2000 – date)

US Court of Appeals for Federal Circuit

US Court of Appeals for Seventh Circuit

US Court of Appeals for Ninth Circuit

US District Court for the Northern District of Illinois, with trial bar admission

US District Court for the District of Colorado

US District Court for the Northern District of California

US District Court for the Eastern District of Michigan

US District Court for the Eastern District of Texas

US District Court for the Eastern District of Wisconsin

Andrew Hartman Publications, Book, Book Chapters, Papers, Speeches and Legislative Activities

Hartman, Andrew with Stacy, Caren Ulrich, contributing editor, *The Six Minute Marathon, A Guide to Life as a Lawyer*, NITA (2011). NITA/Lexis Nexis published book assisting law students in the transition to practice as lawyers.

Sheppard, Jennifer, *A Guide for Judicial Clerks*, Aspen Publishers, anticipated publication 2011. Peer review and editing of chapters 1, 2, 6, 9, 10 and appendixes A, D.

Boulder County Bar Association, "Copyright Year in Review", June, 2010.

National CLE (LEI) Conference – Intellectual Property, "Copyright Year in Review", Colorado Bar Association, Vail and Aspen, Colorado. (2006-2008).

State of Colorado, 65th General Assembly, 2d Regular Session, HB06-1140, *Trademark Registration Statements*, January 16, 2006, Representative McCluskey. Draft repeal and revision of Colorado state trademark act. (2005-06).

109th United States Congress, 1st Session, H.R. 21, *Securely Protect Yourself Against Cyber Trespass Act (the "SPY ACT")*. Bill re-write drafting and activities on behalf of computer security software publisher (2005).

Hartman, Andrew, *Survey of Developments of Intellectual Property and Technology Law*, Chapter 5, "Lanham Act and the Internet: Pop-ups, Spyware and Search Engines", WebCredenza, Inc. (2004).

Hartman, Andrew, *2004 Intellectual Property Institute*, "Lanham Act and the Internet: Pop-ups, Spyware and Search Engines", speech, Colorado Bar Ass'n CLE (2004).

Hartman, Andrew, *2004 Intellectual Property Institute*, "Grey Market Importation Issues", speech, Colorado Bar Ass'n CLE (2004).

Hartman, Andrew, *2003 Intellectual Property Institute*, "Infinitely Scalable" Advanced Topics in Lanham Act Litigation", speech and materials, Colorado Bar Ass'n CLE (2003).

Hartman, Andrew, *Powerful Brands*, speech and materials, Denver Bar Ass'n, Denver, Colorado (2002).

Hartman, Andrew & Koenig, Lisa, *2001 Federal Circuit Trademark Roundup*, Am. U. L. Rev., v. 51, No. 4 (2002 Released 08/02).

Hartman, Andrew & Wheble, Katherine, *Powerful Brands*, speech and materials, Westminster, Colorado, 2002.

Crittenden, John, Hartman, Andrew & Wheble, Katherine, *Powerful Brands*, speech and materials, Westminster, Colorado, 2001.

Hartman, Andrew (with panelists), *Drafting Licensing Agreements: An Online Workshop*, law.com, February 15, 2000 through February 29, 2000.

Hartman, Andrew, *YourCompanySucks.com: The next domain name problem*, Silicon Prairie, a Chicago Tribune Publication, November 1999.

Hartman, Andrew with the Hon. William O'Connor (Illinois State Rep., 43d Dist.), *Understanding United States Intellectual Property Law*, United States Information Agency, speech and materials for organization of South American prosecutors, speech given by Mr. O'Connor, Guatemala City, Guatemala, 1999.

Hartman, Andrew, *Understanding United States Intellectual Property Law*, United States Information Agency, speech and materials to organization of Central American prosecutors, Tegucigalpa, Honduras, 1999.

Hartman, Andrew with Rogers, Scott (Ty Inc.) & Valenziano, Nicholas (Sara Lee Corp.) *International Trademark Association Consumer Goods Breakout Session*, moderator, Seattle, Washington, 1999.

Hartman, Andrew, *Practising Law Institute – Understanding The Intellectual Property License, Trademark and Copyright Licensing*. Practising Law Institute Patents, Copyrights, Trademarks, and Literary Property Course Handbook Series, PLI Order No. G0-0077, October-November, 1999.

