

Intellectual Property

Overview

In today's commercial and technological climate, intellectual property is critical to the productivity and competitiveness of every business. Carlton Fields handles all aspects of intellectual property registration, enforcement, and protection. Whether the issue relates to infringement or ownership disputes, technology transactions, electronic business transactions, technology outsourcing, sports transactions, or media issues, our attorneys have a wealth of practical and legal experience to draw on to help you reach the solution that makes the most sense for your business. Our national and international clients range from startups to large corporations, operate in a wide range of industries, and include brands that are known and respected throughout the world.

Intellectual Property Litigation

- We apply our deep knowledge and experience in traditional intellectual property litigation to the vast range of issues arising from our clients' use of the internet and other technologies, including claims arising from online trademark, patent, and copyright infringement; cybersquatting, typosquatting, and other types of domain name disputes; actions arising from digital defamation and other types of libel; actions related to software licensing and other technology transactions; and proceedings implicating statutory or common law rights of privacy and publicity. Learn more about our [Intellectual Property Litigation](#) practice.

Intellectual Property Protection & Portfolio Management

- We offer individualized advice and counseling at each stage in the trademark process: trademark conception, conducting and analyzing a preliminary online search of the proposed trademark, obtaining and analyzing a comprehensive report from a specialized search firm, providing legal advice on the trademark's availability for use and registration, trademark prosecution from application through registration, ongoing registration maintenance, trademark licensing, and enforcing and defending the trademark in infringement and other legal actions. We are experienced at filing documents electronically with the U.S. Patent and Trademark Office, saving our clients time and money. Through our network of foreign associates, we assist clients with trademark prosecution throughout the world. Learn more about our [Intellectual Property Protection & Portfolio Management](#) practice.

Technology & Intellectual Property Transactions

We advise and counsel on every type of technology transaction at each stage of the contracting process. This includes developing and issuing requests for proposals, evaluating submitted proposals and participating in the vendor selection process, drafting the documentation, negotiating the terms and conditions, and closing the transactions. We also counsel clients on post-closing compliance issues and represent them in technology-related legal actions. Learn more about our [Technology & Intellectual Property Transactions](#) practice.

Media, Entertainment, Music & Sports

- Our sports and entertainment group has long been trusted counsel to companies, athletes, teams, leagues, associations, and related organizations for a wide variety of high-stakes matters. From team, event, and stadium financing and structuring of joint ventures, entities, and franchises, to litigation, launches of sports networks, and entertainment and media agreement negotiations, Carlton Fields has played a pivotal role in the sports and entertainment industry. We offer comprehensive litigation and transactional services to clients involved in all aspects of the media, entertainment, and sports industries. Learn more about our [Media, Entertainment, Music & Sports](#) practice.

Insights

10.04.2023

Maria, Maia, and the Importance of Public Perception in Trademark Registration

07.06.2023

Top 10 First Amendment Cases of the 2022-2023 Supreme Court Term

06.13.2023

Trademark Law Professor Opposes RAPUNZEL, but Consumers Lack Statutory Entitlement

05.30.2023

U.S. Supreme Court Unanimously Upholds the Federal Circuit's Enablement Inquiry for Patent Claims

02.07.2023

Second Circuit, Federal Circuit and TTAB crossroads: Cuban embargo or Pan-American Convention?

01.06.2023

FTC Proposes Nationwide Ban on Noncompete Agreements for All Employers: How to Comment on This Proposed Rule

06.29.2022

NFT Perspectives: A Discussion With Artist and Filmmaker Haik Kocharian

06.08.2022

Amgen, Juno And The Fate Of Functional Genus Claims

05.23.2022

Federal Circuit Holds That Refusal to Register TRUMP TOO SMALL Mark Was Unconstitutional

12.02.2021

Trademarks in Outer Space: Supporting the Off-World Economy

06.29.2021

Outer Space: Time to Address the Real-World IP Issues

03.09.2021

The Time to Act Is Now: New Challenges Facing Foreign Brand Owners Due to U.S. Trademark Modernisation Act

World Trademark Review (London)

01.12.2021

How Do We Protect Trade Secrets in Unprecedented Times?

