



# JOSEPH DIAMANTE

## PARTNER

Joseph Diamante's practice focuses on intellectual property, patent, trademark and copyright litigation, and intellectual property counseling. He has practiced intellectual property law in the public and private sectors for more than 30 years. Joe has extensive experience litigating cases involving all forms of intellectual property and unfair competition issues and has been involved in more than 30 major trials.

## CONTACT

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## PRACTICE AREAS

Intellectual Property  
Litigation & Disputes

## INDUSTRIES

Manufacturing  
Technology

## OFFICES

New York, NY

## EDUCATION

- Brooklyn Law School, J.D.
- Cornell University, B.S.

## ADMISSIONS

- New York

## EXPERIENCE

- Obtained a \$30.2 million jury verdict on behalf of Tomita Technologies in a patent infringement suit against Nintendo's Japanese parent and an American subsidiary for infringement of a patent related to 3D display technology. The court awarded a royalty for continued infringement.
- Represented PODS in a trademark infringement action relating to portable moving and storage containers in a two-week jury trial resulting in a verdict of more than \$60 million for the client, finding for the client on all counts. It was one of the largest trademark verdicts in the United States.
- Represented PODS in a patent infringement action relating to various forms of unfair competition. The district court granted PODS a directed verdict on patent infringement. The jury found willful infringement and unfair competition violations.
- Represented Monsanto, the manufacturer of Equal, in a multibillion-dollar lawsuit brought by Cumberland Packing Corp., the manufacturer of Sweet'N Low, alleging false advertising, trade dress infringement, and unfair competition. The case, dismissed on summary judgment, was affirmed by the Court of Appeals for the Second Circuit.
- Represented JDS and Nutrition 21 in a patent infringement action on nutritional supplements; the case settled favorably.

## HONORS & AWARDS

- Litigation – Intellectual Property, Best Lawyers® (2020)



## FULL BIO

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In addition to his intellectual property transactional and trial experience, he has assisted many technology companies with developing, protecting, and commercializing their intellectual property assets and was recognized as obtaining four of the ten largest IP verdicts from 2010 to 2015. His clients have included PODS Enterprise, G.D. Searle, Citigroup, Monsanto, Merck & Co., The Culinary Institute of America, Dictaphone Corp., Friendly's Ice Cream Corp., Diesel Jeans S.p.A., New York Cruise Lines/Circle Line/World Yacht, Tanabe-Seiko, Swedish Match, Korea Development Bank, Korean Advanced Institute of Science and Technology (KAIST), Yale University, and the University of California, Los Angeles.

Joe has been involved in other high-profile cases involving patent, trademark and trade dress infringement; false advertising; and unfair competition violations in the technology, moving and storage, manufacturing, and food and beverage industries.

