



S. CLAIRE GIBSON

PARTNER

Claire Gibson began her career in Intellectual Property Law in 2005 and, since that time, has honed her expertise in the areas of trademark and copyright law while at the legal departments of Dreamworks Classics and NBC Universal. Her law firm experiences include counseling production studios, cosmetics companies, food distributors, clothing designers, and musicians among others, in establishing, protecting, and preserving their trademark rights both in the US and abroad. Claire exclusively practices Intellectual Property Law, concentrating on brand counseling, trademark prosecution, continued trademark protection, and brand maintenance for clients' domestic and international portfolios.

Claire is knowledgeable and experienced in managing matters before the United States Patent and Trademark Office (USPTO), having prosecuted trademark applications for brands in a wide variety of goods and services, disputed office actions, executed post-registration maintenance requirements, as well as oppositions on behalf of numerous clients. Claire has also advised clients in policing and enforcing their trademark rights including filing oppositions before the Trademark Trial and Appeal Board (TTAB), issuing cease and desist notices, and negotiating co-existence agreements.

Claire also has significant experience managing clients' global trademark portfolios and has managed trademark filing, prosecution, maintenance, and enforcement in Europe, South America, Asia, Africa, Canada, and the Caribbean. She has handled domain name, social media, and internet-related trademark disputes for various clients. Her experience in the practice area is comprehensive and an asset to her clients.

A New York City native, Claire earned her bachelor's degree from Columbia University and her juris doctor degree from Brooklyn Law School. In addition to her work as an IP attorney, Claire serves on the executive board of the Military Spouse JD Network. The daughter of Barbadian immigrants, Claire was born in New York but spent her childhood in Barbados. Claire is the spouse of an active-duty Marine with 20 years of service and hooman to two toy poodles Bajan and Toussaint.

CONTACT

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PRACTICE AREAS

Intellectual Property
Litigation & Disputes

INDUSTRIES

Alcohol Beverage Law
Banking
Cannabis
Manufacturing
Media & Entertainment
Non-Profits
Retail and Consumer Products
Software
Technology

OFFICES

New York, NY

EDUCATION

- Columbia College of Columbia University, B.A., Political Science
- Brooklyn Law School, J.D.