12.15.2020

Revived Prospects for Patenting Financial Product Inventions

11.03.2020

Life on Mars?

06.09.2020

U.S. Supreme Court Permits Delay in Defence To Infringement

World Trademark Review (London)

05.29.2020

Florida's Fourth District Gives Protection to an Obvious Secret

03.19.2020

7 Tips for Restaurants Switching to Takeout or Delivery-Only “Ghost Kitchens” During the Coronavirus Crisis

03.02.2020

Canna We Talk Cannabis? Not So Patently Obvious: Patent Infringement in the Cannabis Industry

02.24.2020

You've Got Email: USPTO Imposes New Applicant Email Requirement for Trademark Submissions

02.20.2020

Back to Basics: A Primer on Intellectual Property Rights in Video Games

11.26.2019

How to Protect Your Brand From Counterfeiters

11.22.2019

Bitcoin is Speech: Notes Toward Developing the Conceptual Contours of Its Protection Under the First Amendment

10.21.2019

Getting Creative With Video Games: Sync Rights and Wrongs

10.03.2019

Getting Creative with Video Games: Whose Game Is It, Anyway?

09.18.2019

Getting Creative with Video Games: DMCA Takedowns and You

09.11.2019

Getting Creative with Video Games: Copyright, Public Domain, and Fair Use

09.11.2019

Supreme Court: Trademark Owner in Bankruptcy Can't Cancel Its Trademark Licenses

08.29.2019

The Game of the Name: Making Sure Your Trademark Is Available

08.15.2019

The Game of the Name: Choosing a Trademark for Your Video Game

07.22.2019

Global Protection For Cannabis Trademarks: Real Or Smoke And Mirrors?

07.11.2019

Changes to the Patent Landscape for the Insurance and Financial Industries

07.08.2019

New U.S. Patent and Trademark Office Rule Concerning Legal Representation for Foreign Trademark Applicants, Registrants, and Parties in TTAB Proceedings Effective August 3, 2019

06.24.2019

The U.S. Supreme Court Swears the Lanham Act Violates the First Amendment. Again.

06.19.2019

S1:E10 - Covering Your Digital Assets: Intellectual Property Rights and Gaming

06.12.2019

Supreme Court: Trademark Owner in Bankruptcy Can't Cancel Its Trademark Licenses

06.11.2019

Supreme Court Resolves Circuit Court Split: Copyright Registration Is a Prerequisite to a Copyright Infringement Suit

03.18.2019

Trial Checklist

02.08.2019

The Collapse of Covered Business Method Reviews

10.01.2018

NAIC Summer National Meeting Spotlights Innovation and Insurtech

07.09.2018

California Passes Stringent Privacy Law Akin to GDPR

06.01.2018

Country Names as Trademarks

INTA Bulletin

02.15.2018

Disparagement in U.S. Trademark Law: The *Matal v. Tam Case*

Journal of Association Internationale pour la Protection de la Propriété Intellectuelle (Japan Group)

02.01.2018

Disparagement in U.S. Trademark Law

AIPPI Journal Japan

01.01.2018

Anti-Social Media: New Horizons in Brand-Based Fraud

World Trademark Review Yearbook

11.03.2017

Custom Software Development: Practical Strategies to Get What You Pay For (Webinar)

09.26.2017

Intellectual Property

06.23.2017

Colorado Set to Regulate Cybersecurity Practices of Broker-Dealers and Investment Advisers

03.29.2017

Anti-Social Media: New Horizons in Brand-Based Fraud

World Trademark Review (London)

12.22.2016

Should Your Company Purchase Bitcoin to Pay a Cyber Ransom?

