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LEASON ELLIS

INTELLECTUAL PROPERTY ATTORNEYS

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Leason Ellis Summer Outing 2017

Our summer outing at the Mamaroneck Beach & Yacht Club was a great success! We enjoyed kayaking, swimming, volleyball and other activities, followed by a barbecue dinner on the deck overlooking Long Island Sound, on what turned out to be a beautiful summer day and evening.

Leason Ellis Recieves High Marks In IAM PATENT 1000

Leason Ellis comes as a recommended firm in the IAM Patent 1000 – The World’s Leading Patent Professionals 2017. The firm’s profile states that “[c]lients are ‘extremely happy’ with White Plains boutique Leason Ellis. When it comes to portfolio maintenance, the team is ‘extraordinarily competent in the way it clearly communicates deadlines and required actions in non-expert terms.’ One patron says: ‘We have never missed a deadline and have successfully overcome very difficult objections from examiners as a result of its sterling work.’” Attorneys singled out include Michael Davitz, Elizabeth Barnhard, Susie Cheng, Melvin Garner and David Leason. This is the sixth edition of IAM’s market-leading guide that identifies and profiles leading private practice patent professionals and firms in the world’s key jurisdictions.

[See Our Write Up Here](#)

Melvin Garner and Edward Ellis Recognized In Who's Who Patents

Mel Garner and Ed Ellis are listed in Who's Who Legal Patents 2017. Who's Who Legal identifies the foremost legal practitioners in multiple areas of business law. Nominees are selected based upon comprehensive, independent survey work with both general counsel and private practice lawyers worldwide.



[See the List Here](#)

Three Leason Ellis Attorneys Named in Who's Who Legal: Trademarks for 2017

Martin Schwimmer, Karin Segall and Peter Sloane are featured in the latest edition of Who's Who Legal: Trademarks, a comprehensive guide to the leading practitioners in the field comprising over 1,000 lawyers from 574 firms across over 80 jurisdictions.

[Find the Ranking Here](#)

Susie Cheng Speaks at iCANny's Entrepreneurs' Breakfast Forum

On April 21, 2017, Susie Cheng gave a speech entitled, "Five Things to Bring With You When Meeting an IP Attorney to Maximize Value" at iCANY Entrepreneurs' Forum, sponsored by Leason Ellis. The presentation covered how to prepare for and when to meet with an intellectual property attorney to maximize the benefit of the meeting.



[Details for the Event are Here](#)

Martin Schwimmer Speaks at Colorado Bar

Association Program

On June 1, 2017, Marty Schwimmer returned as a speaker at the Rocky Mountain IP and Technology Law Institute, the annual IP CLE presentation of the Colorado Bar Association. Marty again presented on the year in trademarks, focusing on Federal Circuit and TTAB decisions that will most affect trademark prosecution.



Martin Schwimmer Quoted By Bloomberg Law On Scandalous Trademarks

Marty Schwimmer was quoted in an article in Bloomberg Law's BNA IP section on the Department of Justice's arguments in *In re Brunetti*, in which the Government argues that the recent holding in *Matal v. Tam*, which strikes down the disparagement clause of the Lanham Act, would not apply to the 'scandalousness' clause of the Lanham Act. The Government argued that a mark such as FUCT for clothing would not be registrable. The Government seeks to distinguish the *Tam* holding that a disparaging mark such as THE SLANTS is registrable because the First Amendment bars the government from denying a government right based on a viewpoint, by citing Supreme Court cases that vulgar speech does not express a viewpoint, it is merely vulgar. Marty noted that such a sweeping proposition is not accurate. Writers such as Henry Miller and comedians such as Lenny Bruce and George Carlin deliberately used vulgarity to express a viewpoint on language and propriety.

Joel Felber Interviewed by Westchester Business Journal

Joel Felber was extensively quoted in an article about the Federal Communications Commissions' proposed rollback of net neutrality rules published in the July 24th edition of the Westchester Business Journal. Net neutrality refers broadly to a series of regulations meant to ensure all internet traffic is treated equally and prevents internet service providers from selling speedier internet access to certain companies over others. According to Joel, those so-called "fast lanes" could be particularly concerning for small tech startups.



