



Intellectual Property Litigation

Intellectual property is an essential asset and component of practically every business today. In the event an IP dispute arises, companies of all sizes require effective solutions that not only protect IP assets, but also mitigate potential loss or maximize their recovery of resulting damages. Masuda Funai litigators understand the absolute need to safeguard IP and rigorously defend or assert each client's rights across the U.S. and beyond.

We are acutely focused on the distinct commercial objectives surrounding our clients' IP assets and portfolios. We are skilled in litigating IP disputes in state, federal and appellate courts, in alternative dispute resolution forums, and in advocating our clients' positions before the U.S. Patent and Trademark Office (PTO), Trademark Trial and Appeal Board (TTAB) and International Trade Commission (ITC).

Our attorneys represent clients in the enforcement of their rights and defense of claims of others, from the initial pre-suit investigations through to conclusion — whether by settlement, mediation or litigation. Our experience includes the resolution of disputes pertaining to patents, copyrights, trademarks, trade dress, trade secrets, domain names, counterfeiting, comparative advertising, technology transfers, licensing, franchising, false advertising, unfair competition, non-compete and non-solicitation clauses, as well as antitrust litigation with an IP component. We also provide pre-litigation counseling and opinions of counsel in support of litigation or anticipated litigation.

Our firm is experienced in asserting our clients' patent rights and defending our clients against the patent rights of others through all phases of patent disputes including preliminary injunction proceedings, Markman hearings, jury and nonjury trials and appeals. Our experience includes "bet-the-company" type patent litigation against competitors, defense against patent claims brought by non-practicing entities ("patent trolls") and ITC actions, as well as representation before the PTO in post grant proceedings, including inter parte reviews. We also deliver a business-oriented perspective to complex trademark disputes, and understand all facets of the Lanham Act and related federal and state laws.

Our litigators defend each client's valuable trade secrets. We have successfully litigated claims pertaining to misappropriation, breach of nondisclosure, confidentiality and noncompetition agreements, as well as idea/invention theft, unfair competition claims and related insurance actions. We aggressively defend clients against competitors who have stolen, hijacked or pirated client domain names and IP on the internet by responding quickly to restore the misappropriated asset and rectify the wrongdoing. In addition, we advocate our client's rights in domain name disputes under ICANN's Uniform Domain Name Dispute Resolution Policy.