

Monica B. Richman

Partner



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Overview

Whether you find yourself at a runway show at New York's Fashion Week, an office tower on Wall Street or simply enjoying a quiet night of television, chances are you're being exposed to the high-profile brands that Monica Richman has spent a career protecting. Monica has created a leading practice providing intellectual property counsel to clients who include many of the world's biggest names in consumer products, entertainment, fashion and financial services.

Monica's background includes a bachelor's degree with honors from undergraduate business school and more than seven years of training in her family business, which included more than 20 retail stores and a significant wholesale operation. She offers her clients a thorough understanding of running a business and offers practical, cost-effective solutions.

From the 2017 World Trademark Review 100, "Well respected by in-house counsel, [Monica] takes a holistic perspective on problems and has a laser focus on providing value." She is "incredibly diligent and handles matters with exceptional grace". "Richman knows this field inside and out" and "instills confidence as a trusted partner. She is particularly well versed in the fashion and media spaces." One client enthuses: "I can say without qualification that she is the most effective trademark attorney I have had the privilege of working with."

Experience

Transactions

From counseling to negotiation to drafting, Monica regularly advises on a wide variety of transactional matters, including license, agency, distribution, sponsorship, endorsement, strategic alliance, marketing, procurement and manufacturing agreements.

- For one of the industry's most prominent shoe manufacturers, serves as outside general counsel. Projects include negotiating licenses to develop new footwear lines available at Bloomingdales, Saks and other premier outlets, negotiating agency and manufacturing contracts and addressing infringement matters.
- For a leading interior designer, develops and negotiates various license, agency, publishing, endorsement

and distribution agreements to expand brand across various categories.

- For global entertainment and fashion companies, drafts and negotiates license, distribution, sponsorship, marketing, agency and IP asset purchase agreements.

Strategic intellectual property management

Monica provides comprehensive counseling covering her clients' entire IP portfolios, including brand conception and enforcement, trademark portfolio development and management, copyright protection and monetization, and domain name strategy and protection.

- For a family of cable networks that reaches 300+ million people worldwide, Monica provides counseling, conducts opposition and cancellation proceedings, addresses copyright and trademark disputes, and manages its worldwide trademark portfolio.
- For a global media company, provides strategic advice and management of IP assets for operations that include hundreds of live events, websites and publications and addresses IP disputes. Monica conducted an audit and due diligence of trademark portfolio as part of new client intake.
- For a high fashion company, developed worldwide trademark portfolio and implemented design protection strategy using copyright, trademark and patent filings, recovered damages for third party copyright infringement of patterns, and continues to address all IP matters. This representation has been on-going for over a decade.
- For leading fiber nonprofit organization, created an aggressive trademark expansion and protection program worldwide including opposition and cancellations proceedings in countries such as Pakistan, India and Iran and presented IP strategic plan to board of directors. This representation has been on-going for over a decade.
- For a global investment bank, managed the expansion of a trademark portfolio from fewer than 20 marks with limited geographic scope to 150 marks in 50 countries, conducts clearance review, general counseling, and addresses trademark infringement matters. This representation has been on-going for over a decade.

Due diligence

Monica conducts due diligence on copyright, domain name and trademark assets in connection with mergers and acquisitions, asset sales and other transactions.

- For a leading investment bank, conducted due diligence and trademark negotiations in connection with the US\$770 million sale of a Las Vegas casino.
- For a leading software and consulting company, conducted trademark, domain name and copyright due diligence in connection with significant asset purchases. This representation has been ongoing for over a decade.

Litigation and disputes

Experienced before federal, state and agency courts, Monica represents clients in litigation, domain-name disputes and other adversarial proceedings.

- For one of the country's largest talent agencies, secured a permanent injunction in litigation pursued before both the Central District of California and the Trademark Trial and Appeal Board.
- For a Big Four accounting firm, secured a permanent injunction for trademark and domain name infringement in the Eastern District of Pennsylvania.
- Recovered numerous domain names via the Uniform Domain Name Dispute Resolution Policy, including when an infringer registered domain name before brand created.

Recognition

A partner in the firm's Intellectual Property and Technology practice and head of the Fashion, Cosmetics and Apparel practice, Monica is ranked as a leading intellectual property lawyer by *Chambers USA: America's Leading Lawyers for Business and Super Lawyers*.

Clients surveyed by *World Trademark Review* and *Chambers USA* have said the following about Monica:

- *"She is more than your outside counsel; she is a partner, a trusted ally and a sounding board for all your legal questions." "Responsive, pragmatic and extremely professional ... she always does her homework and completes things on time without rushing. Her keen business sense and flexibility are much appreciated." Finally, "her personality is captivating and she makes tough conversations fun and interesting; her ability to establish camaraderie is excellent."*
- "Monica Richman is . . . particularly adept in dealing with a complex matter and making it understandable to the client." "Monica . . . is a luminary in the field of trademark and copyright law." "Monica is amazing . . . [S]he comes to me to propose solutions to problems I didn't know I had." "Monica is great at uncovering the key points; she is always on the ball and is incredibly diligent."
- "Clients line up around the block to praise queen of fashion branding Monica Richman ... 'Simply put, Richman is the best. She is exactly what you look for in outside counsel: smart, diligent, warm (but tough when necessary), and conscious of business realities. She develops clever, robust strategies that protect intellectual property while saving on costs. Her advice is never over the top or billing focused; she is 100% client-centric."
- "She is an incredible attorney; her mind works faster than anyone I've ever seen." "She has a command of the issues, answers complex questions in the most direct way and responds with lightning speed."