12.06.2016

Whistleblowers on Campus: DOJ Adds Research Universities to its False Claims Act Focus

11.30.2016

There's No Flying Under the Radar: Why Small Businesses Should Get Smart About Information Security

11.29.2016

TTAB Sets Precedent on Preclusive Effect of Prior Actions

08.26.2016

Cyber Update: What Businesses Must Know about the New Presidential Policy Directive

08.15.2016

Brexit's Impact on the Insurance Industry

08.08.2016

New Federal Drone Regulations Leave Unanswered Questions

06.24.2016

Brexit and International IP: Changes are Coming

06.24.2016

Brexit and International IP: Changes are Coming

06.15.2016

Supreme Court Reverses Heightened Standard to Treble Damages in Patent Cases

06.02.2016

Share What You Know: Liability Protection for Private Entities that Share Cybersecurity Information Pursuant to Federal Guidelines

04.29.2016

A Playing Field for Trademark Pirates

04.07.2016

Cuba: A Playing Field for Trademark Pirates

02.01.2016

4 Types of IP Your Startup Must Protect

12.23.2015

Bitcoin: Currency, Property, and Now, Commodity

12.23.2015

"Let's [Not] Go Crazy" with Copyright Takedown Notifications

12.23.2015

NIST IoT Framework Raises Interesting Cybersecurity and Data Privacy Challenges

09.28.2015

Don't Get Locked Out: Is Ransomware a Threat to Your Business?

09.28.2015

Online Behavioral Advertising Guidelines Go Mobile

09.28.2015

Expect Focus - International, Summer 2015

09.28.2015

States Continue To Grapple With Data Breach Notification Issues

09.28.2015

FFIEC Weighs in on Cybersecurity in Light of Unprecedented Risk of Cyber Threats

09.28.2015

Proposed Innovation Box Legislation

09.22.2015

7 Things Startups Should Know About Intellectual Property Law

07.28.2015

10 Tips for Minimizing Company Liability for Terminating Employees who Steal Trade Secrets

07.21.2015

ICANN 53 Global Meeting

Technology Law Dispatch

07.15.2015

National Companies Considering Commercial Drones Must Consider State Privacy Laws

06.15.2015

Cleared for Takeoff: Do You Need FCC Permission to Operate that Drone?

06.15.2015

The War Against Cyber Threats: President Obama Ups the Ante

06.15.2015

The Status of Business Method Patents

06.15.2015

State Regulation of Virtual Currency: A Recap

06.15.2015

RadioShack's Consumer Data: A Highly Scrutinized Asset

06.15.2015

Is a "YourBrand.sucks" Domain Name Worth \$2,500 per Year?

06.15.2015

Risky Business: Common Cyber Security Risks, Expensive Consequences

05.29.2015

Expect Focus, International, Spring 2015

05.29.2015

Taking Your Business International

05.19.2015

Florida Enacts Law Providing for Civil Remedy Against Cyber Fraud and Abuse

05.01.2015

Cybersecurity's Weapon of Choice

Corporate Counsel

03.25.2015

Financial and Merchant Industries Group and Obama Administration to Address Privacy Concerns

03.25.2015

Banks Take Notice: The Sunrise Period for .bank Registrations is Coming Soon

03.25.2015

Is Your Company Ready to Comply with Encryption of Individually Identifiable Health Information?

03.25.2015

Florida Court of Appeal: Photos on Facebook are Fair Game in Discovery

03.25.2015

A Modern Game of Hide and Go Seek? Some Lessons Learned Following Sony and Other Widely-Publicized Data Breaches

03.25.2015

Is It Too Soon to File for Trademark Registration?

