

WHO'S WHO

Intellectual Property & Labor Law

clients that operate locally, nationally and globally. Our clients range from start-up companies to multinational public companies as well as individuals, school districts, municipalities and not-for-profit organizations.

KATHRYN DALLI

Twomey, Latham, Shea, Kelley, Dubin & Quartararo LLP



Kathryn Dalli is a partner at Twomey, Shea, Latham, Kelley, Dubin, and Quartararo, LLP. Dalli's practice focuses on complex commercial litigation, including business matters, commercial and residential foreclosures, intellectual property (trademark and copyright infringement, unfair competition and trade secrets), arts and entertainment and real estate.

Dalli joined the firm in 2004 and became a partner in 2007. She has extensive experience in intellectual property law – copyrights and trademarks, entertainment law, real estate, business transactions and employment issues. She takes pride in counseling her clients in litigation avoidance.

The rise of social media and trademark infringement should keep brand owners vigilant when protecting their intellectual property, Dalli said.

"Social media platforms such as Twitter, Instagram, Facebook and LinkedIn have been incorporating through their users commercial trademarks on a consistent and growing basis to engage consumers — it is no longer just the Internet," she said. "This growing use has invited imposters and others to create false associations of goods, harm brands, spread false information, compete unfairly and infringe trademarks by using brand names that have garnered consumer confidence."

"Varying methods are being used such as Twitter feeds, mobile apps, fan Facebook pages, postings, promotions and survey coupons, among other things, in order to lure unsuspecting consumers into purchasing counterfeit goods or 'knock offs,' while obtaining valuable personal information in the process," Dalli noted. "Misleading links to websites and false associations have been used to trade off brand names and gain illicit profits. Content containing false information that includes a legitimate, trusted brand to attract attention can become legitimized when it is shared by friends and trusted people, who unbeknownst to them are sharing what amounts to 'fake news.'"

"In 2018, brand owners must be ever more diligent in protecting their products and policing their in-

tellectual property," she said.

Dalli has earned the highest national rating for legal ability and general ethical standards by achieving the prestigious "AV" peer rating from Martindale-Hubbell, which rating recognizes attorneys for the highest level of skill, integrity and professional excellence.

Dalli has been a member of the New York State Bar since 1983 and is admitted to practice before the U.S. District Courts, Southern and Eastern Districts, and the U.S. Court of Appeals for the Second Circuit. She is also a member of the New York State Bar Association and the Suffolk County Bar Association, where she has co-chaired the Intellectual Property Law Committee.

Dalli earned a juris doctor from Southwestern University School of Law. She earned a bachelor's degree, cum laude, in psychology and a minor in music, from the State University College at Fredonia. Dalli also attended the University of Pisa in Italy, where she studied art, literature, opera and Italian.

With 28 attorneys and a staff of over 30 people, Twomey, Latham, Shea, Kelley, Dubin & Quartararo offers a full range of legal services including commercial litigation, zoning and land use, real estate and corporate transactions, estate planning and administration, elder law, municipal law, environmental law, copyright and trademark law, mediation, matrimonial and family law.

The firm's main office is located in Riverhead and additional offices are located in East Hampton, Hauppauge, Southampton and Southold.

NANCY DEL PIZZO

Rivkin Radler LLP



Nancy Del Pizzo is a member of Rivkin Radler LLP's Intellectual Property, Commercial Litigation and Privacy, Data & Cyber Law Practice Groups. Del Pizzo resolves commercial disputes, including intellectual property matters such as trademark, trade dress, copyright and patent infringement, restrictive covenants and domain name disputes, misappropriation of trade secrets and unfair competition, false advertising, defamation and trade libel.

Her experience also includes counseling on discrete business issues, as well as litigating complex insurance coverage disputes and investigating, litigating and/or successfully settling subrogation claims. Del Pizzo also advises clients regarding data breaches, including handling post-breach notifications, and her practice includes drafting complex agreements, such as licensing and confidentiality

agreements and assignments and prosecuting trademark and copyright applications.

