## The Katten Kattwalk® Summer 2022 | Issue 24

# Katten

#### Letter From the Editor



In this Summer 2022 edition of *Kattwalk*, we are excited to introduce two new Katten attorneys who are already proving to be valuable additions to Katten in New York.

Geoffrey Young brings his commercial litigation savvy to our group, with experience representing well-known brands and music artists. We also welcome associate Cynthia Martens, whose background in fashion and journalism brings a unique perspective to client matters. This issue covers why brands need to be watchful of trademark infringement in Russia, notes a rise in ADA claims against online retailers and an alert about antitrust enforcement in the EU.

Karen Artz Ash

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Q&A

#### BACKGROUND

You were an English major at the University of Kentucky before going to law school at Cornell. What inspired you to join the legal profession?

I was drawn to the legal profession in college, when I began to seriously learn about the myriad ways that lawyers impacted our world. The problem was I didn't know any lawyers and there were none in my family, so I went on a journey to learn about law school and the profession. From working in a law library and meeting with various lawyers, I quickly realized that I wanted to join the profession.

At the same time, I realized that New York City was the ideal setting for practicing law. I was born and bred in Kentucky but had been to visit NYC several times as a kid and was enamored with the city. After completing undergrad at the University of Kentucky, I

#### Q&A With Geoffrey Young



spent three years in Ithaca, at Cornell, before moving to NYC. I've now lived in New York nearly 20 years, and my Kentucky accent is barely noticeable these days, so I consider myself a New Yorker.

#### LAW PRACTICE

# Your background largely focuses on commercial litigation. What drew you to commercial litigation practice and what types of matters do you handle?

My interest in litigation was cemented during my clerkship in Brooklyn federal court in the Eastern District of New York, where I was exposed to a wide variety of criminal and civil matters. I carried that varied litigation of my clerkship with Judge Sandra Townes into my commercial litigation practice, where I get to work across different industries and subject matters. At this stage, my practice is focused on certain industries, such as financial services, media/entertainment and life sciences. My practice also includes soft intellectual property (IP) disputes, which has become a growing area over the years as companies have really seized on protecting and monetizing their IP rights. I have focused my practice on litigating trademark and copyright infringement matters, royalty/ licensing disputes and rights of privacy.

## Are there particular challenges you've faced and overcome in your practice?

Like many people, I encountered some challenges in my practice during the pandemic. Courts were closed for a period of time, and there was a ton of uncertainty on what comes next. However, I continuously strive to be optimistic in the face of challenges, so I viewed the pandemic as an opportunity to learn, grow and develop better habits. As a result, I tried a variety of tools that were new to me (like Zoom) to stay connected to colleagues and clients, and quickly incorporated these tools into my practice. At this point, I've lost count of the number of Zoom depositions that I have done since March 2020. I also went back to school during the pandemic, where I trained to be a diversity, equity and inclusion (DEI) leader, which was helpful for some of the DEI roles that I held at my previous firm. I think I'm a better lawyer, leader and person than prior to the pandemic. You have handled many cases involving intellectual property disputes, notably for wellknown brands and music artists. Can you share a memorable matter, maybe one that you're most proud of or left you with lessons learned?

Over the course of my career, I have litigated a variety of IP disputes, but one of my favorites is a copyright dispute where my team helped create new law in the Second Circuit. We represented a well-known rapper that was sued for copyright infringement by an individual claiming that he created the "beat" for a song that went viral (but this was before we used that word) and became a multi-million dollar success. We argued in the trial court that the plaintiff's claim was a dispute about ownership of the copyright, not infringement, and was time barred by the statute of limitations. The trial court agreed with us, and dismissed the case. The Second Circuit affirmed, and held for the first time that a plaintiff alleged to be an "exclusive licensee" of a copyright must bring a claim within three years of the ownership dispute, like a copyright "owner," to satisfy the statute of limitations regardless of when the alleged infringement occurred. The Court also confirmed that a court can look beyond the claims of infringement to determine whether the dispute is really about ownership of the copyright.

