



MAYER | BROWN

INTELLECTUAL PROPERTY

Safeguarding Your Intellectual Property:
Defending and Enhancing the Rights and
Assets of the World's Leading Innovators

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Mayer Brown puts client's benefit at first priority to make the litigation strategy. Its team's strength is a combination of the professional lawyers' familiarity with the broad requirements and relevant rules and laws, along with the specific industrial knowledge and practice.'

LEGAL 500 US



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OUR INTELLECTUAL PROPERTY PRACTICE

At Mayer Brown, our global Intellectual Property practice is dedicated to addressing the diverse and complex needs of our clients. With a team of over 100 IP practitioners spread across four continents, we are uniquely positioned to offer comprehensive legal support to leading corporations, established midsize businesses, and emerging growth companies worldwide. Our mission is to protect, preserve, and enforce the intellectual property rights and assets of the most innovative and inventive companies globally.

We pride ourselves on being more than just legal advisors; we are strategic partners with a profound understanding of our clients' commercial goals. Our innovative and multidisciplinary approaches tackle emerging issues in the development, protection, and management of intellectual property assets. By anticipating the challenges our clients face, we deliver tailored solutions that align with their unique business strategies.

Our intellectual property lawyers have extensive experience in various industries such as technology, automotive, consumer goods, food and beverage, financial and professional services, life sciences, media and entertainment, and industrial manufacturing. This broad experience enables us to offer specialized and effective legal counsel, ensuring robust protection and optimal leverage of our clients' IP assets.

Our commitment to excellence has been recognized through numerous accolades. We have consistently ranked highly by *Chambers & Partners*, *The Legal500*, *IAM Patent 1000*, *Managing IP*, *World Trademark Review*, *LMG Life*

Sciences, and *Asian Legal Business Online*.

Notably, we were named *Managing IP* 2023 Firm of the Year for Copyright (East) and Trademark Prosecution (Midwest). Additionally, we have been recognized as a top-tier Copyright Firm for five consecutive years by *Asian Legal Business Online*, consistently ranking highly for Patent and Trademark/Copyright in Hong Kong and China.

Mayer Brown's IP practice combines global reach with local experience, ensuring that our clients receive the highest quality legal support wherever they operate. We are committed to helping our clients protect their investments, increase their market share, and strengthen their competitive advantage on a global scale.

Partner with Mayer Brown to navigate the complexities of intellectual property law and achieve your business objectives with confidence.

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*The firm's
recommended robust
copyright practice is
focused on music
rate-setting cases and
other media disputes.*

MANAGING IP COPYRIGHT (EAST)
FIRM OF THE YEAR 2023

LITIGATION & ENFORCEMENT

We are dedicated to fully protecting and aggressively enforcing your intellectual property assets on a global scale. Our experience spans the prosecution and defense of claims involving:

- Patent, trademark, and copyright infringement
- Unfair competition and false advertising
- Trade secret misappropriation
- IP-related antitrust violations

We handle disputes across a variety of applications and disciplines, ensuring your IP rights are safeguarded.

Our full-service IP litigation practice is seamlessly integrated with other legal disciplines, providing you with comprehensive antitrust guidance related to competition disputes and unmatched appellate capabilities. We are prepared to protect your IP assets in litigation proceedings worldwide, including:

- US District and State courts
- High Court of Hong Kong

- German District Courts, Courts of Appeals, and the German Supreme Court
- European Court of Justice and Court of First Instance
- EU Unified Patent Court

Our extensive experience in managing and coordinating global IP litigation ensures that your interests are effectively represented.