03.25.2015

The Big Deal About Big Data: What Life Insurers Must Know

03.25.2015

Protecting the Data Lode: NAIC Addresses Cybersecurity

03.25.2015

Up, Up, and Away: Insurance Market for Commercial Drones Set to Take Off

03.11.2015

Jury Awards \$58.7 Million for Trade Secret Misappropriation After Technology Disclosure Pursuant to NDA

03.10.2015

A Different Kind of Data Breach—Loss or Disclosure of Company Information by Employee Theft

03.06.2015

Protecting Innovation and Competitive Advantage: Trade Secrets v. Patents

01.20.2015

Will the New Technology-Focused Immigration Bill Succeed?

01.16.2015

Online Merchants Beware: The New FTC Rule on Internet, Mail, and Telephone Order Purchases

01.15.2015

Cyberspace Developments: Obama's Proposed Information-Sharing Bill

12.22.2014

Where is the "Serve" Button?

12.22.2014

Online Merchants Beware: There's a New FTC Rule on Internet Purchases

12.22.2014

Newly-Adopted Privacy Standards for Cloud Service Providers

12.22.2014

Considering the Impact of Driverless Cars

12.22.2014

California's Northern District Bucks Standing Trend in Data Breach Class Action

11.19.2014

Are Data Breach Cases the Next Wave of Class Action Litigation?

09.16.2014

Laws Governing Data Security and Privacy – U.S. Jurisdictions at a Glance

09.16.2014

Hallmark Cards Awarded \$47 Million for Misappropriation of Four-Year-Old Market Research

09.16.2014

Did We Designate a DMCA Agent for Our Website Yet?

09.16.2014

Standard CGL Policy Form Adds Data Breach Coverage Exclusion

09.16.2014

Patent Eligibility of Software

08.28.2014

An Inexpensive Alternative to Patent Litigation

08.01.2014

Office of the Commissioner of Insurance of Georgia Proposes New Regulation Governing Protection of Trade Secret Information

07.08.2014

Start-Up Tech Company Will Not Change the Future of Television

07.07.2014

Your Electronic Communications to Canada May Now Be Illegal

05.27.2014

Managing the Risks of a Mobile Workforce

05.16.2014

Congress Weighs New Weapon in Fight Against Business Data Theft

03.31.2014

Connecticut Court Declines to Open New Door to Coverage in Data Breach Cases

03.31.2014

It May be Time to Update that Social Media Policy: FFIEC Releases Social Media Guidance

03.31.2014

The Target Data Breach: Potential Consequences for Banks

03.31.2014

Supreme Court Helps Level the Playing Field for Patent Infringement Defendants

03.13.2014

Protecting Trade Secrets from Discovery Disclosure in Florida

01.23.2014

Choosing a Trademark that Won't Buy You a Lawsuit

01.16.2014

The "Internet of Things" Will Impact Law and Regulation in 2014

01.01.2014

Counterfeits and Infringements Online - A Global Overview of Liability

World Trademark Review

12.01.2013

Effective Now: Increased Prohibitions on Unauthorized Possession of Personal Identification Information

12.01.2013

California Refines Online Privacy Protection Act to Require New Disclosures

11.21.2013

European Union to Adopt Union-Wide Trade Secrets Law

11.21.2013

How to Choose a Strong Mark to Discourage Infringement

11.06.2013

AAA/ICDR Adopts New Optional Appellate Arbitration Rules

10.15.2013

IP Protection: What are Trademarks, Service Marks and Logos?

09.01.2013

Inside the Minds: Defending Intellectual Property Rights in China

Thomas Reuters

07.19.2013

Academic Institutions Face Increased Threat of Cyberattacks

06.03.2013

U.S. Supreme Court to Decide Standing Requirement to Bring False Advertising Claim

05.30.2013

SCOTUS' 'Clapper' Strengthens Data Breach Defenses

05.09.2013

Steps to Consider Before Hiring an Employee from a Competitor to Minimize the Likelihood of Litigation

04.24.2013

Decisions Highlight Split in Application of Computer Fraud and Abuse Act

03.26.2013

U.S. Supreme Court Applies "First Sale" Copyright Doctrine to Allow Import and Sale of Gray Goods

