

## PRACTICE

# Intellectual Property Litigation

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## OVERVIEW

## INTELLECTUAL PROPERTY LITIGATION

You work hard to make your mark on the world, tirelessly putting time into your discoveries, inventions, artistic works, processes, and products. You've followed all the advice about protecting your intellectual property with patents, trademarks, copyrights and trade secrets. But what happens when those rights are violated?

Intellectual property litigation arises in a number of situations:

- Unauthorized use of a patented invention (patent infringement)
- Unauthorized use of an exclusive work, such as a logo or music (trademark and copyright infringement, respectively)
- Information that provides a company with a competitive advantage that is taken without authority (misappropriation of trade secrets)
- Disagreement between an intellectual property rights owner and an authorized entity (licensing dispute)
- Trademark dilution, "cybersquatting," counterfeiting, domain name disputes, domestic and foreign customs seizures, and unfair competition

Our intellectual property litigation team can help you protect your intellectual assets domestically (both on a state and federal level) and internationally. Whether we need to agree on a strategic settlement, mediation or try the case in court, we will work with you to provide the best outcome to protect your innovations and competitive market position.

## EXPERIENCE

### Compelling a litigation adversary to settle mid-trial

Our client was a large multi-national defense contractor, wrongfully accused of misappropriating a subcontractor's trade secrets and sued in U.S. District Court. After several days of the jury trial and following examination of the plaintiff's key witness, the plaintiff capitulated and agreed to settle on terms that

were a fraction of its initial demand.

### **An intellectual property claim favorably settled**

A software company headquartered in the Southeast U.S. turned to us for help when a major multi-national corporation infringed on the company's copyright. The suit was vigorously defended and involved dozens of witnesses. Because of the preparation, the case was settled for millions of dollars on the eve of trial. We obtained a favorable settlement for our client, which aligned best with the strategic business interests underlying the dispute.

### **Resolving a trademark infringement matter**

An existing client came to Bowditch & Dewey when it became aware that a competitor was infringing its trademark. We successfully negotiated a settlement agreement which provided that the competitor could no longer use its infringing trademark.

### **Winning a partnership dispute**

In a case of trade secret misappropriation, a Massachusetts manufacturer turned to us for help in a Superior Court case. We secured preliminary and permanent injunctions on behalf of our client, a leading global healthcare and diagnostics company, against a former business partner.