Hartman, Andrew, *Practising Law Institute – Understanding The Intellectual Property License, Trademark and Copyright Licensing*. Practising Law Institute Patents Copyrights, Trademarks, and Literary Property Course Handbook Series PLI Order No. G0-002E Chicago, November 16-17, 1998.

Hartman, Andrew, *Practising Law Institute – Understanding The Intellectual Property License, Protecting the Rights/Enforcement*. Practising Law Institute Patents, Copyrights, Trademarks, and Literary Property Course Handbook Series PLI Order No. G4-4026 Chicago, November 10, 1997.

Hartman, Andrew, *International Trademark Association Introduction to Trademark Practice*, speech and paper, Chicago, Illinois, 1997.

Hartman, Andrew, *Introduction To United States Customs Service Trademark and Copyright Enforcement*, University of Wisconsin College of Law, guest lecture presentation for Prof. John Kidwell, Madison, Wisconsin, 1996, 1997.

Hartman, Andrew, *The John Marshall Law School Paralegal Training Program*, speech and materials, 1995.

Gilson, Jerome & Hartman, Andrew, *Federal Circuit Trademark Roundup*, Am. U. L. Rev., v. 42, No. 3 (Spring 1993), *reprinted*, The Trademark Reporter March-April, 1994.

Expert Testimony

MillerCoors LLC v. The Foursome, Inc et al., Court for Denver County, Colorado, Case No. 2008cv489678 (2008). Testifying expert on branding and Colorado beer distributorship law.

Teikyo Loretto Heights University v. New America College et al., Court for Denver County, Colorado, Case No. 07cv7211 (2007). Testifying expert on trade secret law.

Prince Lionheart, Inc. v. Halo Innovations, Inc., U.S.D.C. for the district of Colorado, Case No. 06-cv-00324 (2006). Testifying expert on copyright law.

Andrew Hartman Case List (reported cases in boldface):

***Caroline Barry v. USA Boxing, American Arbitration Association Arbitration, No. 77 190 E 00049 11 JENF* (March 8, 2010), reported by USOC at http://assets.teamusa.org/assets/documents/attached_file/filename/39013/Award_--_final.pdf. Represented Claimant on behalf of 20+ similarly situated USA women boxers in grievance asserting violation of their federal rights under the Ted Stevens Olympic and Amateur Sports Act. Complete vindication for women boxers and 60+ male boxers who were held as affected athletes.**

Sazerac Company v. Tea Brothers and Rosenberg, U.S.D.C. S.D. Fla., Case No. 09-208898. Prosecution of trademark infringement and dilution case involving 50+ year old vodka brand.

Quova, Inc. v. Kilker, U.S.D.C N.D. Cal., Case No. 09-CV-092695 (2009). Prosecution of trade secret misappropriation and breach of contract case. Confidential settlement.

Minsky v. Linden Research, Inc. d/b/a Linden Labs, et al., U.S.D.C. N.D.N.Y., Case No. 08-CV-0819-LEK (2008). Defense of cutting edge trademark infringement action involving purported trademark infringement in the massive multi player role playing game Second Life. Favorable settlement.

Springbok Services, Inc. v. Gazelle Solutions, Inc. and Meridian Enterprises Corp., U.S.D.C. Col., Case No. 08-CV-01593-RPM (2008). Prosecute trademark infringement, cybersquatting and unfair competition case. Injunction by consent.

Jibbitz, LLC [a subsidiary of Crocs Inc.] v. Joinworld (China) Industrial & Trading, Ltd. et al., U.S.D.C Nevada, Case No. 2:07-cv-00118-RLH-PAL (2007). Obtained ex parte temporary restraining order and successful seizure of counterfeit copyrighted and trademarked merchandise at Las Vegas trade show after counseling a cutting edge copyright registration strategy. Obtained final judgment of \$1,800,000 in statutory damages for 60 acts of willful copyright infringement.

OMS Investments, Inc. and The Scotts Company LLC v. TerraCycle, Inc., U.S.D.C. NJ Case No. 007CV1064 (2007). Defend claims of false advertising, trade dress infringement, dilution and related state law claims on behalf of dynamic worm-tea plant fertilizer producer. Confidential settlement.