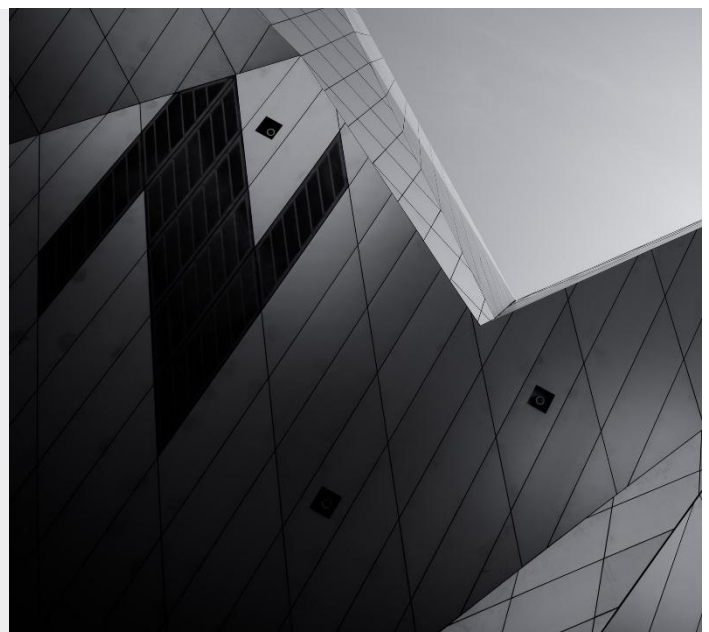
Our IP litigators possess extensive experience before various patent and trademark administrative tribunals in the US, Asia, and Europe, providing you with a robust defense and prosecution strategy.

Mayer Brown boasts one of the premier appellate groups in the United States. Our lawyers have argued over 250 cases before the United States Supreme Court and more than 800 cases in federal and state appellate courts nationwide. Collaborating closely with our IP lawyers, our appellate group is exceptionally qualified to handle IP matters in any forum, including the Federal Circuit and the Supreme Court in the United States and the German

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The entire patent litigation team at Mayer Brown is of the highest quality.

CHAMBERS & PARTNERS USA



Federal Patent Court and the German Federal Supreme Court.

Our precedent-setting victories, such as *Rapid Litig. Mgmt. Ltd. v. CellzDirect, Inc.*, *Impression Products, Inc. v. Lexmark International, Inc.*, *Illinois Tool Works Inc. v. Independent Ink, Inc.*, and *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, demonstrate our commitment to achieving favorable outcomes for our clients.

With our global reach and local experience, Mayer Brown is your trusted partner in navigating the complexities of intellectual property law, ensuring your assets are protected and your rights are enforced.

COPYRIGHT LITIGATION

Our lawyers recognize that copyrights are a crucial component of your intellectual property portfolio. We understand that copyright issues are often intertwined with concerns involving publications, digital media, software, and the Internet. Our mission is to help you safeguard your valuable copyrights.

We have been at the forefront of the digital media revolution and the ensuing intellectual property battles. Our team has represented and advised media companies, software developers, digital music services, and consumer products companies in numerous high-profile cases involving digital media, copyright, and the Internet. This includes significant fair-use cases. We handle a wide array of copyright matters and are adept at providing counsel on copyright protection issues.

Our experience also spans both sides of the legal spectrum. We have represented copyright owners and defended parties against copyright claims. This dual perspective allows us to offer

comprehensive legal strategies tailored to your needs.

In addition to traditional copyright matters, we are at the cutting edge of emerging issues such as generative AI and NFTs. We provide thought leadership and keep you informed of the latest developments from the Courts and the Copyright Office, including initiatives like our "Artificial Intelligence Initiative."

We are committed to being your trusted partner in navigating the complex landscape of copyright law. Our goal is to ensure that your intellectual property is protected, allowing you to focus on what you do best.

PATENT LITIGATION

We pride ourselves on representing many of the world's largest and most well-known companies in patent cases that span a wide range of products, methods, and systems. Our clients include global leaders across various industries, reflecting our deep experience and commitment to delivering exceptional legal services.

Life Sciences We have had the privilege of working with industry giants such as Bristol-Myers Squibb, Gilead Sciences, GlaxoSmithKline, Novartis, Cook Group Incorporated, Sanofi, Astellas Pharmaceuticals, HemoSonics, and Regeneron. Our extensive experience in the life sciences sector ensures that we understand the unique challenges and opportunities faced by companies in this field.