#### INCLUSIVE APPROACH

You have a long track record as an advocate for diversity, equity and inclusion. Besides (or maybe in addition to) the moral and business cases for DEI, what makes you so passionate about bringing more diverse attorneys into the fold?

At my prior firm, I held a number of leadership roles over my tenure, especially related to diversity, equity and inclusion and recruiting. At one time, I was the US Deputy for DEI at the firm and then I took on a newly-created role as global Executive Director of Diverse Recruiting. These were big roles, but I have always had an interest in pushing for meaningful DEI progress in the profession because it has been clear to me, even as a law student, that there are disproportionately few diverse lawyers in the profession. There are historical reasons for this imbalance given that only certain people could go to law school or become lawyers for a long period of time in the United States, but there has been minimal progress on correcting this imbalance over the last 60 years when schools were legally open for all. Because of this background, no meaningful progress can be achieved without making concerted and intentional efforts to encourage and support diverse lawyers. That is what drives me to pour my energy in DEI. I'm proud of the progress we have made in the country, and in the profession, and look forward to carrying my efforts forward at Katten.

#### PERSONAL SIDE

## What's one thing people – colleagues and clients – would find surprising about you?

One of the surprising things I like to share is actually about my son, who has helped me hone some of my IP counseling skills because he was a child actor/model. When he was a toddler, he booked a number of print and commercial jobs, and eventually joined a talent agency and the Screen Actors Guild (SAG). The highlights were a commercial directed by Spike Lee and a recurring role on a soap opera (One Life to Live). He is now a pre-teen, and his acting/ modeling days are long gone.

#### PASSION PROJECTS

## What are your passion projects, the activities that motivate and inspire you?

One of my legal passion projects is helping individuals sentenced to death. I've worked on capital punishment cases since law school, and have carried that into my practice. Since 2008, I have represented an individual who is on Alabama's death row as result of a peculiar law in the state where the jury's life sentence was overridden by the judge, who imposed a death sentence. Although this practice has been ruled unconstitutional by the US Supreme Court, our client remains on death row. We initially took up the case to correct his unconstitutional sentence, but quickly uncovered evidence of his innocence. It has been a long fight, and we will continue until we have achieved justice for our client.





Cynthia Martens Intellectual Property Associate Katten Muchin Rosenman LLP

#### BACKGROUND

#### Let's explore your path to law. What drew you to the profession?

I still remember my college roommate's reaction when I decided to major in Italian language and literature. "What are you going to do with that?" she asked incredulously. I didn't know, exactly, but Italian certainly changed my life.

My career has not followed a conventional trajectory. My first job after college was as a news desk assistant at *Time Magazine's* Chicago bureau, which closed about six months after my arrival (coincidentally!). From there, I moved to Milan without a precise plan, but determined to get a job in Italy. I found an internship at the Versace press office and then two other jobs in fashion public relations, at Neil Barrett and Valentino. I did a lot of translating press releases and ghostwriting designer press interviews, and also was involved in organizing press and photographer accreditations at various runway shows. Each of those jobs was different. Versace was a big-name brand, but family-run. Neil Barrett was an edgier, niche label and I wore a lot of different hats. I was shipping clothes all over the world for editorial and celebrity shoots and once served as impromptu fit model for some shorts the designer was urgently sending a pop star. Valentino was in a transition phase, as the founder had recently retired and two new designers were at the creative helm.

I learned a lot about the industry in those roles and ultimately was recruited to work in the Milan bureau of *Women's Wear Daily*, which I loved. My boss noticed I was good at covering legal topics and encouraged me to develop that angle. I took a train down to Prato, a traditional textile hub in Tuscany, and interviewed the prosecutor overseeing various sweatshop cases. I spoke with European Union lawmakers about the disputes surrounding country-of-origin labeling, and with an intellectual property lawyer about all the Italian fashion brands funding the restoration of cultural heritage sites. Then, a freelance piece I was working on for *The New York Times Magazine* was cut at the fact-checking stage because of defamation concerns. I realized I was interested in understanding that better, too. I thought: if I don't study law now, I'm never going to do it. So, I went to law school in New York.