Neiman Marcus Group, Inc., The et al. v. Name.com, LLC et al., U.S.D.C. Col. Case No. 07-CV-00524-WHD-BNB (2007). Defend claims of cybersquatting, trademark infringement, dilution, and related state law claims. Cutting edge legal issue involving domain name registry. Confidential settlement.

Knova Software, Inc., v. Russell M. Glover, U.S.D.C. N.D. Ill. Case No. 007C0793 (2007). Defense of employee non-compete with trade secret issues. Settlement.

Beachcomber Hot Tubs USA, Inc. and Beachcomber Hot Tubs, Inc. v. Allen Kellington, Circuit Court for Douglas County, Colorado, Case No. 2007cv480 (2007). Prosecute case for breach of employee non-solicitation agreement with trade secret issues. Monetary judgment.

Ronald A. Katz Technology Licensing L.P. v. Numerous Defendants. Filed in U.S. District court for the E.D. Texas, 06-CV-177, -178, -191 through -203, J. Clark (2006), MDL panel transfer to C.D. Cal. J.

Klausner (March 20, 2007). Prosecution of patent infringement case involving call center technology. Ongoing for some defendants, resolved for others by licensing of client's technology.

Quovadx, Inc. v. John or Jane Does 1 – 100, Circuit Court for Arapahoe County, Colorado, Case No. 06-CV-4988 (2006). Plaintiff in defamation case against unknown individuals who posted confidential and defamatory materials on Yahoo! Chat room in an effort to manipulate stock prices. Information obtained, case dismissed.

Analytical Spectral Devices, Inc. v. CDEX, Inc., U.S.D.C. Col. Case No. 06-CV-00426-REB-CBS (2006). Prosecute patent infringement case involving U.S. Pat. No. 6,771,369, method of verifying a prescription, wherein the prescription comprises a pharmaceutical compound. Settlement by license.

New Day Partners, LLC et al. and Edward Speir Enterprises, Inc. dba 3-t Systems, Arbitration Case No. 77 117 Y 00426 05 MAVI (American Arbitration Association)/Big Tree, Inc. f/k/a Edward Speir Enterprises, Inc. dba 3-t Systems v. NewDay Financial LLC, U.S.D.C. Col. Case No. 06-CV-00241-EWN-OES (2006.). Complaints for breach of software license agreement.

Hyperroll Israel Ltd. v. Hyperion Solutions Corp., Hyperion Solutions Corp., v. Hyperroll, Inc., and Hyperroll Israel Ltd., U.S.D.C. N.D. Cal. Case Nos. 04-CV-5054-VRW and 05-CV-02431-VRW (2005). Prosecute software and database patent infringement and unfair competition case. Defend counterclaims.

Medical Research Institute, Inc. v. Unlimited Nutrition, Inc., Michael McCandless, doing business as Bulk Nutrition, Ifast400 and GoEndurance, U.S.D.C. M.D. NC Case No. 05-CV-970 (2005). Prosecution of nutraceutical trademark counterfeiting case. Obtained *ex parte* TRO and executed seizure of counterfeit merchandise. Preliminary injunction granted. Settled with entry of permanent injunction and significant monetary payment.

Brickhouse Software, Inc. v. Brickhouse Mobile, Inc., Prosecution of trademark infringement case. U.S.D.C. Col. Case No. 05-CV-02193-WYD-DES (2005). Settlement.

Melco Industries, Inc. d/b/a Melco Embroidery Systems v. Dean Armando and Jon A. Kopelson, U.S.D.C. EDNY Case No. 05CV4980 (2005). Prosecution of copyright infringement action on behalf of the leading manufacture and distributor of embroidery equipment and software. Judgment entered with damages.

Blue Nile Inc. v. Odimo Inc., U.S.D.C. W.D. Wash. Case No. CV5 1653JLR. (2005). Prosecution of copyright infringement action on behalf of the leading on line retailer of diamonds and diamond jewelry. Monetary settlement.