03.25.2013

Cloud Servicing Contracts: Legal Considerations for Companies Migrating to the Cloud

03.14.2013

Trademark Clearinghouse Brand Protection Service to Launch on March 26, 2013 for New gTLDs

02.21.2013

White House Issues Strategy Warning of Dangers to U.S. Companies from Hackers

01.30.2013

Discussion Draft of Application Privacy, Protection, and Security Act (APPS Act) Released

01.16.2013

Congress Acts to Strengthen Federal Trade Secret Protection

12.03.2012

The Meaning of “Use,” and Proving it to Get Federal Registration

11.08.2012

Uncertainty in the Cloud: Changing Requirements for Disclosing Customer Data

08.30.2012

USPTO Introduces Database to Combine, Enhance, and Replace TARR and TDR

06.06.2012

Registering a Trademark That You Have Not Yet Used

02.06.2012

A Guide to Secondary Meaning Surveys

02.06.2012

A Non-Debtor’s Intellectual Property Rights In Light of A Licensor’s Declaration of Bankruptcy

01.13.2012

E-Discovery: Shifting the Costs of Compliance

12.27.2011

Managing Your Intellectual Property

10.18.2011

There's a New Patent Law in Town

09.27.2011

Trade Secrets: Civil or Criminal Enforcement of Trade Secret Misappropriation

08.24.2011

Could Your Trademark End Up As An Adult Website?

08.03.2011

Trouble for Trolls? Federal Circuit Moves to Reign in Non-Practicing Patent Plaintiffs

07.22.2011

The Risk Created By E-Discovery Vendors

02.01.2011

Heads In The Clouds: Understanding Cloud Computing And Its Risks

11.16.2010

Who Owns Your Software?

11.15.2010

Georgia Retreats From Its Historic Hostility Toward Restrictive Covenants in Employment Agreements, But Employers May Have to Wait To Take Advantage

03.12.2010

Patent Owners Beware

11.01.2009

Pharmaceutical Trademarks - U.S.

World Trademark Review, Issue 21

09.01.2009

The Importance of Valuing Intellectual Property from an Attorney's Perspective

09.01.2009

Non-Traditional Trademarks - U.S.

World Trademark Review, Issue 20

07.01.2009

Trademark Enforcement - U.S.

World Trademark Review, Issue 19

04.01.2009

Advanced Trademark Prosecution Issues

World Trademark Review, Issue 19

03.01.2009

Internet Issues for Trademarks - U.S.

World Trademark Review, Issue 17

12.01.2008

Protection for Unregistered Trademarks - U.S.

World Trademark Review, Issue 16

07.21.2008

Wireless Industry Fights Back Against Prepaid Phone Trafficking

06.01.2008

Protecting Well-Known and Famous Mark, a Global Perspective

IP Value

06.01.2008

Protecting Well-Known and Famous Mark, a Global Perspective

IP Value

04.01.2007

Chinese Domain Names in the 21st Century

Asia Law

06.01.2006

Key Issues in Managing a Global Brand

IP Value

01.01.2006

Florida Trademark Laws, Florida Statute Chapter 495

06.01.2005

Global Trademark Practice in the 21st Century

IP Value

01.01.2005

Using Negotiation Strategies in All Forms of Dispute Resolution

04.01.2004

IP Rights May be Used to Combat Internet Fraud

The National Law Review

08.01.2003

The Madrid Protocol: Mechanics, Strategies, and Beyond

National Legal Center for Public Interest

06.01.2003

INTA and the International Courts

Trademark Reporter (INTA)

05.01.2002

Famous Marks Dilution - Does the U.S. Meet TRIPS Standards?

NYLJ

12.01.1998

Worldwide Trademark Transfers

International Trademark Association (INTA)

06.01.1998

Geographical Indications: What Does the WTO TRIPs Agreement Require?