Technology Our technology clients include some of the most innovative and influential companies in the world, such as Google, Maxell, Broadcom, ARM, LG Electronics, Spotify, Avago, Gemalto, General Motors, Marvell Semiconductor, NXP Semiconductor, Mitsubishi Electronics, Pantech, Samsung Electronics, and

Philips Electronics North America. We are adept at navigating the complexities of technology patents and providing strategic counsel to protect and leverage our clients' intellectual property.

Consumer Brands We also represent leading consumer brands like Nestlé USA and Nespresso, 3M Company, Callaway Golf, and Timbuk2 Designs. Our work with these clients highlights our ability to handle diverse industries and complex technologies, ensuring that their intellectual property is safeguarded and maximized.

Our patent lawyers are distinguished by their technical degrees in fields such as computer science, biomedical engineering, mechanical engineering, electrical engineering, chemistry, life sciences, and microbiology. Many of our attorneys have prior experience as scientists and engineers in academia, government, and industry, including former patent examiners. This unique combination of legal and technical experience allows us to understand not only intellectual property law but also its practical application to your business and industry. This is a clear advantage and a distinguishing feature of our practice.

Patent Assertion Litigation In addition to our broad patent litigation capabilities, we specialize in patent assertion litigation, where we represent clients in enforcing their patent rights against infringers. This involves a strategic approach to identifying potential infringers, assessing the strength of the patents, and pursuing litigation to protect our clients' innovations and market position. Our deep understanding of both the legal and technical aspects of patents enables us to effectively advocate for our clients and achieve favorable outcomes in these high-stakes cases.

Integrated "One-Firm" Culture Our "one-firm" culture is seamless and integrated across all technical disciplines and regions, ensuring that our clients receive the best of our collective knowledge and experience. This collaborative approach allows us to provide comprehensive and cohesive legal services, tailored to meet the specific needs of each client.

By choosing Mayer Brown, you are partnering with a team that is dedicated to protecting and advancing your intellectual property interests with unparalleled experience and commitment.

US PATENT TRIAL AND APPEAL BOARD

At Mayer Brown, your needs are our top priority. We offer a dedicated team of highly skilled US-based lawyers who are admitted to practice before the US Patent & Trademark Office (USPTO) in both Patent Trial and Appeal Board (PTAB) and Trademark Trial and Appeal Board (TTAB) proceedings. Our proven track record of success demonstrates our long history of effectively representing clients in these critical areas.

Our capabilities extend beyond the USPTO. We are adept at managing ongoing, parallel litigation in federal courts and at the International Trade Commission (ITC). This ensures that you receive comprehensive legal support across all relevant forums, providing you with a seamless and integrated approach to your legal needs.

Following the implementation of the Leahy-Smith America Invents Act (AIA), which required the USPTO to establish final rules for new post-grant proceedings, our firm was among the first to be retained for handling these complex cases. We continue to be at the forefront of representing clients in all aspects of these trial

proceedings, ensuring that your interests are carefully managed and protected.

We regularly represent clients in:

- Inter Partes Reviews (IPRs)
- Post-Grant Reviews (PGRs)
- Transitional Program for Covered Business Method Patents (CBM)

Our lawyers are leaders in the evolving legal landscape of these proceedings. Notably, we filed one of the first and only successful motions for obtaining "additional discovery" in an IPR, showcasing our pioneering approach and commitment to achieving the best possible outcomes for our clients.

The majority of our US-based lawyers are admitted to practice before the USPTO in PTAB and TTAB proceedings. With a long history of successfully representing clients before the USPTO, we are also experienced in handling ongoing, parallel litigation in federal courts and at the ITC. This breadth of experience ensures that you receive the highest level of legal support and representation.

Trust us to prioritize your needs and provide you with the skilled legal support you deserve.