IDEO Product Development Inc. v. Maytag Corp. U.S.D.C. N.D.Ill. Case No. 05C3527 (2005). Prosecution of significant breach of contract case for IDEO's development of a new line of vacuum cleaners for Maytag. Settlement.

SpectraLink Corp. v. John Does 1-100, Circuit Court for Boulder County, Colorado, Case No. 05-CV-319-2 (2005). Plaintiff in trade secret misappropriation and defamation case against unknown

individuals who posted confidential and defamatory materials on Yahoo! chat room. Obtained identities of anonymous chat room posters and pursued legal process.

Ramirez et al. v. eWork Markets, Inc. f/k/a ProSavvy Inc., Circuit Court of Cook County (Chicago), Illinois, Chancery Div. Case No. 04-CH-07941 (2004). Defense of consumer fraud class action lawsuit. Pending.

Webroot Software, Inc. v. Richard Koontz and PlantFloor.com, Circuit Court for Boulder County, Colorado, Case No. 04-CV-959 (2004). Plaintiff in multi-count dispute between employee and employer involving ownership of copyright rights in popular computer software. Confidential settlement.

Richard Koontz and PlantFloor.com, Inc. v. Webroot Software, Inc. and C. David Moll, U.S.D.C. Col. Case No. 04-K-1304 (2004). Defense of copyright infringement case between employee and employer involving ownership of copyright rights in popular computer software. Confidential settlement. Plaintiff dismissed case with prejudice.

Thomas Design Assoc., Inc. v. McClain Finlon Advert., Inc. U.S.D.C. Col. Case No. 04-Z-0930 (2004). Prosecution of copyright infringement and Lanham Act unfair competition case involving defendant's copying and passing off plaintiff's award winning advertisements as defendant's own in commercial promotion of its services. Confidential settlement.

Centrix Financial, LLC. v. Capital Lending, LLC U.S.D.C. Col. Case No. 03-D-840 (2003). Defense of Internet copyright infringement and unfair competition case. Obtained dismissal for lack of personal jurisdiction and recovery of costs.

Mobius Management Systems, inc. Inc. v. Mobius Venture Capital, Inc. U.S.D.C. SDNY Case No. 03CV870 (2003). Defense of trademark infringement and unfair competition case for large venture capital fund manager. Plaintiff dismissed case with prejudice.

In re The Gator Corporation Software Trademark & Copyright Litigation U.S.D.C. ND Ga Case No. MDL-1517 (2003). Defense of first impression trademark and copyright Internet advertising case for cutting edge start up company brought by various parties including: *United Parcel Service of Amer. Inc., L.L. Bean, Inc., Inter-Continental Hotels Corp., LendingTree Inc., The Hertz Corp., Extended Stay, Inc., Galileo International, TigerDirect, Inc.* Confidential settlement. Plaintiffs dismissed case with prejudice.

Publications Internat'l Inc. v. LeapFrog Enter. Inc., U.S.D.C. N.D.Ill. Case No. 01C3876 (2002). Defense of trademark and infringement case for famous manufacturer of electronic learning toys. Favorable settlement.

Stanley E. Brown & Scheideler & Asso. v. Allegiance Telecom, Inc., District Court, City and County of Denver, Colorado, Case No. 02CV7954 (2002). Defense of: (1) negligence, (2) deprivation of telephone service, (3) breach of contract, (4) breach of warranty, (5) interference with prospective business advantage, (6) promissory estoppel, (7) fraudulent misrepresentation and (8) fraudulent concealment. Part of AIG panel counsel representation. Obtained dismissal of all counts.

Alison Maynard d/b/a Law offices of Alison Maynard v. Qwest Serv. Corp., Qwest Dex Inc. & Allegiance Telecom of Colorado, Inc. District Court, City and County of Denver, Colorado, Case No. 02CV8815 (2002). Defense of breach of contract claim related to telephony services. Part of AIG panel counsel representation. Obtained dismissal and attorneys' fee award.

Washington Post et al. v. The Gator Corp., U.S.D.C EDVa Case No. 02-909-A (2002). Defense of first impression trademark and copyright Internet advertising case for cutting edge start up company. Rocket Docket. Confidential settlement. Plaintiffs dismissed case with prejudice.