#### You've had a fascinating career trajectory on multiple tracks: journalism, fashion industry, language translation, law. What's the common thread and how did you find that connection?

The fil rouge is a fascination with how people communicate ideas and culture. I've always loved to write; as a child, I made my own newspapers and magazines by cutting up catalogs and writing copy. My love of fashion is related to a broader appreciation for art. I view fashion as a form of visual communication, one that plays an important role in human society. Think of historical sumptuary laws, which restricted who could wear certain colors or materials. Laws express the evolving ideas we have about how to live together. As for translation, I spent my formative years in Paris, speaking English at home and French at school. I developed a sort of dual identity and continue to find languages extremely interesting. To quote Italian author Umberto Eco: translating is "to say almost the same thing."

#### PRACTICAL EXPERIENCE

#### Many attorneys who regularly write say the practice increases their breadth of knowledge, especially in a niche practice. How has your journalism impacted (or improved) your legal practice?

Journalism and law demand similar skills. You need to be able to read and absorb information quickly, to train yourself on unfamiliar topics. You need to think critically: what do I know, and what else would be good to know about this? What question haven't I answered? What are my blind spots here? And you need to learn how to create rapport with people. No one is going to want to talk to you if you make them uncomfortable, though of course, the flip side of that is that some conversations are going to be tough by virtue of the subject matter. What I really love about both fields, however, is their connection to public debate: how the world is, and how it should be. Another thing journalism taught me is not to take professional criticism personally. I've had editors make extensive edits to my articles, and earlier on it was hard not to feel upset, because writing feels so personal. But good editors can teach you a lot, and all writers need editors.

COVID-19 threw the world a curveball. How did the pandemic impact your practice areas and how is the fashion industry responding?

The fashion industry had to respond to a series of sudden changes in consumer buying patterns, workplace safety needs and work-from-home policies. At the height of the pandemic, I read a lot of discussion about how everyone would only want to wear athleisure, but now the consensus is that people are celebrating a return to socializing with bright colors and festive attire. And that it's more important than ever for companies to facilitate digital sales.

## What challenges have you faced and overcome in your practice?

I started studying law later than many of my classmates. I was pregnant during my first year of law school, which made jumping through all the hoops of internships and exams that much more difficult. My son was about a year and a half old when I took the bar. But in many other respects I was privileged to be able to take on the challenge. I have two young children now. Juggling professional life with family needs, especially in a small New York City apartment, means there is never a dull moment. Still, I know I'm not the only one in that boat!

#### PERSONAL SIDE

## What's one thing people – colleagues and clients – would find surprising about you?

I met my husband on a flight from Milan to New York in 2010. He was part of a group of Italian actors participating in the Lincoln Center summer festival. We were next to each other; my mom takes credit for that because she helped book the ticket and chose the exact seat.

#### What are your passion projects?

Amateur photography. I like running, spinning, yoga and dance, when there's time. I'm a big animal lover and always enjoy curling up to watch a movie or read a book with my cat.

IP-wise, what I find most interesting is the tension between encouraging individual creativity through exclusive rights and allowing society as a whole to benefit from innovation and the free exchange of ideas.

I'm excited to join Katten, which focuses on many areas of law that I enjoy, and look forward to this next chapter.

## War and Peace at Rospatent: Protecting Trademarks in Russia

#### By Cynthia Martens

Yes, we shall live, Uncle Vanya. Could Anton Chekhov ever have imagined that his literary work would be used to sell hamburgers? In March, a controversial application for an "Uncle Vanya" mark in connection with "snack bars, cafes, cafeterias, restaurants, bar services, canteens, cooking and home delivery services," incorporated the red-and-yellow golden arches logo of McDonald's. It was just one in a series of recent applications in Russia that have caused serious pearl-clutching among intellectual property lawyers.