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Mayer Brown boasts a dynamic team noted for its representation of multinational companies in high-stakes patent litigation. The team excels in matters pertaining to the hi-tech industry, and is also noted for its strengths in issues concerning consumer goods and pharmaceuticals.

CHAMBERS & PARTNERS USA

US ITC SECTION 337

Our intellectual property and international trade lawyers bring extensive experience in handling Section 337 investigations, representing both complainants and respondents. Our team is dedicated to guiding you through every step of the process, ensuring a smooth and efficient journey. Section 337 investigations typically reach a final decision within 16 months, and our lawyers are adept at managing the expedited timeline, from the initial stages to the final resolution.

COMPREHENSIVE SUPPORT THROUGHOUT THE PROCESS

Early Strategy Development: We determine, no later than 60 days before the hearing, whether to request a summary determination.

Active Trial Participation: Our team actively participates in the trial before the administrative law judge.

Post-Trial Submissions: We make public interest, remedy, and other submissions during the ITC's review following the initial determination.

Government Lobbying: We lobby relevant government agencies during the Presidential review phase.

Appeals: When necessary, we appeal to the Federal Circuit.

Mayer Brown goes beyond managing the complexities of the Section 337 process. We develop a "best practices" response tailored to secure the most positive outcome for you at the ITC. Our ultimate goal is to resolve disputes in a manner best suited to your specific needs. This may include reaching settlements through licensing arrangements, joint ventures, mergers, and other means.

Our business-focused perspective is central to Mayer Brown's approach to IP counseling. We help you leverage your IP assets and develop options that maximize flexibility, protect investments, increase market share, and strengthen competitive advantages. Trust Mayer Brown to provide the strategic guidance and support you need to navigate Section 337 investigations successfully.

TRADEMARK LITIGATION

Our trademark litigators are dedicated to protecting your brand and trademark rights on a global scale. Our extensive experience in trademark litigation ensures that your business is safeguarded against claims of trademark infringement, Lanham Act violations, and other disputes involving trademark rights. We handle a wide range of issues, including trade dress litigation, domain name disputes, and anticounterfeiting litigation.

We are proud to represent some of the world's most renowned brands, including:

- Nestlé USA
- Nespresso
- YouTube
- Google
- Beam Suntory
- Cummins
- Jim Beam Brands
- General Motors
- Alibaba
- Goya Foods

Our team is committed to providing vigorous representation at both the district court and appellate levels, ensuring that your business interests and legal positions are fully protected.

GLOBAL REACH AND EXPERIENCE

United States: Our US trademark lawyers represent both domestic and international clients in cases before the Trademark Trial and Appeal Board, handling trademark cancellation and opposition proceedings and appeals, encompassing hundreds of disputes.

Asia: We represent clients in trademark proceedings before the Hong Kong Trademark Office and the PRC Trademark Office, serving both Chinese and international clients.

Europe: We are active in matters before the German Patent and Trademark Office (GPTO) and the Federal Patent Court. For European Union Trademarks, we have extensive experience representing clients before the European Union Intellectual Property Office (EUIPO) and its Boards of Appeal, up to the Court of Justice of the European Union if necessary.

With our comprehensive and international approach, Mayer Brown is poised to protect your brand and trademark rights effectively, no matter where your business operates. Trust us to be your aggressive advocates in safeguarding your valuable trademarks.

TRADEMARK & BRAND MANAGEMENT

We understand the critical importance of brand management for your business. Our trademark practice is unparalleled, and we are dedicated to helping you protect, preserve, enforce, and monetize your trademark assets. Whether you are a brand manager at a multinational corporation, an emerging growth company, or an established midsize business, you can rely on us to support your brand management needs.

We work closely with you to gain a comprehensive understanding of your business objectives. Our services include:

Assessing Trademark Portfolios: We evaluate your existing trademark assets to ensure they align with your business goals.

Securing and Maintaining Trademark Rights: We help you obtain and sustain the necessary trademark protections.