Franlink, Inc. v. Labor Link Ltd., U.S.D.C. Col. Case No. 01-B-1349 (2001). Defense of trademark infringement case. Received monetary payment from plaintiff to settle. Part of AIG panel counsel representation.

Cable Television Laboratories, Inc. v. Vyyo Inc., U.S.D.C. Col. Case No. 01-S-0760 (2001). Prosecution of trademark infringement case. Filed preliminary injunction motion and supporting papers. Favorable settlement achieved.

StorageTechnology Corporation v. Lynn C. Jacobs, Advanced Digital Information Corporation, et al. Boulder County Col. District Court Case No. 01CV1058 (2001). Prosecution of trade secret misappropriation case. Filed preliminary injunction motion and supporting papers. Favorable settlement achieved.

Evoke Software Corp. v. Evoke Communications, Inc., U.S.D.C. N.D.Cal. Case No. C 00-0965 WHA (2000). Defense of trademark infringement case. Defended preliminary injunction motion, defeated major claims. Settlement achieved.

Ford Motor Company v. Model E Corporation, U.S.D.C. E.D.Mich. Case No. 00-CV-73372-DT (2000). Defense of trademark infringement case. Success dismissal of case for lack of personal jurisdiction.

Metamorfyx LLC v. Micro Innovations, Inc., U.S.D.C N.D.Ill. Case No. 99C4360 (1999). Defense of Lemelson-like patent infringement claim involving ergonomic computer keyboards. Favorable settlement achieved.

Coach, a div. Sara Lee Corp. v. Dye, U.S.D.C N.D.Ill. Case No. 99C3345 (1999). Prosecution of trademark counterfeiting case involving COACH leathersgoods. Favorable settlement achieved.

Coach, a div. of Sara Lee Corp. v. We Care Trading Chicago, Ltd. et al., U.S.D.C N.D.Ill. Case No. 99C3344 (1999). Prosecution of trademark and trade dress infringement case involving COACH leathersgoods. Favorable settlement achieved.

Sequitur, Inc. v. Ribozyme Pharm Inc., Atugen A.G. et al., Superior Court of Mass., Middlesex, Case No. 99C4900 (1999). Prosecution of trade secret misappropriation, consumer fraud, breach of contract, false advertising, trademark infringement and unfair competition case. Favorable settlement achieved.

Ribozyme Pharm Inc. v. Woolf, U.S.D.C. Col. Case No. 99-S-xxxx (1999). Defense of contract claim, trade secret misappropriation. Filed counterclaim for declaration of patent inventorship and defamation. Favorable settlement achieved.

WorldCare Tech., Inc. & WorldCare Ltd. v. eMed Tech. Corp. et al., U.S.D.C Mass., Case No. 99Cxxxx (1999). Prosecution of correction of inventorship under the U.S. Patent Act, trade secret misappropriation and state law claims. Favorable settlement achieved.

Schnadig Corp. v. International Furniture Designs, U.S.D.C N.D.Ill. Case No. 99C4288 (1999). Defense of trademark and copyright infringement case. Favorable settlement achieved

Coach, a div. of Sara Lee Corp. v. Abbott U.S.D.C N.D.Ill. Case No. 99Cxxxx (1999). Prosecution of trademark counterfeiting case involving COACH leathersgoods. Favorable settlement achieved.

Coach, a div. of Sara Lee Corp. v. Wolfe U.S.D.C N.D.Ill. Case No. 99Cxxxx (1999). Prosecution of trademark counterfeiting case involving COACH leathersgoods. Favorable settlement achieved.

Illinois Founders Ins. Co. v. Gillespie, U.S.D.C N.D.Ill. Case No. 99C1293 (1999). Prosecution of cybersquatting and trademark infringement case. Favorable settlement achieved.

Glenmorangie Ltd. Partnership v. Ambro-Elgin Ltd. Partnership U.S.D.C N.D.Ill. Case No. 99C0424 (1999). Defense of trademark infringement case. Settled after filed motion for court to abstain under *Colorado River* doctrine.

Milano Designs, Inc. v. Ross Lighting Corp., U.S.D.C N.D.Ill. Case No. 98C8373 (1998). Defense of trade dress case. Favorable settlement achieved.