Independently recognized by clients in the *Acritas Star™ Lawyer* report as a winning lawyer in a survey of more than 3,000 general counsel and other senior leaders at legal departments around the world. Clients surveyed said the following about Monica:

- *"Very personable, extremely knowledgeable, provides very detailed explanations, very easy to work with, always available."*

Honors and Awards

- Recognized, *World Trademark Review 1000 - The World's Leading Trademark Professionals* for prosecution and enforcement, New York, 2015-2021
- Ranked in *Chambers USA: America's Leading Lawyers for Business*, Intellectual Property: Trademark, Copyright and Trade Secrets, 2008-2020
- Recognized, *World Trademark Review Global Leaders: Private Practice, United States: New York*, 2020
- Listed in *The Best Lawyers in America*, Trademark Law, 2017-2021
- Recognized, *New York Super Lawyers*, Intellectual Property, 2008-2020

Insights

- Co-author, "Crisis Continuity: How to Remain Relevant and Prepare for the Future," *WWD*, April 23, 2020
- Co-author, "The International Transportation of Goods: Steps to Take Now," *WWD*, March 13, 2020
- "Opening a Pop-up Store? Consider These Legal Issues First," *WWD*, March 6, 2018
- "Think Tank: Protecting a Brand When It Is Too Well-known," *WWD*, February 8, 2018

- "When It Comes to Copyright, Licensing Music Is Always in Fashion," *WWD*, October 11, 2017
- "Stay Fashionable — and Reduce Legal Risks — With a Social Media Policy" *WWD*, August 17, 2017
- "As Social Spend Soars, Brands Need Buttoned-up Influencer Agreements," *WWD*, August 3, 2017
- Co-author, "Supreme Court strikes down Lanham Act's disparagement clause as unconstitutional," Dentons client alert, June 21, 2017
- Co-author, "Supreme Court endorses copyrightability for fashion and industrial designs," March 31, 2017
- "Music sampling: Has the tune changed?," *American Corporate Counsel Docket*, January/February 2017
- "How CEO training and a sense of humor helped Monica Richman build a fashion IP practice," *Super Lawyers Magazine* New York Metro 2016 issue
- "From Duck Calls to Licensing Gold: VP of A&E Discusses Product Licensing Program," *American Corporate Counsel Docket*, May 29, 2015
- "Brand Owner-Friendly UDRP Decision Reinterprets Bad Faith," *Law360*, November 20, 2014
- "Trade Dress Protection for Retail Store Design," *American Corporate Counsel Docket*, September 2014
- "California's New Anti-Slavery Law," *The National Law Journal*, January 9, 2012
- "A Fashionable Career," *Navigating Fashion Law: Leading Lawyers on Exploring the Trends, Cases and Strategies of Fashion Law*, Aspatore, 2012

Activities and Affiliations

Presentations

Monica regularly conducts private client seminars in the area of intellectual property. She also has spoken to bar and industry groups, including the Minority Corporate Counsel Association, the New York City Bar and the International Trademark Association, and has served as a guest lecturer at The Fashion Institute of Technology and New York Law School.

Memberships

- Inaugural Chair, Committee on Fashion Law, Bar Association of the City of New York, 2011–2014; Member 2015-16
- IP Council, Bar Association of the City of New York, 2014-15
- Chair, Trademark and Unfair Competition Committee, Bar Association of the City of New York, 2009–2011
- Project Team committee member, International Trademark Association, 2008–2009
- Women's committee member, Asian American Bar Association of New York, 2007–2009

Prior and Present Employment

Prior to joining Dentons, she served as chair of the trademark practice at Thelen Reid Brown Raysman and Steiner LLP. Following her graduation from law school, she clerked for then-Chief Judge Loren A. Smith of the US Court of Federal Claims.

Areas of focus

Practices

- Business Agreements and Commercial Contracts
- Copyright
- Fraud, Corruption and Asset Recovery
- Intellectual Property and Technology
- Intellectual Property Litigation
- Privacy and Cybersecurity
- Trademarks

Industry sectors

- Life Sciences and Health Care
- Luxury, Fashion and Beauty
- Manufacturing
- Media and Entertainment
- Retail
- Technology

Education

- Emory University School of Law, 1995, JD
- The George Washington University, 1991, BBA, *magna cum laude*

Admissions and qualifications

- District of Columbia
- New York
- US Court of Federal Claims