Advertising Campaigns and Branding Initiatives: We assist in developing and executing effective advertising and branding strategies.

Litigation and Dispute Resolution: We represent you in legal disputes to protect your trademark rights.

By adopting a holistic approach to IP portfolio management, we begin protecting your intellectual property from the moment of creation, helping you build a profitable IP portfolio.

With a track record of successfully concluding hundreds of thousands of matters, Mayer Brown currently manages over 50,000 active trademark filings and more than 1,200 active contentious matters. We provide day-to-day management of your trademark portfolios and handle every aspect of securing, protecting, enforcing, and monetizing your brands on a global scale.

We excel in collaborating with you to create a strategic plan for building and protecting your brand assets. Our lawyers will identify necessary steps to enhance the development and protection of your rights, including:

- Trade Secret Procedures
- Licensing and Joint Venture Agreements
- Registration and Enforcement

This broad strategic vision is a hallmark of Mayer Brown's brand management services. Companies that have invested in developing their trademark assets depend on us for our experience and dedication.

Our trademark lawyers are committed to advancing your business strategies and ensuring the long-term success of your brand. Let us help you navigate the complexities of brand management and achieve your business objectives.



Mayer Brown boasts an undoubtedly strong brand management practice. From sophisticated and penetrating international portfolio management to the trickiest enforcement efforts, the team in Illinois is well positioned to support companies from fledgling brands to established superstars.

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INTERNET

We advise clients on a wide range of intellectual property issues related to the Internet, new media, and social media. Our esteemed clients include global leaders across various industries such as retail and apparel, media, communications, educational services, financial services, consumer products, food and beverage, hospitality, and technology.

We focus on protecting and enforcing your intellectual property rights on the Internet. Our experience includes safeguarding trademarks, trade dress, copyrights, keywords, domain names, and other online content both in the United States and internationally.

Our team provides comprehensive counsel on data protection and privacy matters. We are well-versed in key regulations including:

- The US Gramm-Leach-Bliley Act
- The Health Insurance Portability and Accountability Act (HIPAA)
- The Children's Online Privacy Protection Act (COPPA)
- The Controlling the Assault of Non-Solicited Pornography And Marketing Act of 2003 (CAN-SPAM)
- The European Union Data Protection and Privacy and Electronic Communications Directives

We also address issues related to identity theft, liability and risk-aversion, encryption regulations, and security matters. Our knowledge extends to the global regulation of export, import, and use of encryption, as well as the use of cryptography for financial applications and compliance with federal and state laws and industry standards.

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*The Mayer Brown
team is very professional,
knowledgeable
and experienced.*

CHAMBERS & PARTNERS USA



Our lawyers are recognized leaders in cutting-edge issues such as the generic top-level domain (gTLD) program. We have extensive experience in drafting, prosecuting, and protecting hundreds of new gTLD applications. Additionally, we offer a full range of Trademark Clearinghouse services to help brand owners navigate the evolving landscape of ICANN's new gTLD regime.

EXPERIENCE IN ASIA AND GLOBAL ADVOCACY

In Asia, we have significant experience, including drafting rules and policies for the Hong Kong Internet Registration Corporation Limited and assisting other registries with similar projects. We handle domain name complaints in various languages covering gTLDs and country code top-level domains (ccTLDs). Our Asia domain name practice includes panelists with the Hong Kong International Arbitration Centre (HKIAC), the Asian Domain Name Dispute Resolution Centre (ADNDRC), the Kuala Lumpur Regional Centre for Arbitration (KLRC), and the World Intellectual Property Organization (WIPO).

Our strong relationships with government and industry leaders enable us to effectively advocate for brand owners and other client interests in the development of global Internet and domain name policy.

By choosing Mayer Brown, you gain access to a team of dedicated professionals committed to protecting your intellectual property and navigating the complexities of Internet and data privacy laws. We are here to support your business and ensure your IP rights are safeguarded in the digital age.