Sara Lee Corp. v. Gilard, U.S.D.C N.D.Ill. Case No. 98C8245 (1998). Prosecution of trademark counterfeiting case involving COACH leathersgoods. Favorable settlement achieved.

Sara Lee Corp. v. Joiner, U.S.D.C N.D.Ill. Case No. 98C7433 (1998). Prosecution of trademark counterfeiting case involving COACH leathersgoods. Favorable settlement achieved.

***BSS Studio, Inc. d/b/a Be Something Studio v. Kmart Corp.*, U.S.D.C N.D.Ill. Case No. 98C6298 (1998). Prosecution of copyright infringement case. Successful preliminary injunction. Successful contempt hearing. Significant monetary award. Reported at 53 U.S.P.Q.2d 1509 (N.D. Ill. 1999).**

AVX Corp. v. Cap Sure Elec. Inc., U.S.D.C N.D.Ill. Case No. 98C5489 (1998). Defense of trademark infringement case. Favorable settlement achieved.

Sara Lee Corp. & Saramar Corp. v. Brothers Gourmet Coffey, Inc., U.S.D.C N.D.Ill. Case No. 98C2338 (1998). Prosecution of trademark infringement case. Favorable settlement achieved.

***MJ & Partners Restaurant Limited Partnership and 23 food, Inc. v. Zadikoff, Defendant; Michael Jordan and Jump, Inc., Plaintiff-Intervenors*, U.S.D.C N.D.Ill. Case No. 97C8008 (1997). Quixotic prosecution of unfair competition, trade secret misappropriation, right of publicity and breach of contract case on behalf of the owners of Michael Jordan's restaurant in Chicago.**

Various decisions reported at 126 F.Supp.2d 1130 (N.D.Ill. 1999); 10 F.Supp.2d 922 (N.D.Ill. 1998); 995 F.Supp. 929 (N.D.Ill. 1998).

Sara Lee Corp. v. Nojo Bags, Ltd. et al., U.S.D.C N.D.Ill. Case No. 97C6248 (1997). Prosecution of trademark counterfeiting case involving COACH leathersgoods. TRO filed and obtained.

***Caterpillar Inc. v. Commissioner of Pat. & Tm.*, U.S.D.C N.D.Ill. Case No. 97C5208 (1997). *Appeal sub nom from In re Caterpillar Inc.*, Trademark Trial and Appeal Board of the United States Patent and Trademark Office, No. 74/404,325 (1997). Appeal from refusal of trademark registration application of Caterpillar Inc. for registration of configuration design trademark. Reported at 43 U.S.P.Q.2d 1335 (T.T.A.B. 1997).**

Sara Lee Corp. v. American Leather Prods, Inc. et al., U.S.D.C N.D.Ill. Case No. 97C4158 (1997). Prosecution of trademark infringement case. Preliminary injunction obtained.

Logix Corp., a div. of TNT Freightways Corp., v. Software Logistics, Inc., U.S.D.C N.D.Ill. Case No. 97C1557 (1997). Prosecution of false advertising case. Favorable settlement achieved

Virtual Media, Inc. v. Virtual Media Tech. Pty. Ltd., U.S.D.C N.D.Ill. Case No. 97C1405 (1997). Prosecution of declaratory judgment domain name non-infringement. Total victory after bench trial.

***Gruen Mktg Corp. v. The Benrus Watch Co.*, U.S.D.C N.D.Ill. Case No. 96C7599 (1996). Successful defense of trademark infringement case. Reported at 955 F.Supp. 979 (N.D.Ill. 1997).**

Ryder Dedicated Logistics, Inc. v. Logix Corp., a div. of TNT Freightways Corp., U.S.D.C N.D.Ill. Case No. 96C2684 (1996). Defense of trademark infringement case. Favorable settlement achieved.

***Tempel Steel Co. v. Bayer et al.*, U.S.D.C N.D.Ill. Case No. 96C1973 (1996). Successful defense of trade secret misappropriation case after bench trial. Reported at 46 U.S.P.Q.2d 1623 (N.D. Ill. 1997).**

The Paymaster Corp. v. Bellows et al., U.S.D.C N.D.Ill. Case No. 95C4538 (1995). Prosecution of trademark infringement case of terminated licensee. Successful preliminary injunction filed.

