



# Melanie A. Miller

## Member

## Philadelphia

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Melanie began as a commercial litigator and now concentrates her practice in all aspects of complex commercial, general, and intellectual property litigation. Melanie has 25 years of experience litigating contract, trademark, advertising, copyright and patent cases. Melanie currently focuses on trademark and copyright infringement, as well as on unfair competition and false advertising. Melanie has extensive experience enforcing trademark rights, or responding to threats of infringement, in federal courts across the country or before the United States Trademark Trial and Appeal Board. Melanie also advises clients on how best to protect and enforce brands whether through policing programs or in court.

Melanie represents both public and private companies, as well as individuals. Melanie's cases have included litigation of copyrights, trademarks and trade dress relating to apparel, pharmaceuticals, foods, computers, consumer products and a variety of service sectors, including financial advisory services, hospitality and restaurant services, educational and research services, and medical services. In addition to her trial and appellate experience, Melanie regularly assists clients with trademark and copyright matters, including launching advertising campaigns; advising on branding strategies; managing portfolios; policing efforts to protect trademarks and copyrights, and counseling on domain name disputes and various intellectual property licensing arrangements. She has also guided clients on intellectual property and liability issues related to the Internet.

Melanie earned her Bachelor of Arts at Franklin & Marshall College in 1989 and her law degree, with honors, at Chicago-Kent College of Law in 1994, where she was an associate and senior editor for the Chicago-Kent Law Review.

### Practice Areas

- Intellectual Property
- Intellectual Property Litigation
- Trademark & Copyright
- Domains

### Education

- Illinois Institute of Technology Chicago-Kent College of Law, J.D., 1994
- Franklin and Marshall College, B.A., 1989

### Bar Admissions

- New Jersey
- Pennsylvania

### Court Admissions

- U.S. District Court -- Eastern District of Pennsylvania
- U.S. District Court -- New Jersey

### Affiliations

- American Bar Association
- Pennsylvania Bar Association
- Philadelphia Bar Association

## Experience

Successfully overcame a motion to dismiss, which centered on a laches argument, in a trademark infringement case filed in federal court in Rhode Island. We then secured a favorable resolution of the matter on the eve of trial when the defendant agreed to discontinue use of our client's mark.

Counsel for the estate of the author of "Disco Inferno" whereby ownership of copyright renewal rights, and corresponding royalty payments, were favorably resolved.

Counsel for Wilmington Trust Company in MDL patent infringement suit instituted by RAKTL.

Counsel for Gyro Worldwide Advertising in a successful contract dispute regarding payment of indemnification.

Counsel for Oaysis Mobile, Verizon Wireless, AT&T, and Thumbplay in defense of trademark infringement claims asserted by Mantra Entertainment.

Counsel for ABR and various doctors in defense of claims of copyright infringement and breach of contract asserted by the American Board of Internal Medicine.

Counsel for Clark Capital Management Group in various trademark infringement matters.

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Counsel for Celgene Corporation in various intellectual property litigation matters including copyright and trademark infringement.

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