Since Russia invaded Ukraine on February 24, the country has faced numerous financial, trade and travel sanctions. It's also been snubbed by major intellectual property partners. In a

February 28 letter, a group of whistleblowers and staff representatives at the World Intellectual Property Organization (WIPO) called for the entity's public condemnation of Russia's invasion of Ukraine and the rapid closure of its Russia Office. The European Patent Office <u>severed ties with Russia on</u> March 1, and shortly thereafter the United States Patent and Trademark Office (USPTO) confirmed that it had "<u>terminated engage-</u> <u>ment</u>" with officials from Russia's agency in charge of intellectual property, the Federal Service for Intellectual Property (Rospatent), and with the Eurasian Patent Organization.

In response, Russia has adopted an aggressive posture in the intellectual property realm where it once sought to peacefully engage

with the world, an effort that began well before the collapse of the Union of Soviet Socialist Republics. When the USSR joined the Paris Convention in 1965, it eagerly sought to develop Soviet intellectual property. Yet in March, Russia issued <u>Decree No. 299</u>, which effectively nullifies the enforcement value of Russian patents owned by entities and individuals in "unfriendly" countries including the United States, European Union member states, the United Kingdom, Ukraine, Japan, South Korea, Australia and New Zealand.

Russian Prime Minister Mikhail Mishustin also <u>greenlighted</u> <u>the importation of branded products without the brands'</u> <u>permission</u>, creating gray market headaches. As Boris Edidin, deputy chairman of the Commission for Legal Support of the Digital Economy of the Moscow Branch of the Russian Bar Association, clarified in a recent legal commentary published by Moscow-based RBC Group: "entrepreneurs have the opportunity to import goods of well-known brands, regardless of the presence or absence of an official representative on the Russian market."

Russia, like the EU, had traditionally adopted a tougher stance than the United States on parallel imports. Now, however, "both by 'anti-crisis' measures and by cloak-and-dagger methods" Russia is sure to do all it can to keep its planes flying and its factories running, said Peter B. Maggs, research professor of



law at the University of Illinois at Urbana-Champaign and noted expert on Russian and Soviet law and intellectual property.

The increase in parallel imports makes trademark prosecution and maintenance more important than ever in Russia, but it's not the only cause for concern. In March, as political tensions reached a crescendo, a Russian court declined to enforce the trademark rights for Peppa Pig, the famous British cartoon character, due to "unfriendly actions of the United States of America and affiliated foreign countries." (*See* case No. A28-11930/2021 in the Arbitration Court of the Kirov Region; an appeals court later <u>overturned</u> this holding, in a win for the porcine star.) RBC Group <u>reported</u> in March that it had tracked more than 50 trademark applications by Russian entrepreneurs and businesses for the marks of famous foreign brands, many in the fashion and tech sector. While most trademark applications were explicit copies of existing brands, in other cases applicants were content to imitate well-known trademarks and trade dress.

For example, a Russian entrepreneur from a design studio called Luxorta applied to register an IDEA brand that mimics the style and yellow-and-blue color schemes of famous Swedish brand IKEA. He told RBC that his business had suffered after IKEA suspended its Russian operations, and that he aspired to develop his own line of furniture and work with IKEA's former suppliers. Other applicants RBC interviewed indicated they hoped to sell the marks back to foreign companies once those companies return.

On April 1, Rospatent published <u>a press statement</u> clarifying that "in case an identical or similar trademark has already been registered in the Russian Federation, it would be the ground for refusal in such registration." More recently, the head of Rospatent, Yury Zubov, has responded with frustration to news coverage of trademark woes in Russia, noting that intellectual property legislation is unchanged and the "Uncle Vanya" hamburger mark had been withdrawn.

Prof. Maggs agreed that those trying to register or use close copies of foreign marks in Russia will likely fail. He cited a June 2 decision by the Court of Intellectual Property Rights to uphold lower court findings that the mark "FANT" for a carbonated orange soft drink violated unfair competition laws, because it was confusingly similar to the "FANTA" brand owned and licensed to third parties by Coca-Cola HBC Limited Liability Company. Russia's consumer protection agency had originally brought the case.