The Paymaster Corp. v. California Checkwriter Co. et al., U.S.D.C N.D.Ill. Case No. 95C3646 (1995). Prosecution of trademark infringement case of terminated licensee. Favorable settlement achieved.

McCain Citrus, Inc. v. Johanna Dairies Inc., U.S.D.C NJ Case No. 95xxx (1995). Prosecution of trademark infringement case. Favorable settlement achieved.

Kimberly-Clark Corp. v. G. Hirsch & Co., U.S.D.C N.D.Ill. Case No. 94Cxxxx (1994). Prosecution of trademark and copyright infringement case. Favorable settlement achieved.

S&S Auto., Inc. d/b/a Cellutech Comm. V. Cel-Tec Comm. Corp., U.S.D.C N.D.Ill. Case No. 93C7082 (1993). Defense of trademark infringement and unfair competition case. Favorable settlement achieved.

Clearly Canadian v. A.J. Canfield Co., U.S.D.C N.D.Ill. Case No. 91C3201 (1993). Defense of trademark and trade dress infringement case. Favorable settlement achieved.

Re/Max Internat'l, Inc. v. Professional Real Estate Org. of Camdenton, Inc. et al., U.S.D.C C.D.Mo. Case No. 93 4100-CV-C-5 (1993). Prosecution of trademark and trade dress infringement case. Favorable settlement achieved.

The Thermos Co. v. Igloo Prods. Corp., U.S.D.C N.D.Ill. Case No. 93C5826 (1993). Defense of trademark infringement case. Favorable settlement achieved.

American Massage Therapy Ass'n v. Associated Bodywork & Massage Profs. Inc., U.S.D.C N.D.Ill. Case No. 93C1861 (1993). Prosecution of copyright and trade secret misappropriation case. Favorable settlement achieved.

Pet-Ag, Inc. v. Farnam Cos, Inc., U.S.D.C N.D.Ill. Case No. 93C1298 (1993). Defense of false advertising and unfair competition case. Defense of preliminary injunction.

Channing L. Bete Co. v. Illinois Police Crime Fighters, Inc. et al., U.S.D.C N.D.Ill. Case No. 93C8359 (1993). Prosecution of copyright infringement and unfair competition case. Favorable settlement achieved.

Caterpillar Inc. v. R.J. Weber Co., Inc., U.S.D.C N.D. Tex. Case No. 3-92CV0074-P (1992). Prosecution of copyright infringement case involving database of spare part numbers. Favorable settlement achieved.

First Chicago Corp. v. First Chicago Acct'g, Ltd., U.S.D.C N.D.Ill. Case No. 92C8175 (1992). Prosecution of trademark infringement case. Favorable settlement achieved.

Power Serv. Prods., Inc. v. Valvetech Petroleum Prods. Corp., U.S.D.C N.D.Ill. Case No. 92C6894 (1992). Defense of false advertising and unfair competition case. Defense of preliminary injunction.

***American Dental Ass'n v. Delta Dental Plans Ass'n*, U.S.D.C N.D.Ill. Case No. 92C5909 (1992). Defense of copyright infringement suit regarding a compilation of dental procedures and nomenclature. Case filed in 1992, won summary judgment on all claims in 1996 (reported at *American Dental Ass'n v. Delta Dental Plans Ass'n*, 39 U.S.P.Q.2d 1714 (N.D. Ill. 1996)), case reversed and remanded for further proceedings, 126 F.3d 977 (7th Cir.1997), and favorable settlement reached in 2001 (nine years later). Very complex case involving merger doctrine, copyrightability of classification systems, forfeiture, abandonment, joint authorship, etc.**

First Chicago Corp. v. First Chicago Group et al., U.S.D.C N.D.Ill. Case No. 92C5446 (1992). Prosecution of trademark counterfeiting case. Received *ex parte* TRO, worked with U.S. Attorney for successful criminal conviction of defendants resulting in jail time and restitution.

Wm. Wrigley Jr. Co. v. Montcalm Pub. Corp., et al., U.S.D.C N.D.Ill. Case No. 92C5697 (1992). Prosecution of trademark and copyright infringement case. Favorable settlement achieved.

