



## Lauren B. Emerson

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### PARTNER

Lauren Emerson co-chairs the Trademark and Copyright Practice Group at Leason Ellis where she helps clients establish and enforce intellectual property rights. Lauren counsels household names and new ventures alike across a diverse array of industries including consumer products, fashion, payment technology, energy, telecom, medical devices, retail, software, automotive, and food and beverage. She has developed a niche publishing practice working primarily with individual authors. She also advises several non-profit organizations. Lauren has significant experience managing global trademark portfolios, crafting complex rights agreements, tackling thorny prosecution issues in China, and representing clients before the Trademark Trial and Appeal Board. Federal litigation highlights include cases pertaining to film, architecture, toy sprinklers, sippy cups, romance novels, and in-dash navigation systems.

WTR, WWL and Super Lawyers have recognized Lauren's passion for her practice and commitment to client service. Outside of the firm, Lauren channels her enthusiasm into involvement with industry organizations, including INTA, AIPLA and NYIPLA. Lauren currently serves as Chair of the AIPLA's *Copyright Law Committee* and co-chairs the NYIPLA's *Trademark Law & Practice Committee*. Lauren is frequently invited to speak at industry and legal events on topics ranging from *Copyright 101* to complex issues involving the DMCA and has authored a number of amicus briefs. She holds a JD from Fordham University School of Law and a BA from Dartmouth College. Before attending law school, Lauren enjoyed a prior career in licensing at Pokémon USA, Inc.

### Selected Articles

- "All Online Service Providers Must Re-Register Agents with Copyright Office by December 31, 2017 to Continue to Enjoy DMCA Safe Harbor Protection," Baker Botts Intellectual Property Report, 2017
- "Federal Circuit: Lanham Act's Bar on Registration of Disparaging Marks Unconstitutional," Baker Botts Intellectual Property Report, 2016
- "Star Athletica v. Varsity Brands: Brief Amicus Curiae," NYIPLA Counsel of Record, 2016
- "Federal Circuit: Lanham Act's Bar on Registration of Disparaging Marks Unconstitutional" Baker Botts Intellectual Property Report 2016



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### Education

- Fordham University School of Law, J.D., magna cum laude, 2007
- Dartmouth College, B.A., cum laude, 2001

### Bar Admissions

- New York
- New Jersey

### Experience

- Baker Botts LLP, 2007-2017

### Court Admissions

- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Western District of New York
- U.S. District Court for the District of New Jersey
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fourth Circuit

### **Selected Articles (continued)**

- "Litigation Before the International Trade Commission: A Powerful Option for Brand Owners, When the Shoe Fits," Intellectual Property & Technology Law Journal, 2015
- "Fair Use and Crying Foul: The Dancing Baby Case Continues," Baker Botts Intellectual Property Report, 2015
- "The Pitfalls and Perils of Social Media in Litigation," Thomson Reuters/Aspatore's Inside the Minds series: Understanding the Use of Social Media In Litigation, 2014
- "Do Good Deeds, Go Unpunished: Legal Pitfalls and Practice Tips for Cause Marketing," Mondaq, 2014
- "Spotting Trouble in Your Advertising: Why Your Lawyers Won't Let You Say That on Television," Intellectual Property & Technology Law Journal, 2009

### **Selected Speaking Engagements**

- ACC Westchester/ Southern Connecticut, "Best Practices for Drafting and Negotiating License Agreements and Intellectual Property Clauses in Business Agreements," 2022
- AIPLA Design Rights Boot Camp, 2018- 2022
- NYIPLA, "Legislative Initiatives: Digital Copyright Act, CASE Act, SHOP SAFE Act, and INFORM Acts," 2021
- ACC Westchester/ Southern Connecticut, "Recent Changes to the Trademark and Copyright Laws: What You Need to Know," 2021
- Romance Author Mastermind, "Trademarks for Authors," 2020
- AIPLA Annual Meeting, "Your Right to Say it Stops at My Mark: The Complicated Relationship Between the First Amendment and the Likelihood of Confusion Test for Infringement," 2020
- ABA, IPL Spring CLE Series, "Honey Badger Don't Care, But the Courts Might," 2020
- ACC Westchester/ Southern Connecticut, "@Real Talk: How to Build and Protect Your Brand," 2019
- Romance Author Mastermind, "Romancing Your Rights," 2019
- Book Lovers Con, "Literature & The Law," 2019
- NYIPLA, "DMCA-OK", 2018
- INTA Table Topic, "What Trademark Attorneys Need to Know About Work for Hire Agreements," 2017
- AIPLA Spring Meeting, "Fashion & Fabric," 2017
- AIPLA Spring Meeting, "Non-Monetary Relief for Trademark Infringement," 2017
- Fordham IP Conference, "U.S. Copyright Developments," 2017
- ACC Greater New York, Ethics Marathon, "A Corporate Counsel's Guide to Social Media and Legal Ethics," 2017
- Fordham IPLI Symposium, "Copyright v. Copy-left," 2016
- "The Shape of the Future: 3D Printing and Intellectual Property Rights," 2015
- CLE, "The Ethical Use of Investigators," 2015

### **Court Admissions (continued)**

- U.S. Court of Appeals for the Federal Circuit
- U.S. Supreme Court

### **Memberships**

- American Intellectual Property Law Association, Member
- International Trademark Association, Member
- Copyright Society, Member
- New York Intellectual Property Law Association, Member

### **Honors**

- WTR 1000 United States: New York
- WWL Global Leader IP-Copyright 2021
- New York Metro Super Lawyer "Rising Star", 2014-2017, "Super Lawyers" 2020-current
- Her Justice 2014  
Commitment to Justice Award for Outstanding Legal Team

### **Selected Speaking Engagements (continued)**

- IECA Annual Conference, "Intellectual Property in Practice: Building and Protecting Your Brand," 2014
- CLE, "Social Media 101: What Every IP Lawyer Should Know," 2012

### **Selected Cases & Matters**

- Representing film production company in copyright dispute
- Representing authors and publicist in "cockygate" trademark dispute regarding book titles
- Overseeing global trademark portfolio for oxygen supply manufacturer
- Overseeing global trademark portfolio and enforcement matters for turbocharger manufacturer
- Handling select trademark, copyright, and enforcement matters for payment technology company
- Representing fintech company in trademark opposition/ cancellation action before the TTAB
- Representing beverage company in trademark opposition proceeding through trial on merits
- Representing mass market retailer in trade dress trial concerning "sippy cup" designs and packaging
- Representing major automotive supplier and manufacturing in copyright royalty dispute
- Representing toy manufacturer in trademark, trade dress and copyright infringement lawsuit
- Representing computer giant in contempt proceedings stemming from judgment granting injunctive relief in trademark infringement case
- Representing franchise company in trademark litigation, breach of contract and enforcement matter
- Representing large communications firm in connection with clearing, prosecuting and maintaining trademark portfolio and licensing matters
- Representing energy company in connection with management of global trademark portfolio and enforcement matters