Intellectual property continues to play a key role in the business and creative world, Del Pizzo said.

"Thus, it is no surprise that the body of law continues to grow, as do the rules that govern this area of law," she said. "For instance, effective May 10, 2017, companies who have a web presence and fall within and wish to benefit from the safe harbor protections of the Digital Millennium Copyright Act ("DMCA") must register a designated copyright agent with the U.S. Copyright Office to handle notifications of claimed infringement on those websites. And anyone who did not make that designation through the office's online system no longer has a valid designated agent as of Jan. 1, 2018 - thus, they need to re-designate through the online system to remain in compliance."

"Other recent news at the U.S. Copyright Office includes a rule change for copyright applications," Del Pizzo noted. "As of Feb. 20, 2018, only up to 750 'unpublished' photographs can be included in one application. The number used to be limitless, which was a boon for photographers registering thousands of their images for one application fee."

But perhaps bigger news is on the way, explained Del Pizzo.

"That is whether the federal government will pass into law the Copyright Alternative in Small-Claims Enforcement Act of 2017 ("CASE Act")," she said. "The Case Act, if passed, would set up an alternative forum for copyright holders to have their infringement claims heard through alternate dispute resolution by way of a Copyright Claims Board. The goal of the bill is to provide a less expensive option to individuals who cannot afford to hire a lawyer and proceed with litigation to have their copyright infringement claims heard. With this route, statutory damages will be limited as well as total monetary recovery, but individuals who would likely not be able to pursue a claim would have this less expensive option if this bill passes. The bill was referred to a House committee in October of 2017. It remains to be seen whether it will come up for a vote and proceed in due course. Stay tuned."

Del Pizzo is co-chair of the Internet/Privacy Subcommittee of the American Bar Association's Intellectual Property Litigation Section. She also is co-chair of the New Jersey State Bar Association's Intellectual Property Committee.

Del Pizzo is a magna cum laude graduate of Seton Hall University School of Law. She is admitted to practice in New York and New Jersey and before the United States District Court for New Jersey, United States District Courts for the Southern and Eastern Districts of New York, The United States Court of Appeals for the Federal Circuit,

United States Court of Appeals, Second and Third Circuits and United States District Court for the Northern District of Illinois.

Del Pizzo has a Martindale-Hubbell AV Preeminent Rating in Intellectual Property, Litigation and Civil Practice. She was named to the 2017 New Jersey Super Lawyers list, a distinction reserved for only 5% of attorneys.

Through five offices and 180 lawyers, Rivkin Radler provides strong representation and builds even stronger client relationships. The firm is the advisor-of-choice to successful individuals, middle-market companies, and large corporations. Many clients have been placing their trust in the firm for more than 25 years. The firm credits its unwavering commitment to total client satisfaction as the driving force behind the firm.

Rivkin Radler's attorneys are leaders in legal, business and political arenas. Many of its attorneys have received Martindale Hubbell's AV Preeminent® ranking, signifying that "a lawyer's peers rank him or her at the highest level of professional excellence." Time and again, Rivkin Radler attorneys are recognized as leaders by peer review programs, including Best Lawyers/U.S. News & World Report and Super Lawyers.

FREDERICK J. DORCHAK

Collard & Roe, P.C.



Frederick J. Dorchak, Esq. is president of Collard & Roe, P.C. and has specialized in patent law for more than 35 years. Dorchak has prosecuted thousands of patent applications in a broad range of state-of-the-art technologies in the fields of chemistry, mechanics, biotechnology, and computer systems. He also has successfully protected the intellectual property rights of clients by negotiating and litigating settlements to patent and trademark infringement cases.

Dorchak works with a global network of associates. He customizes PCT applications and applications with foreign priorities to conform to U.S. requirements. In addition, he coordinates the prosecution of foreign applications for domestic clients.

There are new developments in the area of patent infringement that companies should be aware of, Dorchak said.

"For many years, a patent infringement lawsuit could be brought against a company in any state that company did business in even if that company had no regular and established place of business there and was incorporated elsewhere,"