TRANSACTIONS & COUNSELING

Our unparalleled global experience and comprehensive knowledge across various technology and industry sectors are at your service. We focus on representing you in business transactions involving intellectual property assets. Our team of IP transactions lawyers combines real-world experience with a practical understanding of science, technology, and brands. With deep proficiency across all IP

disciplines—patents, trademarks, copyrights, and trade secrets—and top-tier commercial contracting skills, we are here to help you achieve your business objectives. We are dedicated to securing, managing, and licensing your IP assets worldwide.

WHY CHOOSE US?

Our lawyers not only specialize in IP transactions but also litigate IP disputes. This dual experience ensures that we have a keen eye for the most critical representations and undertakings in ancillary IP agreements and other IP terms in M&A transactions.

Market Practice Insight: We have extensive experience in market practices related to IP terms in commercial transactions, including those focused on monetizing IP and brands.

We routinely assist clients across a variety of industries, including financial services, media and entertainment, industrial manufacturing, telecommunications, chemicals, biotechnology, pharmaceuticals, medical devices, electronics, food and beverage, and retail.

OUR SERVICES

Our experience spans a wide range of transactions, including:

Licensing and Transfer of Rights: We handle the licensing and transfer of rights in patents, industrial designs, technical know-how, and trade secrets.

Complex Licensing Transactions: We manage complex licensing transactions that involve ongoing contributions and obligations from both parties to commercialize IP, including milestone and royalty structures.

Alliances, Collaborations, and Partnerships: We facilitate alliances, collaborations, and

partnerships, incorporating performance-based contracting, gain-sharing, risk allocation, governance rights, and similar mechanisms.

Information Technology Transactions: We cover IT transactions, including software licensing, development, implementation, and maintenance; cloud computing; equipment purchases; and hosting services.

Outsourcing: We manage information technology and business process outsourcing, both onshore and offshore.

IP Aspects of Corporate Transactions: We assist with the IP aspects of mergers & acquisitions, joint ventures, and other corporate transactions, including IP due diligence, non-infringement and freedom-to-operate searches, validity opinions, and complex licensing and cross-licensing arrangements.

Securitization and Litigation Settlements: We handle the securitization of royalty streams and other IP assets, as well as licensing and other transactions in settling litigation.

Our goal is to help you capitalize on your IP strengths and navigate the complexities of IP transactions with confidence. Let us partner with you to achieve your business objectives and secure your intellectual property assets globally.

TRADE SECRETS

Our team of highly experienced lawyers in IP, Commercial Litigation, and Employment practices is dedicated to assisting clients with the protection of their trade secrets, aiming to avoid courtroom disputes. We collaborate closely with clients to address workplace confidentiality issues by implementing effective restrictive covenants, non-compete, and confidentiality/non-disclosure agreements.

We excel in devising policies and strategies and drafting agreements to safeguard trade secrets, whether to prevent the disclosure of sensitive information or to secure clients' rights to all the information they are entitled to. Our experience extends to handling trade secret claims involving software, technology, media, and business trade secrets, as well as related claims based on unfair competition and common-law misappropriation.

Our proactive approach includes helping companies adopt trade secret protection programs and educating their employees about the importance of maintaining the confidentiality of trade secrets and know-how. We prepare agreements tailored to the specific needs of any client, whether it involves confidentiality agreements to protect the proprietary interests of inventors and developers in new products and processes, or non-disclosure agreements governing the disclosure of information under terms of secrecy and non-use.

With extensive integration of competition and intellectual property law, we address all antitrust aspects of non-competition agreements, including non-disclosure and confidentiality agreements as part of licensing arrangements. Our goal is to ensure the strategic success of our clients' investment of time and money in intellectual property development. "

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This Mayer Brown publication provides information and comments on legal issues and developments of interest to our clients and friends. The foregoing is not a comprehensive treatment of the subject matter covered and is not intended to provide legal advice. Readers should seek legal advice before taking any action with respect to the matters discussed herein.

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