The Court reasoned that "confusion in relation to two products can lead not only to a reduction in sales of the FANTA drink and a redistribution of consumer demand, but can also harm the business reputation of a third party, since the consumer, having been misled by the confusion between the two products, in the end receives a different product with different quality, taste and other characteristics."

In addition, Prof. Maggs said, "the Putin Regime is and will be promoting Russian products as 'just as good' as foreign products. An example, obviously approved at high levels is the adoption of a totally different trademark for the sold McDonald's chain," he said, referring to the June 12 reopening of former McDonald's restaurants in Moscow under the name "Vkusno & tochka" ("Tasty and that's it").

Brands should be wary of inadvertently jeopardizing their Russian marks by suspending local operations; a trademark may be cancelled in Russia after three years of <u>uninterrupted</u> <u>non-use</u>. While <u>Article 1486</u> of the Russian Civil Code states that "evidence presented by the rightholder of the fact that the trademark was not used *due to circumstances beyond his control* [emphasis added] may be taken into account," brands claiming infringement still risk being ineligible for damages or injunctive relief, because technically they are not losing sales while pausing business in Russia.

Moreover, if a company has suspended sales in Russia to show solidarity with Ukraine but seeks to stop sales in Russia by others, it may be accused of violating the good faith requirement of <u>Article 10</u> of the Russian Civil Code, which states that exercising "rights for the purpose of limiting competition and also abuse of a dominant position in a market are not allowed."

Russia remains a party to numerous intellectual property treaties, including the <u>Paris Convention</u>, the <u>Agreement on Trade-</u><u>Related Aspects of Intellectual Property Rights</u> and the <u>Hague</u><u>Agreement</u>. But as the Peppa Pig case illustrates, court decisions on intellectual property are not immune to political heat.

The question looming on the horizon is whether, if the current crisis escalates, the Russian government would outright cancel trademarks from hostile countries. It would not be the first time a state denied intellectual property rights during political conflicts. In the aftermath of the First World War, for example, the US government advocated for the "expropriation" of property, including intellectual property, of German nationals, perceived as responsible for the militarism of their government<sup>1</sup>. And in the 1930s, the German patent office removed Jewish patent-holders from its roster as part of its notorious "Aryanization" process. However, because Russia is not officially at war with the countries it has deemed "unfriendly," these precedents are not directly on point.

Brands that have suspended business operations in Russia should monitor their trademark portfolios closely for infringement and consider how they can prove use of each mark during a prolonged absence from the Russian market. In other words: keep your eyes on Uncle Vanya.

<sup>&</sup>lt;sup>1</sup> Caglioti DL. Property Rights in Time of War: Sequestration and Liquidation of Enemy Aliens' Assets in Western Europe during the First World War. Journal of Modern European History. 2014;12(4):523-545. doi:10.17104/1611-8944\_2014\_4\_523.

## ADA Claims Continue to Snag Online Merchants

#### By Christina Grigorian

Title III of the American Disabilities Act, 42 USC §§ 12181 – 12189 (ADA), generally prohibits discrimination on the basis of an individual's disability in a place of "public accommodation." Initially after the ADA's enactment in 1990, lawsuits typically related to physical changes that businesses were required to make to brick-and-mortar sites to ensure that such locations provided necessary accommodations for individuals with disabilities. However, in recent years, there has been a significant litigation trend where plaintiffs (through counsel<sup>1</sup>) are asserting Title III claims premised in the inability for those with visual or hearing impairment to access merchant websites. While a few courts have rejected this theory, most courts have found that a Title III claim premised on failure to provide accommodations for website usage to those who are visually or hearing impaired are actionable under the ADA.

#### Background

A <u>2019 industry report</u> found that "70 percent [of websites in e-commerce, news and information, and government categories] had certain 'critical blockers' that rendered them inaccessible to visually impaired users."

Lawsuits based on violations of Title III are neither new nor novel. According to published reports, more than 11,400 people filed suit alleging a violation of Title III in 2021, representing a 4 percent increase from 2020 and a 320 percent increase since 2013.