[Check Out the Article Here](#)

Joel Felber Speaks at Mount Vernon Chamber of Commerce Round-

table Event

Joel Felber was recently invited to speak at a round table event of the Mount Vernon Chamber of Commerce. Joel's talk covered a range of intellectual property topics, including patent, trademark, copyright and trade secret protection and enforcement. The event was engaging and lively, and special thanks go out to the Chamber and all those who attended.

Peter Sloane Speaks at Roundtable on Fraudulent Solicitations to Trademark Owners Event

On July 26 2017, the United States Patent and Trademark Office held a first of its kind roundtable discussion on the fraudulent solicitations to trademark owners, those increasingly prevalent trademark scams which most of us in private practice have received from confused clients over the years. Peter Sloane shared his experience in taking action on behalf of Leason Ellis against trademark scammers through the filing of civil actions in federal court, including most recently against Patent and Trademark Association Inc., which sends mailings asking trademark owners to pay to appear in an online database of registered trademarks. That case is currently pending in the United States District Court for the Southern District of New York.



Welcome to our new Patent Agent Charles H. Rexer, Ph.D.

Charles joins us from Global Patent Group, LLC (Saint Louis, MO) where he was a Patent Agent working directly with pharmaceutical and life sciences clients on their domestic and international patent portfolio prosecution, strategy and management. Prior to that, he worked as a Patent Scientist at Monsanto Company. Charles received his Ph.D. in Molecular Microbiology and Microbial Pathogenesis from Washington University, his M.S. in Biology from New York University, and his B.S. in Biology from Brown University.



Keyi Xu Admitted to New Jersey Bar

Keyi Xu, an Associate here at Leason Ellis, was recently admitted

into the NJ Bar. Keyi's practice involves intellectual property litigation and prosecution. Keyi is a member of the firm's China Practice Group and helps develop and maintain relationships with Chinese clients. He serves multi-national corporations, as well as, local entrepreneurs and start-up companies. Keyi is fluent in Mandarin Chinese and Shanghainese dialect. He holds a B.Eng. in Geo Information Science and Technology from the Geophysics Department for the School of Ocean and Earth Science at Tongji University (Shanghai, China) and an M.A. in Geography, focusing in Geographical Information System, from State University of New York at Binghamton.



Leason Ellis and Y.S. Chang & Associates Team Up At Petco Park

Representing firms from the U.S. and South Korea at the 2017 BIO International Convention, Han-Seong Kim, Elizabeth Barnhard, Susie Cheng, Hee-Jung Jo and William Chae were among the 16,000+ attendees and 3,500 participating organizations at the leading event for the biotechnology sector.

Leason Ellis Brand Enforcement Success

By: Peter Busch

The Internet offers unmatched opportunities for brand owners to sell products directly to consumers through major e-commerce websites such as Amazon, eBay, and Alibaba. Unfortunately, these websites also provide an avenue for unscrupulous third-parties to sell counterfeits and knock-offs that make unauthorized use of the

trademarks and copyrights of the brand owner. E-commerce websites have little incentive and lack the resources to proactively monitor for intellectual property violations, and so these unscrupulous third-parties can sell cheaper goods of lesser quality to consumers, and thereby damage the reputation of the true owner's brand.



Leason Ellis recognizes that in a world in which consumers increasingly purchase goods online rather than from brick and mortar retailers, protecting the reputation and value of its clients' brands in the online marketplace is paramount. In turn, we have developed a brand enforcement and online policing program that has found great success in protecting and enforcing its clients' intellectual property on major e-commerce websites over the past year.

The brand enforcement team, led by partner Marty Schwimmer and spearheaded by associates Peter Busch and Keyi Xu, combats unauthorized online use in all facets, from investigation and identification of infringing online marketplace listings, to customizing takedown reports to maximize takedown effectiveness, and facilitating post-takedown resolutions with unauthorized sellers. Our team has had an over 90% compliance rate in delisting online marketplace listings that sell counterfeit goods or that make unauthorized use of our clients' intellectual property.

If you're a brand owner who has issues with other sellers using your brand name without authorization to sell competing products, or whose products are being counterfeited on e-commerce websites, mobile apps, social media, or similar, we strongly suggest reaching out to have our brand enforcement team review your situation and provide you with a comprehensive consult as to the services we provide.



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|MC:SUBJECT|

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