Trademark World

04.01.1998

Famous Marks

International Quarterly, Volume 10

06.01.1996

Intellectual Property Rights Reform in the Middle East

Middle East Commercial Law Review

01.01.1996

Fifty Years of the Lanham Act: A Retrospective of Section 43(a)

01.01.1990

Florida Trademark Laws, Florida Statute Chapter 495

06.01.1988

International Efforts Against Trademark Counterfeiting

Columbia Business Law Review

01.01.1986

Florida Manual of Trademark Examining Procedure

01.01.1976

Comment, The Budd Co.: The Toehold Defense to a Section 7 Attack

Our Team

Key Contacts



Eleanor M. Yost

SHAREHOLDER

Additional Members



Joan K. Archer

OF COUNSEL

Los Angeles

☎ 310.843.6376



Alexandra Beguiristain

ASSOCIATE

Miami

☎ 305.530.4024



Justan C. Bounds

SHAREHOLDER

Atlanta

☎ 404.815.3410



Richard A. Denmon

SHAREHOLDER

Tampa

☎ 813.229.4219



Harvey W. Geller

SHAREHOLDER

Los Angeles

☎ 310.843.6332



William Giltinan

SHAREHOLDER

Tampa

☎ 813.229.4241



Ethan Horwitz

SHAREHOLDER

New York

☎ 212.380.9617



Daniel C. Johnson

SHAREHOLDER

Orlando

☎ 407.244.8237



David A. Karp

OF COUNSEL

Miami

☎ 305.539.7280



Eden Marcu

ASSOCIATE

West Palm Beach

☎ 561.650.8026



Haroon N. Mian

ASSOCIATE

New York

📞 212.380.9589



Jayashree Mitra

SHAREHOLDER

New York

📞 212.380.9605



Ahmed-Zayn Mohamed

STAFF ATTORNEY

Tampa

☎ 813.229.4113



Mark A. Neubauer

SHAREHOLDER

Los Angeles

☎ 310.843.6310



Scott D. Page

OF COUNSEL

Los Angeles

☎ 310.843.6328



John C. Pitblado

SHAREHOLDER

Hartford

☎ 860.392.5024



Gail Podolsky

SHAREHOLDER

Atlanta

☎ 404.815.2714



Alex B. Silverman

SHAREHOLDER

New York

☎ 212.380.9627



Jonathan Sterling

SHAREHOLDER

Hartford

☎ 860.392.5042



Charles W. Stotter

OF COUNSEL

New York

☎ 212.430.5512



J. Coy Stull
OF COUNSEL

Tampa
☎ 813.229.4120



F. Joseph Ullo Jr.
SHAREHOLDER

Tallahassee
☎ 850.513.3611



Michael L. Yaeger

SHAREHOLDER

New York

 212.380.9623

Related Practices

- *Business Transactions*
- *Cybersecurity and Privacy*
- *Hospitality*
- *Media, Entertainment, Music & Sports*
- *Pharmaceuticals and Medical Devices*
- *Technology*
- *Telecommunications*

- *Cannabis Law*
- *Education*
- *International*
- *Ghost Restaurant Law*
- *International Tax*
- *Blockchain and Digital Currency*
- *Construction Litigation*
- *Private Equity and Venture Capital*
- *Nonprofit Organizations*
- *Technology & Intellectual Property Transactions*
- *Development*
- *International: Europe*
- *International: Cuba*
- *Esports and Electronic Gaming*
- *Telecom: Litigation and Arbitration*
- *Telecom: Transactions*
- *International: Mexico*
- *AdTech*
- *Alternative Dispute Resolution Services*
- *Digital and E-Commerce Engagement and Innovation*
- *Trade Secrets / Noncompete Litigation and Consulting*
- *Health Care*
- *Mass Tort and Product Liability*
- *Internal Investigations*
- *Litigation and Trials*

Related Industries

- *Technology*
- *Telecommunications*
- *Health Care*
- *Securities & Investment Companies*