#### **Current Litigation**

Most recently, on June 10, the US District Court for the Western District of Pennsylvania certified a class action involving a plaintiff's claim that an apparel merchant's website was not accessible to those who are blind or visually impaired, finding that such website violated the equal access requirements of Title III.

The case, *Murphy v. The Hundreds is Huge*, *Inc.*,<sup>2</sup> involved a plaintiff who is visually impaired who claimed, for himself and on behalf of others similarly situated, that the online retailer "did not have adequate policies and practices reasonably calculated to cause the website for its online store . . . to be fully accessible to blind or visually disabled individuals in violation of the ADA." In the memorandum that certified the class and approved the proposed class action settlement, the Court noted that, based on the statistics provided by the plaintiff,<sup>3</sup> "approximately 7.3 million adults who have difficulty seeing and 1.8 million adults who are blind can be expected to use the internet."

For purposes of the Court-approved settlement, the defendant agreed to (1) modify its digital properties "to remove barriers they allegedly present to access by blind and visually impaired visitors and users" of the merchant's website, and (2) revise its policies and procedures concerning such access. To accomplish these agreed-upon actions, the parties agreed to the appointment of an "Accessibility Consultant" who was tasked with



undertaking certain assessments concerning the merchant's tobe-revised website.

#### **Federal Guidance**

On March 18, the US Department of Justice released guidance on internet accessibility and confirmed that the ADA's requirements apply to merchants' offerings on websites (DOJ Guidance), stating that Title III applied to "businesses that are open to the public." The DOJ Guidance makes clear the agency's position that "the ADA's requirements apply to all the goods, services, privileges, or activities offered by public accommodations, including those offered on the web." In connection with its specific findings, the agency stated that the following website characteristics were often the cause of website inaccessibility:

- Poor color to contrast
- Reliance on color to provide information
- Lack of text alternatives, or text, on images
- No captions on videos
- Inaccessible online forms
- Mouse-only navigation rather than keyboard navigation

#### Conclusion

Based on both this litigation trend as well as the DOJ Guidance affirming the agency's interpretation of the extension of the protections in Title III to those with visual and hearing disabilities, internet merchants should closely examine their websites to determine if such sites meet necessary accessibility requirements. Not only will such analyses ensure that compliance with applicable federal law, it will also ensure that this part of the market is not hindered in accessing the goods and services sold on such website.

## More NEWS to KNOW

## Katten Assists Fashion Powerhouse Jessica Simpson in Partnership With Second Avenue Partners

Second Avenue Capital Partners (SACP) announced May 18 that it closed a \$67.5 million term loan for The Jessica Simpson Collection, a \$1 billion fashion empire and lifestyle brand. Private Credit Associate **Michael Howald** represented The Jessica Simpson Collection in the negotiation of the new credit facility.

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### 'Peppa Pig' Case Portends Russia Retaliation World Intellectual Property Review

#### by Terry Green and Tegan Miller-McCormack

After a Russian court allowed the infringement of 'Peppa Pig' trademarks, will more Western marks be next? London Deputy Managing Partner **Terry Green** and Associate **Tegan Miller-McCormack** report.

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### 'Trump' TM Ruling Leaves Attorneys Grasping For Answers *Law360*

Law360 spoke with Intellectual Property partner Jeffrey A. Wakolbinger about the potential outcome of a pending trademark application for the phrase "Trump Too Small" following a federal circuit court's recent ruling that reversed a decision denying trademark registration.

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<sup>&</sup>lt;sup>1</sup> Under 42 USC § 12188, a plaintiff is entitled to injunctive to make "facilities readily accessible." Plaintiff's counsel typically seeks fees in these suits and whether or not a website is "accommodating" can be a fact-intensive question. Notably, "[i] ndividual awards of money damages are not available in an action pursuant to Title III of the ADA." Murphy v. The Hundreds is Huge, Inc. (citation below).

<sup>&</sup>lt;sup>2</sup> Murphy v. The Hundreds is Huge, Inc., 1:21-CV-00204-RAL (W.D. Pa. Jun. 10, 2022).

