



## INDUSTRIES

### FASHION

Intellectual property issues arise in virtually every aspect of the textile, fashion and apparel industries. We advise our clients in these fields on brand selection, design protection, licensing and enforcement of their rights. Our successful activities for many years in these high-profile areas have established us as one of the premier firms representing creative fashion companies, designers and manufacturers.

### AUTOMOTIVE & AEROSPACE

Whether relating to propulsion systems or engine design, the automotive and aerospace industries have undergone a steady change over the past several decades, with innovations radically expanding business and design sectors alike. Our expertise is particularly suited for this industry, which marries mechanics and form

### IT & INTERNET

We have assisted businesses with their online intellectual property needs since inception of the internet. When litigating intellectual property issues that arise on the internet, we take full advantage of our technical expertise in securing domain names and halting internet infringers whenever they may be located.

### PHARMACEUTICALS

From recombinant gene therapy and drug delivery systems to advancements in bandages and vitamin formulations, we have worked with a wide array of biotech and pharmaceutical business concerns.

### TELECOMMUNICATIONS

We have extensive experience, training, and expertise in such disciplines as electrical engineering and software and computer systems – skills that are vital in representing telecommunications clients. Some of our recent work has involved innovations in Voice Over Internet Protocol, (VOIP), satellite transmission detection, and distance learning programs that utilize cable TV to reach remote, underserved locales.

### MEDICAL ELECTRONICS

Our firm has earned a reputation for excellence in this field, with a number of our attorneys achieving both national and international renown for their work on behalf of important clients. Some of our recent work has involved implantable pacemakers, cochlear implants, respirators and CPAP machines, spinal implants, internal and external defibrillators, pacemakers, stents, pain management devices including automated injection devices, infusion pumps, catheters, dental instruments used for implants and reconstructions, surgical instruments, respirators for treating sleep apnea and other pulmonary ailments, and devices for remote monitoring of patient vital signs.

### COMPUTERS & ELECTRONICS

Our firm has some of the most experienced and gifted practitioners of computer and electronics intellectual property law, accomplished attorneys with highly specialized training who have long been working at the forefront of these industries.

### PACKAGING

With the growth of inexpensive and global production capabilities, copycats and look-alikes have flooded the marketplace. Our attorneys have handled a number of notable cases in protecting unique package designs across a broad array of consumer goods.

### PUBLISHING

Copyright issues dominate the publishing industry, which calls for a thorough understanding of this venerable business sector, as well as the ability to fight forcefully and think creatively. Our attorneys regularly negotiate contracts, devise licensing programs, guard against infringement, and defend clients' rights through arbitration and litigation.

### JEWELRY

We have represented a number of the most celebrated and successful jewelry designers in the world. By acting swiftly to secure and protect our clients' designs, our attorneys are able to effectively pursue counterfeiters and infringers, defend against infringement charges, plot out licensing strategies and acquire global rights.

### LUXURY GOODS

Whether these fine products are well known perfumes or high-end handbags, desk lamps or coffee tables coveted for their groundbreaking design, we have extensive experience ensuring that their makers obtain and enforce their rights, and reap the profits they deserve.

### CONSUMER GOODS & SERVICES

We have a wealth of valuable experience in securing, protecting and expanding intellectual property rights of companies who provide goods and services.

### ENTERTAINMENT

Our attorneys have worked with major sports leagues both here and abroad, as well as multinational media conglomerates and famous athletes and artists. Whether devising a global licensing program for a sports figure, stopping counterfeit items with the help of Customs at our borders or acquiring rights protection for a broadcasting association, we bring the same drive, creativity, and foresight to bear for all these clients.



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## OUR HISTORY

A boutique firm in the field of intellectual property law, Gottlieb, Rackman & Reisman P.C. opened its doors in 1970. Today, we still represent many of our original clients. This fact alone speaks volumes about our impeccable standards, commitment to excellence and unsurpassed ability to obtain results for our clients.

We have inspired great loyalty among our clients by combining in-depth knowledge of their businesses with thorough legal analytical skills. With many of our attorneys in their second or third decade with the firm, we offer our clients smooth teamwork and a level of expertise that is second to none.

If there is one thing that distinguishes our practice, it is our unwavering commitment to our clients' success – whether we are providing strategic advice on worldwide patent and trademark filing programs, asserting or defending our clients' interests in litigation, or performing transactional work such as negotiating license agreements, conducting due diligence studies of intellectual property assets in acquisitions, or providing right to use and infringement avoidance studies.

### GLOBAL PERSPECTIVE

Our stellar reputation also extends to the international marketplace, where we have long-standing ties to associated counsel around the world. Our ability to conduct business in languages including Spanish, Italian, Russian, Hebrew, Hungarian, Romanian, and Ukrainian further underscores our dedication to meeting our clients' needs on a global scale.

### TAILORED REPRESENTATION

We pride ourselves on recognizing the importance of tailoring our legal representation to each client's business needs, goals and budget. We appreciate that legal strategy is not devised in a vacuum, but must be attuned to the real-world needs and goals of our clients.



