

Daily Journal

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The Leading Intellectual Property Attorneys in California 2015

The most compelling aspect of choosing the list of leading intellectual property attorneys in California is recognizing the diversity of their achievements, and their ability to stay on the cutting edge of new developments in patent, copyright and trademark law.

While based in the state, leading litigators travel the nation to try cases, whether it's in the Eastern District of Texas, the U.S. International Trade Commission, or a new U.S. Patent and Trademark Office proceeding to determine whether a patent is valid. A few litigators successfully argued or defended cases before the U.S. Supreme Court. Copyright attorneys were in the midst of battles between technology and content providers. Trademark lawyers fought to protect their clients.

The patent prosecutors and portfolio managers on the list represent medical device makers and technology companies, drafting and defending new patents, protecting trademarks and copyrights, while often handling IP aspects of major acquisitions.

The lawyers chosen for this year's list helped to advance technological innovation or transform the law while representing a range of clients that includes Hollywood studios, technology giants, aggressive startups, and the daughter of a screenwriter. The list demonstrates the impressive and diverse work done by California attorneys whose work advances the state's leadership in intellectual property law.

—The Editors

TOP LITIGATORS OF INTELLECTUAL PROPERTY

Lawrence Y. Iser

FIRM:

Kinsella Weitzman Iser Kump & Aldisert LLP

CITY

Santa Monica

SPECIALTIES

Trademark, copyright, patent



the-theme-park" case.

SeaWorld was preparing to open its third theme park under the mark "Aquatica" in 2013 when online apparel provider Spiraledge Inc. sued the water park company for trademark infringement. *Spiraledge Inc. v. Sea World Entertainment Inc. et al.*, CV13-296 (S.D. Cal., filed Feb. 5, 2013).

Spiraledge at the time had an Aquatica line of swimwear and also operated the website "aquatica.com," according to court documents. The plaintiff sought a preliminary injunction that would bar SeaWorld from using the name "Aquatica" for its water park in San Diego.

"The client put a lot of money into branding that park," Iser said. "They would have had to close the park, they would have had to rebrand a major theme park."

U.S. District Judge William Q. Hayes

in San Diego denied the injunction request in July 2013 after finding that Spiraledge had presented no evidence SeaWorld's activity would cause loss of sales or goodwill.

Iser and his team went on the counter-attack last June, filing motions for summary judgment to invalidate Spiraledge's Aquatica mark and to reject Spiraledge's arguments for monetary relief.

The parties entered into a settlement agreement under confidential terms last fall following mediation. SeaWorld continues to operate three water parks under the name Aquatica. The Internet address "aquatica.com" now leads to a SeaWorld website.

"It was a fun and challenging case," Iser said. "It was a huge highlight and an exciting case for a major client."

— Kevin Lee

Litigators at times will call a dispute involving high stakes a "bet-the-company" case. Iser called a lawsuit involving his client SeaWorld Parks & Entertainment Inc. a "bet-the-name-of-