



## Lori J. Shyavitz

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Food & Beverage | Intellectual Property | IP Litigation | Trademarks & Copyrights | Design, Fashion & Luxury | Life Sciences | Sports & Entertainment

Clients say Lori is “excellent on prosecution and disputes. Her grasp of substantive trademark law is truly amazing, as is her strategic judgement; she does an incredible job for her clients”. – *World Trademark Review 1000*

Lori Shyavitz concentrates her practice in the areas of intellectual property, advertising and promotion law. She counsels clients on trademark selection, trademark clearance, and the proper usage and protection of their intellectual property, including trademarks, copyrights, and trade dress, in the United States and abroad. She also represents clients in trademark prosecution and enforcement proceedings before the United States Patent and Trademark Office, trademark and copyright infringement litigation, trade dress disputes, unfair competition matters, patent litigation and cyber-squatting and domain name disputes, including arbitrations under the Uniform Domain Name Dispute Resolution Policy. In addition, Lori aids clients with transactional issues relating to their intellectual property and is experienced in licensing matters. Lori also advises clients on entertainment law issues. In this regard she has drafted numerous music and entertainment agreements and has counseled clients on copyright protection for treatments, music and other creative works.

Besides her intellectual property work, Lori routinely assists clients with structuring, drafting and implementing both old and new media promotions, including games of chance and skill contests. She also advises clients on their advertising campaigns, drafts and negotiates talent, procurement and agency agreements and represents clients in false advertising litigation. Lori reviews consumer product and food labels for compliance with federal, state and local regulations and has advised and assisted clients on nationwide food recalls, including procuring favorable FDA outcomes.

Lori has also represented clients in commercial litigation matters and manufacturers of pharmaceutical products and other consumer products in product liability actions. These matters have included individual litigation in the state and federal courts of New York, mass tort litigation, multidistrict litigation, and class action litigation.

### Representative Matters

Christian Louboutin—Trademark defense

Successfully defended the famous Red Sole Mark of Christian Louboutin in the District Court for the Southern District of New York, and in the Second Circuit, confirming color as a trademark in the fashion industry.

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### Education

Fordham University School of Law, JD, 2000

Associate Writing and Research Editor, *Fordham Urban Law Journal*, 1999–2000

Member, Fordham Moot Court Board, 1998–2000

Editor, Irving R. Kaufman Memorial Securities Law Moot Court Competition, 1999–2000

Dartmouth College, AB Biology, 1995

### **Bar Admissions**

Massachusetts

New York

### **Court Admissions**

U.S. Court of Appeals, Federal and First Circuits

U.S. District Court, District of Massachusetts

U.S. District Court, Eastern and Southern Districts of New York

U.S. Supreme Court,

### **Memberships and Certifications**

American Bar Association

International Trademark Association (INTA)

Member, Commercialization of Brands Committee

Boston Patent Law Association

Co-Chair, Trademarks & Unfair Competition Committee

### **Recognitions\***

*World Trademark Review 1000*, Leading Trademark Professional, Massachusetts, 2016–2024

Massachusetts Rising Star, *Super Lawyers*, 2009–2010

"Lori Shyavitz leads the line on trademark selection, clearance and protection. Thanks to her broad enforcement, domain name, media and regulatory expertise, she always finds ways to add value." —*World Trademark Review 1000, 2020 Edition*

\* No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. For ranking methodologies, please see [here](#).

### **Speaking Engagements**

Antitrust Scrutiny of Trademark Settlements: Through the Lens of 1-800 Contacts, Boston Patent Law Association (BPLA), 5.9.2019

Patents & Trademarks & Copyrights (Oh My!): Protecting Your Startup's Most Valuable Assets, McCarter & English Entrepreneurs Series, 10.1.2014

### **Webinars**

Startup Storytelling: Legal Issues in Brand Promotion, Boston Startup Week, 9.21.2021