



LINDSAY HULLEY

Partner

Intellectual Property

Orange County

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Lindsay Hulley's practice focuses on trademark and copyright prosecution, and advising clients on the adoption and use of trademarks. She regularly represents clients in trademark applications at the United States Patent and Trademark Office and in opposition and cancellation proceedings before the Trademark Trial and Appeal Board. She has a robust worldwide network of excellent foreign associates with whom she works in managing clients' international IP portfolios.

Lindsay advises clients on the development of trademark strategies, clearance searches, protection, enforcement, licensing and transfer of intellectual property. Her clients are varied and conduct business in the apparel, medical device, alcohol, food and beverage, vitamin supplement, gaming, automotive, e-commerce, real estate, hospital administration, dental, construction, cosmetics, marketing, software, fitness, financial, and communications industries.

Representative Matters/Cases

- Represented karaoke music distributor who distributed karaoke compact discs that displayed the music on a video screen in synchronization with the lyrics, in federal copyright infringement litigation. Large music publisher brought suit and asserted that certain licenses, known as synchronization licenses, which are normally required when movies or television commercials play copyrighted music, were required in a karaoke context. Secured the only published ruling in the country stating that synchronization copyright license are not required in the karaoke context.
- Assisted in securing jury verdict in favor of national clothing retailer plaintiff in a case of first impression, which set forth a completely original issue of law for decision by the court. At issue was interpretation of the California UCC warranty against infringement claims which concerns a manufacturer's warranty to a buyer that the goods sold are free of any prior underlying claims of infringement.
- Represented national clothing retailer plaintiff against competitor asserting

Related Services

- Intellectual Property
- Copyrights
- Trade Dress
- Trademarks

Related Industries

- Technology
- Apparel, Retail and Consumer Products
- Food and Beverage
- Restaurants and Hospitality
- Wholesale and Manufacturers

Bar & Court Admissions

- State Bar of California
- Colorado State Bar
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central, Northern and Southern Districts of California

federal trademark and trade dress claims concerning whether jean pocket designs were confusingly similar.

- Represented national toy manufacturer against national competitor asserting federal trademark, patent and copyright claims concerning children's toys.
- Successfully briefed and argued motion for summary judgment on behalf of life insurance company client resulting in dismissal of all claims. Plaintiff was a "career litigant" with prior history of successful cases against numerous other insurers.
- Successfully briefed and argued case before the California Appellate Court relating to life insurance beneficiary's breach of contract claims; achieved affirmation of summary judgment on behalf of life insurance company.

Presentations

- "Managing the Risks and Seizing the Opportunities," Rutan & Tucker MCLE Series, (December 2014)
- "Intellectual Property Strategies: Managing the Risks and Seizing the Opportunities," Wyndam Hotel, Costa Mesa (April 2013)

Awards & Honors

- Southern California "Super Lawyers" 2014-2018

Memberships & Associations

- National Association of Women Business Owners, Member
- International Trademark Association, Member
- Orange County Bar Association, Member
- Orange County Chamber of Commerce, Member
- OCTANe, Member

Education

- Willamette University
College of Law (J.D.)
- University of Denver (LL.M.)
- University of Colorado
(Boulder) (B.A.)