<sup>&</sup>lt;sup>3</sup> These statistics stated that more than 90 percent of adults in the United States use the internet and that more than 3.3 percent of the US population over the age of 15 have difficult seeing, including 2 million people who are "blind or unable to see."



## EU Commission Investigates Cartel Breach in Fashion Sector

#### By Cynthia Martens

For once, it wasn't about Big Tech. The European Commission, the executive branch of the European Union, jolted the fashion sector to attention on May 17 with news of "unannounced inspections" at the premises of industry companies in "several" EU member states, and ominous-sounding "requests for information" directed to others.

The Commission, which enforces antitrust rules in the EU, was reportedly concerned about violations of Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the European Economic Area Agreement, which prohibit anti-competitive agreements between two or more independent market operators and practices that may affect intra-EU trade, including by directly or indirectly fixing "purchase or selling prices or any other trading conditions."

While the Commission refused to name names – or even member states – a <u>Reuters news report</u> theorized a connection between the investigation and a widely-circulated open later released two years prior, at the height of the global pandemic tumult. The so-called Forum Letter – signed by a slew of designers, retailers, buyers, creative directors and assorted business leaders – addressed the need for greater supply chain sustainability, but also invited industry members to limit sales promotions to January and July "in order to allow for more full-price selling." That turn of phrase, insiders suggested, had caused consternation in Brussels.

There is no mandatory timeline for the Commission to conclude its investigation. If it determines that a market operator has breached cartel rules, however, the Commission has the authority to impose fines of up to 10 percent of the entity's turnover in the most recent financial year. Companies that cooperate in an investigation may benefit from a fine waiver or reduction.

## Recognitions/Events

## Karen Artz Ash Appointed Chair of ADL NYC Activist Board

Partner Karen Artz Ash was appointed chair of the Anti-Defamation League (ADL) NYC Activist Board, which is dedicated to addressing, among other things, anti-Semitism and anti-Asian hate crimes.

## Karen Artz Ash Re-Elected Chair of VOLS

**Karen Artz Ash** was re-elected for third consecutive term as Chairperson of the Board of Volunteers of Legal Service (VOLS), a pro bono services organization.

## Alexandra Caleca Named to VOLS Pro Bono Advocacy Council

Associate **Alexandra Caleca** is among the inaugural members the Pro Bono Advocacy Council, a new VOLS associate's advisory board.

*Managing Intellectual Property* Honors Karen Artz Ash Among 'Top 250 Women in IP'

**Karen Artz Ash** has been named to *Managing Intellectual Property's* 2022 list of the "Top 250 Woman in IP" for the seventh year.

#### Read more

World Trademark Review Recognizes Katten and Four IP Attorneys in 2022 Edition of 'WTR 1000 – The World's Leading Trademark Professionals'

Recognized individually were Katten Chairman **Roger Furey**, **Karen Artz Ash** and **Floyd Mandell**, partners and co-chairs of the

firm's Trademark/Copyright/Advertising/Privacy practice group, and Kristin Achterhof, partner and national co-chair of the firm's Intellectual Property Litigation practice.

#### Read more

### Managing Intellectual Property Recognizes 'Trademark Stars'

In its 2022 list of "Trademark Stars," *Managing Intellectual Property* featured **Roger Furey**; **Karen Artz Ash** and **Floyd Mandell**, **Kristin Achterhof**, and **Bret Danow**.

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### *Variety's* '2022 Legal Impact Report' Recognizes Five Katten Entertainment Partners

Recognized were litigators **Zia Modabber**, **David Halberstadter** and **Joel Weiner**, and transactional attorneys **Michael Hobel** and **Melanie Tomanov**.

#### Read more

### *Billboard Magazine* Recognizes Zia Modabber Among '2022 Top Music Lawyers'

**Zia Modabber**, managing partner of Katten's Los Angeles offices and chair of the Entertainment and Media Litigation practice, has been named on *Billboard Magazine's* "2022 Top Music Lawyers" list.

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