ADMISSIONS

- New York



EXPERIENCE

- *Al Khadlaj Perfumes Industries LLC v. Marina Group LLC*, Opp. No. 91283640 (TTAB May 8, 2023): Successfully opposed application for KHADLAJ in class 3 for fragrances on the basis of client's senior common law rights to KHADLA for the same goods; Opposition was successful after Applicant abandoned the mark.
- *In re Project Makeover, Inc.*, Reg. No. 7058082, Appeal No. 90378150 (TTAB Feb 15, 2023): Successfully overcame Examining Attorney's final refusal on the grounds that Applicant's PROJECT MAKEOVER mark was allegedly merely descriptive of charitable fundraising services in class 36; application was approved for publication after TTAB forwarded Applicant's persuasive brief to Examiner for review.
- *In re Atlantis Coin Inc*, Reg. No. 6966471 (Jan 31, 2023): Successfully persuaded Examining Attorney to withdraw likelihood of confusion doctrine of foreign equivalents refusal against ATLANTIS COIN for blockchain and cryptocurrency services in class 36 based on alleged potential confusion with ATLANTIDA CONNECT for money transfer services in class 36.
- *In re Selk'Bag USA, Inc.*, Reg. 6695884 (Apr 5, 2022): Successfully persuaded Examining Attorney to withdraw functionality refusal against Applicant's 3-D design mark for wearable sleeping bag in class 24; refusal was withdrawn after Examiner's review of Applicant's persuasive arguments.
- *In re Taylor'd Speech & Language Services*, Reg. No. 6430880 (Jul 27, 2021): Successfully overcame Examining Attorney's final refusal on the grounds that Applicant's TAYLOR'D SPEECH & LANGUAGE SERVICES in class 44 for speech therapy was confusingly similar to Registrant's TAYLORED NUTRITION in class 44 for health counseling; successfully negotiated a registration consent with Registrant and Examining Attorney withdrew the refusal after review of persuasive brief and Consent Agreement.
- *In re Francisco DelRio*, Ser. No. 90059621 (Jun 9, 2021): Successfully persuaded Examining Attorney to withdraw likelihood of confusion and doctrine of foreign equivalents refusal against GENIA in class 29 for fruits and vegetables based on alleged potential confusion with Registrations for GENIUS in class 29 for meat, fish and poultry; refusal was withdrawn after Examiner's review of Applicant's persuasive arguments and evidence.
- *In re Kore Essentials, Inc*, Reg No. 6303576 (Mar 30, 2021): Successfully persuaded Examining Attorney to withdraw likelihood of confusion refusal against Applicant's KORE in class 25 for men's belts based on alleged potential confusion with Registrant's KORE SWIM also in class 025 but for swimwear.
- *In re Kore Essentials, Inc*, Reg No. 6297756 (Mar 23, 2021): Successfully persuaded Examining Attorney to withdraw likelihood of confusion refusal against Applicant's KORE ESSENTIALS in class 25 for men's belts based on alleged potential confusion with Registrant's KORE SWIM also in class 025 but for swimwear.
- *Kore Essentials, Inc. v. Kore Method New York LLC*, Opp. No. 92074626 (TTAB Nov. 4, 2020): successfully prosecuted a cancellation action against a trademark registrant who had effectively abandoned the registration; Applicant's mark was allowed to register after successful cancellation action.
- *Greatamerica Financial Services Corporation v. CPApp, LLC*, Opp. No. 91246016 (TTAB May 20, 2019): successfully defended client's application to register SNAPPSHOT for financial software in class 42 from an opposition by the owner of the registered mark SNAPPSHOT in class 42 for a financial services website.
- *In re Pamela Green*, App. No. 87593895 (Jul 11, 2018): Successfully persuaded Examining Attorney to withdraw primarily geographically descriptive refusal against AVE B for apparel items in class 025; Application was approved for publication after Examiner review Applicant's persuasive brief.
- *In re Tiny Farms Inc*, Reg. No. 5281722 (Sep 5, 2017): Successfully persuaded Examining Attorney to withdraw likelihood of confusion refusal against TINY FARMS in class 29 for farmed insects based on alleged potential confusion with Registration for TINY FRIEND FARM in class 31 for animal foodstuffs; refusal was withdrawn with a call to Examiner.
- *In re DC8 Distribution Inc*, Reg. No. 5011080 (Aug 2, 2016): Successfully persuaded Examining Attorney to withdraw Controlled Substances Act - Not Lawful Use in Commerce refusal against Applicant's EXPERIENCE TRUE TASTE in class 34 for oral vaporizers; refusal was withdrawn after Examiner's review of Applicant's persuasive brief.
- *In re DC8 Distribution Inc*, Reg. No. 4981221 (Jun 21, 2016): Successfully persuaded Examining Attorney to withdraw Controlled Substances Act - Not Lawful Use in Commerce refusal against Applicant's SOURCE ORB in class 34 for oral vaporizers; refusal was withdrawn after Examiner's review of Applicant's persuasive brief.



- In re Jian Tam et al., Reg. No. 4939197 (Apr 19, 2016): Successfully persuaded Examining Attorney to withdraw likelihood of confusion refusal against Applicant's BUTTERFLY TRADE (design) in class 35 for online retail store based on alleged potential confusion with Registrant's BUTTERFLY CONSIGNMENT also in class 35 for online retail store; application as allowed to register after Examiner's review of Applicant's persuasive brief.
- VKC Travel Group v. Nomadic Souls LLC, Opp. No. 86498605 (TTAB Jan 20, 2016): Successfully defended Applicant against Opposer claiming senior common law rights by demonstrating Applicant's seniority and persuading Opposer to rebrand.
- Managed and enforced international portfolios for several global brands in the construction and mining equipment industry, hotel industry, eyewear and apparel industry, financial services industry, alcoholic beverage industry and packaged foods industry.
- Managed and enforced an international portfolio of trademarks for a US entertainment company.
- Negotiate and manage distribution agreements and licenses.
- Counsel corporate business teams on brand development, acquisition, use and enforcement.
- Police international trademark portfolios including monitoring watch notices, investigating infringements, issuing demand letters and take-down notices and filing oppositions.
- Manage enforcement against cyber squatters including demand letters and UDRP arguments before WIPO.
- Draft intellectual property agreements in support of subsidiary acquisitions and company mergers.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- Military Spouse JD Network (MSJDN)
- International Trademark Association (INTA)

HONORS & AWARDS

- JPMorgan Chase Thomas G. Labrecque Scholar
- MSJDN Excellence in Leadership Award Recipient

