

# STEVEN M. LEVY, ESQ.

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## SUMMARY

A senior legal team leader and business partner with international focus and expertise. Extensive experience with, and perspective on, the full range of intellectual property tools and assets. Takes a very strategic, pragmatic and creative approach to problem solving. Specific areas of experience include:

- Trademark and Copyright Searching and Applications
- Domain Portfolio Management
- Enforcement of IP Rights
- Defense Against Claims
- M&A Deals for IP Assets
- Negotiate/Draft Agreements
- Client Education/Counseling
- Compliance and IP Policy

## PROFESSIONAL EXPERIENCE

ACCENT LAW GROUP, INC. – Philadelphia, PA, 2008 – Present

### President

- Client counseling and education on intellectual property, commercial, and related legal issues.
- Draft and negotiate transactional and settlement agreements concerning intellectual property.
- Conduct trademark searches and prosecute applications for clients in a variety of industries.
- Enforcement of client's trademark rights against domain names and other infringing uses.

FAIRWINDS PARTNERS – Washington, DC, 2008 – Present

### Consultant

- Trademark enforcement for famous, international brands including DUNKIN' DONUTS, ORACLE, XEROX, LA-Z-BOY, TARGET, MARRIOTT, and many others.
- Global Uniform Dispute Resolution Procedure (UDRP) and ccTLD claims through the FORUM, the World Intellectual Property Organization, and other bodies.
- Enforce trademark rights against infringing social media usernames on Facebook, Twitter, etc.
- Draft and negotiate transactional and settlement agreements.
- Educate clients on legislative and regulatory developments, as well as best practices on domains.
- Meet with members and staff of U.S. Congress regarding proposed legislation affecting domains.

THE HOME DEPOT – Claymont, DE and Atlanta, GA, 1998 –2008

**Senior Director – Legal** (Reporting directly to the General Counsel)

**Also President and Chairman of Homer TLC, Inc. (IP holding company), Home Depot Development Holdings, Inc. (REIT holding company) and THD Holdings, LLC (M&A holding company)**

- Created, grew and managed all aspects of company-wide and internationally focused in-house intellectual property practice, including a team of eight associates in two geographically distant offices (3 attorneys, 3 paralegals and 2 assistants).
- Managed all daily operations of Homer TLC subsidiary IP holding company.
- Successfully reduced \$2+ Million budget each year including outside counsel fees.
- Set long-term IP strategy and goals for worldwide enterprise and created IP compliance policy (reported policy directly to CEO and EVPs and secured approval).
- Registered "THE HOME DEPOT" and other marks and domains in 110 countries.
- Negotiated and drafted NASCAR, IT and other sponsorship and joint development agreements.
- Obtained declaration of famous mark status in Mexico, UK, Germany, Venezuela, and Turkey.
- Favorably settled \$38M trademark infringement claim against company by competitor in Florida.
- Pursued €110+M trademark claim against former joint venture prospect in Germany.
- Defeated Lemelson barcode patent suits by participation in retail industry joint defense group.
- Managed successful divestiture of HD Supply division's IP assets.
- Recovered homedepot.biz from pirate in Sri Lanka who obtained domain during sunrise period.
- Met with Rep. Lamar Smith and successfully lobbied for amendment to Anti-Dilution bill.

PROSKAUER ROSE LLP, New York, New York, 1993 –1998

**Senior Associate, Intellectual Property Practice Group**

- Interim management of eight member practice group including interviewing, hiring and training of junior associates and staff and coordination of all practice functions.
- Conducted anti-counterfeiting efforts for BSA, RIAA and the Orthodox Union
- Handled TM portfolio and enforcement for Henry Schein, the largest supplier of dental and medical products in North America.
- Defeated preliminary injunction claim against former editor of Marvel Comics.
- Favorably settled publicity rights DJ action by NHL against players union.
- Obtained copyright consent injunctions and damages for Estate of the artist Keith Haring.

SONY CORPORATION, Tokyo, Japan, 1992 - 1993

**Special Counsel to the Trademark & Design Division, Legal & Intellectual Property Group**

- Registered SONY, WALKMAN and other marks in 20+ countries.
- Revised and updated SONY brand identity manual.
- Managed anti-counterfeiting campaign against video/audio tapes and players in Southeast Asia.
- Served as advisor on company's brand generation committee.
- Successfully lobbied for improved intellectual property legislation and protection in India.

