

## Brand Protection and Counterfeit Enforcement

### Overview

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Adduci, Mastriani & Schaumberg, LLP (AMS) utilizes a variety of tools to enforce our clients' IP rights, including working with the appropriate government agencies, traditional litigation, as well as monitoring, identifying, and seeking take-down of illegitimate product listings and websites.

### Enforcement following ITC Investigations

AMS has extensive experience in enforcement of ITC remedial orders: we guide clients through the enforcement phase following the issuance of an exclusion order, working with U.S. Customs and Border Protection (Customs) to achieve effective strategies to enforce ITC remedial orders and/or to minimize the disruption those orders cause.

- Our individualized, hands-on approach adapts to the ever-changing legal landscape surrounding enforcement of ITC exclusion orders.
- We assist IP owners in ensuring that infringing products are excluded from entry into the United States, including seeking formal rulings of infringement from CBP or the ITC, where appropriate.
- We assist importers in ensuring that non-infringing products are permitted entry into the United States, including seeking rulings by Customs regarding non-infringement of a redesign and/or ensuring that products that are not covered by exclusion orders are permitted entry without disruption of legitimate trade.

### Brand Protection and IP Enforcement

Intellectual property protection and enforcement of brand-name products is increasingly complex as the majority of retail purchasing now takes place online. Manufacturers of counterfeits and deceptive knock-offs exploit algorithms to attract customers with prominent placement in search results or fake websites that are virtually indistinguishable from the real thing. Even the most vigilant IP owners often find themselves struggling to get ahead of a seemingly endless flow of illegitimate products.

We work directly with online marketplaces, brand protection professionals, and the U.S. government agencies responsible for enforcing intellectual property rights.

- We register trademarks and copyrights, helping clients proactively protect their intellectual property.
- We have experience resolving enforcement issues expeditiously and, in many instances, without the need for litigation.
- When litigation is the best solution to stop counterfeiters, we represent clients in District Court patent litigation cases and Section 337 investigations at the ITC.
- We coordinate with online marketplaces to take down listings for counterfeit products and work with Customs to stop counterfeit goods at the border.

### News & Insights

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#### AMS Summer Associates Publish Article in *ITCTLA 337 Reporter*

AMS summer associates Jessica Sullivan and Sean Wesp published an article in the *ITCTLA 337 Reporter: Paul J. Luckern Summer Associate Edition* that compares federal trade secret litigation at the ITC and district court.

#### It's All in the Timing: ITC Reaffirms Practice of Suspending Enforcement of Remedial Orders After PTAB Invalidates Asserted Patent Claims

Garcia and Hartman examine the ITC's decision to suspend remedial orders in *Unmanned Aerial Vehicles* based on a PTAB decision that the relevant claims of the asserted patent were unpatentable.

## **Chambers Global Practice Guides Article by Allam and Pardini is Now Available**

The chapter on enforcements of judgments for intellectual property and international trade, authored by Asha Allam and Lydia Pardini and published by Chambers and Partners in their 2020 Global Practice Guides, is now available in the attached PDF.

## **AMS Attorneys Publish Chambers Article on Enforcements of Judgement**

Asha Allam and Lydia Pardini, attorneys at Adduci Mastriani & Schaumberg (AMS), authored an insightful chapter on trends and developments in the enforcements of judgements for intellectual property and international trade, which Chambers and Partners published in their 2020 Global Practice Guides.

## **ITC Litigation & Enforcement**

AMS is proud to sponsor the American Conference Institute's 10<sup>th</sup> Expert Forum on ITC Litigation & Enforcement.

## **Lou Mastriani & Deanna Tanner Okun to Speak at 9th Expert Forum on ITC Litigation and Enforcement**

AMS attorneys Lou Mastriani and Deanna Tanner Okun will present at the American Conference Institute's 9<sup>th</sup> Expert Forum on ITC Litigation & Enforcement.