

Intellectual Property

The diverse backgrounds of the attorneys in the Intellectual Property Department at Brownstein are what define our unique perspectives and service. Amongst us are former scientists and engineers, in-house counsel, marketing and advertising consultants, ska band members, college athletes, mountaineers and salmon fishermen. Our department provides a market-based and real-world approach to the management, analysis, protection and defense of your unique intellectual property rights. We make it our business to understand your business.

In our transactional practice, our team procures patents, trademarks and copyrights in federal and foreign jurisdictions for local, national and international clients. We counsel clients on technology, data privacy and brand matters, and build comprehensive and cohesive intellectual property portfolios and strategies. We conduct privacy, cybersecurity and intellectual property audits, prepare and review licensing and technology agreements, and provide due diligence for corporate transactions. We guide product development from initial stages of research through regulatory approval, and research and prepare freedom to practice assessments and infringement, non-infringement and invalidity opinions. Our technical and legal experience is second to none.

Whether at the courthouse or the United States Patent and Trademark Office, our litigation team handles complex patent infringement cases, Patent Trial and Appeal Board (PTAB) *inter partes* reviews, Trademark Trial and Appeal Board (TTAB) oppositions and cancellations, and trade secret, copyright, trademark, cyber breach and related litigation. We also work with foreign counsel throughout the world to coordinate parallel proceedings outside the United States. We have a track record of courtroom victories and settlements in almost every type of industry that few, if any, of our competitors can match.

Subpractices

- Privacy & Cybersecurity
- Intellectual Property Litigation
- Patent Prosecution & Licensing
- Technology Transactions
- Brand Management, Trademark & Copyright Protection

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Recognition

Chambers USA, 2019

Colorado: Intellectual Property

What the team is known for: A diverse IP offering that is well known for work relating to the commercialization of IP assets both within the USA and globally. Represents clients from sectors such as aerospace, healthcare and software in a range of trademark, copyright and patent matters. Also demonstrates expertise handling licensing issues as well as infringement litigation.

Strengths: According to one client: "The team is top-notch, they are all very knowledgeable and involved in the creative process when it comes to business needs."

Sources claim: "The team is very specialized, highly knowledgeable, and cost-effective in their approach to work."

Representative Matters

- Represented Galaxy Gaming in AAA arbitration proceeding involving table game High Card Flush. Prevailed on issues of intellectual property ownership, willful infringement, permanent injunction and attorneys' fees.
- Counsel to former members of Creedence Clearwater Revival in licensing royalty and trademark cases against record label and John Fogerty in Northern and Central Districts of California.
- Represented Unwired Planet in multi-patent case against Google involving mobile device location and communication protocols.
- Served as IP licensing counsel for financial industry client, assisting client in licensing IP assets and entering new markets.
- Represented a Fortune 250 company for patent protection related to networking, data transmission, content delivery and related hardware. Prepared opinions of counsel for noninfringement, invalidity and freedom to operate.
- Represented a Fortune 50 company to protect and grow its consumer goods-related intellectual property across a broad range of technologies, including sensors, input mechanisms, imaging, mechanical structures, manufacturing processes and more, spanning thousands of assets worldwide.
- Counsel to a national health foods manufacturer in ongoing TTAB proceedings concerning the company's primary mark.
- Assisted James Frey and Third Floor Fun, LLC to navigate the complex sweepstakes, contests, and promotional pieces throughout "Endgame: The Calling," which is a story and global contest. Representation consisted of drafting rules of play for the contest and coordinating with local counsel in key international publications to ensure that the promotion was consistent with applicable law.

Publications

- Gaming Patents And "Abstract Ideas": What Are The Rules Of The Game?
- New European copyright rules: 'Best efforts' may render them inconsequential
- A Primer on Casino Game Patents
- Guest Column: Protect Your Patent and Know Its Worth
- Four Strategies Reno Business Owners Need to Protect Their Data
- Companies Should Be Aware of Misleading Trademark Renewal Notices
- Looking Past May 25: GDPR Obligations in the Real World
- Playing Music at Your Club?
- Polaris And The Return Of The Utility Requirement
- Preparing for Enforcement of the European Union GDPR: Five Key Considerations to Keep in Mind
- Are Vendors Handing Hackers the Keys to the Kingdom?
- Unitary Patent Inches Closer to Adoption with UK's Ratification Announcement
- Copyright Office Enters the 21st Century with an Online Registration System for DMCA Agents
- Making Your Mark: The Basics of Brand Protection
- Brownstein and ORIS Intelligence Announce Minimum Advertising Pricing Policy Program
- The Privacy Shield: New Requirements for Lawful Trans-Atlantic Data Transfers
- 103 at the PTO
- Claim Construction Deconstructed—Another Layer of Diverging Standards
- Mobile Gambling and the Implications of American Broadcasting Company, Inc. v. Aereo, Inc.
- Standard for Induced Patent Infringement in Flux
- Denver Satellite Patent Office Opens
- So Long, .com!

- Client Update: What Does the Launch of .XXX Mean for Your Brand?
- Dismissal of Plaintiff's DJ Complaint for Lack of Personal Jurisdiction over Defendants Reversed
- Testimony on N.R.S. § 600.500, 600.430, 600A.050, and numerous intellectual property bills
- Considerations in Effective Exhibit Presentation
- Preliminary Injunctions in Patent Cases
- Litigating the High Tech Intellectual Property Case: the Y2K Litigation Frontier
- False Advertising and Trademark Infringement Pitfalls
- Yowell, Adam
- Litigating Gaming Patent Cases, G2E
- Litigating Patent Cases

News & Events

- Lise Carney Joins Brownstein's Intellectual Property Department
- Brownstein Announces 2019 Promotions
- Brownstein Announces Michael Rounds as Chair of IP Department
- Brownstein IP Attorneys Ranked by Intellectual Asset Magazine Patent 1000
- Mike Rounds and Matt Francis comment on acquisition
- Brownstein IP Attorneys Ranked By Intellectual Asset Magazine Patent 1000
- Brownstein Hyatt Farber Schreck Welcomes Peter Ajemian To Las Vegas Office And Establishes Intellectual Property Department
- Brownstein Acquires Watson Rounds – An Intellectual Property Litigation Boutique – To Expand Its Practice
- Three Brownstein IP Attorneys Ranked by Intellectual Asset Magazine Patent 1000
- Brownstein Hyatt Farber Schreck Practices and Attorneys Well Represented In 2015 Chambers Rankings
- Brownstein Hyatt Farber Schreck Adds Six to Expanding IP Group
- One of the Country's Leading Patent Attorneys—S. Craig Hemenway—Joins Brownstein Hyatt Farber Schreck

Meet The Team

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