AMSTER, ROTHSTEIN & EBENSTEIN, New York, New York, 1989 - 1992

**Associate**

- Pursued successful anti-counterfeiting campaign for Polo Ralph Lauren sportswear line, Hermés of Paris fashion line, and others.
- Settled claim against Panasonic (MEI) arising from use of PRISM brand on TV sets.
- Provided due diligence and opinion for securitization of Warnaco apparel brands by GE Capital.
- Second-seated deposition of Jerome Lemelson in VCR patent case against Panasonic.
- Searched and filed new marks for Mongoose bicycle and accessories product line.

**ASSOCIATIONS**

Member, International Trademark Association (INTA) (1997 – Present)

- Internet Committee – 2012-2013 Term
- Legislation & Regulation – US Subcommittee, 2006 – 2008
- Chair, Membership Services Committee, 2003 – 2005
- Meetings Committee, 2001 – 2003
- Co-Chair, Trademark Administrators Meeting 2002
- Membership Committee, 2000 – 2001
- Publications Committee, 1997 – 1999

Member, US Copyright Society, New York City Chapter (1995-1998)

**SELECTED SPEAKING ENGAGEMENTS**

- *Trademarks and the Internet*, PBI Internet Law Update 2015
- *Brands As Registrants, Beyond The Dot* 2015
- *New Domains Update: What Brand Owners Need To Know*, 8th Annual PBI IP Law Institute 2014
- *Trademarks and the Internet*, PBI Internet Law Update 2014
- *Fair Use and Clearance*, PBI Essentials Of Copyright Law 2013
- *Best Practices in UDRP and ccTLD Disputes*, INTA Annual Meeting 2013
- *New Domain Name Rights Protection Mechanisms (RPMs): The New Era Of Enforcement*, 7th Annual PBI IP Law Institute 2013
- *Scaling The Internet Landscape To Your Company*, INTA – Trademarks & The Changing Internet Landscape, 2013
- *Trademark Licensing In The Digital Epoch*, AIPLA Annual Meeting 2012
- *Domain and Username Recovery* - IP Trademark, Copyright & Licensing Counsel Forum 2012

## PRO BONO ACTIVITIES

Philadelphia Volunteer Lawyers For The Arts (PVLA), October 2010 – Present

- Negotiating release of publishing rights for biographer of artist Kathe Kollwitz who was famous and influential in the feminist movement.
- Prepared commission and sale agreements for local sculpture artist.
- Reviewed and negotiated recording contract, with Capitol Records, for newly discovered rap artist.

Member, ICANN Working Group for Review of Rights Protection Mechanisms, 2016-Present

Private European-American Consortium, October 2009 – May 2010

- Drafted partnership, licensing, model release and other agreements.
- Provided legal support and advice for independent documentary film project entitled "*Bartitsu - the Lost Martial Art of Sherlock Holmes*."

## SELECTED PRESS

*New gTLDs and Higher Burden of Proof Distinguish URS Rulings*, Bloomberg BNA (February 25, 2015) (Interviewed and quoted on adoption of the URS by brand owners)

*Doubts Preside Over Cybersquatting Prevention in New .VOTE TLD*, Bloomberg BNA (February 18, 2015) (Interviewed and quoted on use of domain names by legislators and political parties)

*Domain arbitrator lashes brand owner in cybersquatting row*, World Intellectual Property Review, (August 16, 2012) (Interviewed and quoted) <http://www.worldipreview.com/newsstory.asp?ID=22>

*Firms Fight Back in Site Name Game*, Washington Post, p. D1 (December 1, 2007) (Quoted on success in .biz URDP dispute against Sri Lankan registrant)

*Summation*, IP Law & Business, p. 50 (February, 2005) (Featured biographical interview with emphasis on enforcement war stories)

*Doing It Their Way*, Managing Intellectual Property, p. 20 (May, 2003) (Interview on in-house IP management strategies and practice styles)

## EDUCATION

**J.D.**, Brooklyn Law School, Brooklyn, New York, 1989

### Honors:

- Brooklyn Law Review, Published: Note, Single Copyright Registration For Computer Programs, 54 Brooklyn L. Rev. 965 (1988).
- First Prize: Nathan Burkhan Memorial Competition
- American Jurisprudence Award for Legal Writing

**B.S. Exercise Physiology**, S.U.N.Y. at Buffalo, Buffalo, New York, 1985

**Admitted To Bars Of:** Pennsylvania, New York, and the District Of Columbia.