Wm. Wrigley Jr. Co. v. Haitai America, Inc. et al., U.S.D.C N.D.Ill. Case No. 92C3539 (1992). Prosecution of trademark infringement case. Favorable settlement achieved.

Kimberly-Clark Corp. v. Medical Disp. Co., Inc., U.S.D.C E.D.NC Case No. 92Cxxxx (1992). Prosecution of copyright, trademark and trade dress infringement case. Favorable settlement achieved.

Wm. Wrigley Jr. Co. v. Juicy Fruit Enter., Inc., U.S.D.C N.D.Ill. Case No. 91C5983 (1991). Prosecution of trademark infringement case. Favorable settlement achieved.

Performance Indus., Inc. v. Morton Internat'l, Inc., U.S.D.C N.D.Ill. Case No. 91C4899 (1991). Defense of trademark and unfair competition case. Successful summary judgment ruling.

Kraft Gen'l Foods, Inc. v. Bordon, Inc., U.S.D.C N.D.Ill. Case No. 91C0532 (1991). Defense of trademark infringement and false advertising case. Favorable settlement achieved.

Burns Bros. v. Garrity Indus., Inc., U.S.D.C Oreg. Case No. 91-783DA (1991). Prosecution of design patent and trade dress infringement case. Favorable settlement achieved.

***Sands, Taylor & Wood Co. v. The Quaker Oats Co.*, C.A. 7th Cir. Case No. 91-2876. On the brief in successful affirmation that Quaker Oats willfully infringed the THIRST AID trademark of client. Reported at 18 U.S.P.Q.2d 1457 (N.D. Ill. 1990), *aff'd in part, rev'd in part*, 978 F.2d 947 (7th Cir.1992) (remanded for new damages calculation).**

The Coca-Cola Co. v. Quinn Enter. et al., U.S.D.C N.D.Ill. Case No. 90C6722 (1990). Prosecution of trademark infringement case. Favorable settlement achieved.

***National Presto Indus., Inc. v. Dazey Corp.*, U.S.D.C N.D.Ill. Case No. 90C6614 (1990). Prosecution of trade dress and breach of settlement case. Total victory after bench trial, reversed by a U.S. Supreme Court decision, settled favorably. Reported at 18 U.S.P.Q.2d 1113 (N.D. Ill. 1990) (underlying case), 42 U.S.P.Q.2d 1070 (N.D. Ill. 1997) (breach of settlement and dismissal based on S.Ct. decision).**

Montgomery Ward. & Co. v. Ward's Home Prods and Serv., Inc., U.S.D.C N.D.Ill. Case No. 87C7983 (1990). Successful motion for contempt in breach of settlement agreement involving terminated licensee.

Selected Trademark Trial and Appeal Board Oppositions and Cancellations:

VeriSign Inc. v. Vericept Corp., Opp. No. 91157266. Defend opposition and cancellation proceeding regarding VERICEPT marks. Settlement resulting in dismissal of oppositions.

National Council of the Lewis and Clark Bicentennial v. Ronald Clark, Opp. Nos. 122,086 and 122,113. Opposition proceedings regarding *juris publici* of the Lewis and Clark names.

***In re Caterpillar Inc., ex parte* appeal of configuration trademark refusal. Reported at 43 U.S.P.Q.2d 1335 (T.T.A.B. 1997).**

***Nabisco, Inc. v. Wm. Wrigley Jr. Co.*, Cancellation No. 21,187. Defense of opposition and cancellation of WINTERMINT mark. Reported at 40 U.S.P.Q.2d 1251 (T.T.A.B. 1995).**

***United Foods, Inc. v. United Airlines, Inc.*, Cancellation No. 17,245. Successful defense of opposition and cancellation of UNITED EXPRESS marks. Reported at 41 U.S.P.Q.2d 1653 (T.T.A.B. 1995).**

***Marshall Field & Co. v. Mrs. Fields Cookies*, Opp. No. 83,749. Successful defense of opposition and cancellation of MRS. FIELDS COOKIES marks. Reported at 25 U.S.P.Q.2d 1321 (T.T.A.B. 1992).**