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## PRACTICE AREAS

### PATENTS

Working closely with our client's engineers and the in-house R&D group, we obtained over 325 patents in the U.S., France, Germany, United Kingdom and Australia covering implantable cardiac stimulation devices. The patents covered all aspects of such devices, including hardware and software components for pacemakers and defibrillators, as well as leads, fixation electrodes, external programmers and housings. Our client later sold this patent portfolio to a competitor for more than \$200 million.

We have worked with university professors who, in the course of their basic research, created biological and biotechnological inventions. We obtained a series of separate patents directed to cloning vehicles for polypeptide expression in microbial hosts for one such professor and for his employer, a State University in the U.S.

### INTERNET

On behalf of a global Internet-based business, we took prompt action at Nominet, the .uk domain name registration authority, against a cybersquatter who had registered a .co.uk domain name that infringed our client's industry-famous trade name and service mark. The cybersquatter had leased the website to our client's largest competitor. We were successful in compelling the transfer of the domain name to our client.

### INTERNATIONAL PRACTICE

On behalf of one client, a well-known professional basketball player for whom we had established an international trademark and patent protection program, we undertook actions in China. The actions sought to stop the manufacture and sale of infringing athletic footwear bearing the player's name. With the assistance of the Chinese Administration for Industry & Commerce, two raids were successfully conducted at the manufacturing site close to the Korean border, and 48,000 pairs of unauthorized shoes were confiscated.

### CUSTOMS

One day, we received a telephone call from a Customs Inspector in Charleston, South Carolina, advising us that certain goods emanating from India and bearing the name and trademarks of our client, a world-renowned fashion designer, had been detained due to our prior recordation of our client's trademarks. After examining the products' appearance and packaging with our client, we informed the Customs Inspector that the goods were bogus and should be denied entry. The recordal that we made at Customs served in an extremely cost-effective way to prevent the erosion of our client's valuable trademark rights, on which it had built an enormously successful licensing program.

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### TRADEMARKS

A Canadian client owned a registered trademark in the United States for a line of jewelry. A large Internet shopping network in the United States adopted a domain name that used the trademark and began selling its jewelry on the site. We commenced a federal lawsuit and brought on an order to show cause for expedited relief. After court-ordered discovery was concluded, we presented our case at a hotly-contested preliminary injunction hearing. The registration was found to be valid and infringed and the network was ordered to transfer the domain name to our client.

### COPYRIGHTS

We brought a copyright suit on behalf of a major toy manufacturer to prevent a competitor from marketing and selling a line of plush animals. The heads of the defendant's plush animals were different, but the animals incorporated the body shape of our client's popular and well-known plush bear. We convinced the court that the body of our client's product was itself unique and original and that our client should thus be entitled to a broad injunction. The competitor was not only prevented from selling plush bears that copied the protected body, but also was prevented from selling animals such as monkeys and pandas when they used a similar body shape.

### TRADE DRESS

We represented the Italian manufacturer of a celebrated modern lamp design, which was a top-seller around the globe and had earned a place in the design collections of The Museum of Modern Art and The Metropolitan Museum of Art in New York City. When a manufacturer in Taiwan began to market a copycat product, we assembled the affidavits and legal memoranda that were needed to obtain a preliminary injunction. An injunction was issued and the case quickly settled. It was the first time that the famous lamp's trade dress had been recognized by the courts.



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### COUNTERFEITING

One of our clients, a famous manufacturer of handbags and leather accessories, found that its signature bag was being knocked-off and sold by vendors on street corners around New York City. We involved both the Joint Terrorism Task Force of the NYPD and the FBI and officers of the New York Police Department's "Peddlers" unit, giving them leads on where the counterfeits were being warehoused, so as to make sure that they would be on the lookout for street sales of the counterfeit bags. We also recorded our client's various trademarks with U.S. Customs and the Border Protection branch of the Department of Homeland Security, to prevent the importation of counterfeit bags from the Far East.

### LITIGATION

A British company and its U.S. subsidiary, the world's leading suppliers of railroad rail attachment systems, were having their product line imitated by competitors. We brought an action for patent infringement on their behalf against their leading competitor, a Canadian entity, its U.S. affiliate and individual principals of the U.S. affiliate, who were ex-employees of our clients. Initially, the defendants obtained a summary judgment of non-infringement, but we obtained a reversal of that decision from the Federal Circuit Court of Appeals. Upon remand, we prevailed both on infringement and damages, winning a jury verdict of \$3.2 million.

### LICENSING

For a Fortune 100 media industry client, we prosecuted and secured a patent portfolio in the consumer products area. The portfolio generated millions of dollars in royalties. We also negotiated cross-licenses with others in the industry, saving our client hundreds of millions of dollars in royalties that would have otherwise been paid out to use the technologies of the cross-licensees.

A client that sold housewares and its retail customer were sued for copyright infringement by a large competitor. The client had a meritorious defense to the claim because its supplier had independently designed the product at issue. Unfortunately, our client did not have the financial resources to fight its competitor in Court to establish its defense. We advised the client that it might have an insurance policy that would cover its defense costs. The insurance carrier initially rejected the claim, but we successfully persuaded the carrier to cover the client's ongoing attorneys' fees, even if the underlying coverage issue remained unresolved. Armed with the resources to defend the merits of case, our client established that it was not an infringer. We subsequently settled the case with no money payment to the plaintiff.

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