



## PATRICIA M. FLANAGAN

**PARTNER**

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Patricia M. Flanagan is a Partner in the West Palm Beach office of Shutts & Bowen LLP, where she is a member of the Intellectual Property Practice Group.

As a highly regarded leader in the field of trademark and copyright law, Patricia focuses her practice on the protection, monetization, and enforcement of such intellectual property rights, both domestically and internationally. Widely acknowledged for the broad scope of her capabilities in the area of trademark and copyright law, Patricia is consistently recognized by such preeminent organizations as *World Trademark Review's* WTR 1000, *Managing Intellectual Property's* IP Stars, *Chambers USA*, and more.

Patricia also provides counsel related to strategic management and utilization of trademark portfolios, including procurement, maintenance, licensing and asserting and defending trademark and unfair competition litigation. From startups to established global companies, as well as emerging and industry-leading companies, Patricia's clients span a broad range of sectors, including luxury assets, art, retail, fashion, hospitality, automotive and powersports, superyachts, entertainment, technology and software, private equity, real estate and family offices.

Patricia helps to protect intellectual property assets through trademark and copyright registrations, trade secrets, licensing, publicity, digital media and internet-related content. She also regularly assists clients with clearance and registration of trademarks and service marks, worldwide brand management strategies, trademark oppositions and cancellation proceedings before the U.S. Trademark Office, and a range of policing and enforcement issues. She has substantial experience counseling clients on consumer advertising and marketing laws, including guidance on advertising reviews and compliance matters as well as on the Federal Trade Commission's truth-in-advertising rules.

Patricia leverages her depth of trial knowledge in the event of litigation to protect and defend her clients' businesses, brands and proprietary information. She has extensive experience litigating cases that center on trademark infringement, copyright infringement, unfair competition, false advertising and entertainment litigation in federal courts across the country, as well before the

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Trademark Trial and Appeal Board.

Patricia assists clients with a variety of transactional matters, including contracts and commercial exchanges related to intellectual property. She has helped formulate a range of agreements, from development and intellectual property ownership contracts for employees and consultants to licenses, manufacturing and distribution. She also assists clients by conducting intellectual property due diligence for acquisition/sale transactions and advises on intellectual property provisions in asset purchase agreements.

Additionally, in 2023, Patricia was appointed by Governor Ronald DeSantis to Florida's Fourth District Court of Appeal Judicial Nominating Commission. Through this role, she assists in the selection of nominees to fill the state appellate court's judicial vacancies.

### **Notable Experience:**

- Served as lead plaintiff's lawyer in a series of trials that ended with a final judgment of more than \$19 million for client and a motion for permanent injunction, in relation to a trademark infringement case involving digital marketing on a third-party marketplace.
- Represented an international clothing, fashion, cosmetics and beauty company that includes a portfolio of brands distributed through multiple channels worldwide, focusing primarily on the sportswear and casual clothing for niche markets. She assisted with the drafting and negotiation of numerous licensing and distribution agreements worldwide.
- Represented a privately held, national footwear retailer with more than 1,150 stores, providing trademark consulting and clearance legal services and advice for footwear, bags and accessories.
- Represented a private equity and investment firm in the strategic acquisition and launching of new brands and product lines, focusing on the athletic and sportswear market.
- Represented a Los Angeles-based contemporary global lifestyle brand in management and global expansion of its trademark and copyright portfolio.
- Represented an internationally renowned music festival in managing and significant global expansion of its trademark and copyright portfolios and in the multi-jurisdictional defense of infringement claims and oppositions filed by a global athletic brand.
- Represented a consumer products company in negotiating various complex worldwide trademark licenses and manufacturing and distribution agreements.
- Represented an online content aggregator in the defense of copyright infringement claims, including as trial counsel during a jury trial.
- Represented a Grammy award-winning musical artist in trademark suit brought against his record company.
- Represented various brand owners in favorably stopping a variety of trademark and copyright enforcements by third parties.

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- Represented a major hospitality management company in defending federal trademark infringement and unfair competition claims.
- Represented a client in federal trademark suit on behalf of an entertainment startup enforcing trademark rights against infringer. Case settled favorably for client.
- Represented a client in enforcement of its trade dress in culinary products.
- Represented a production company in negotiating various talent and related agreements.
- Represented a resort and spa in negotiating various licenses and operational agreements.

### Practice Areas

Intellectual Property

Litigation

### Accolades

- Supreme Court of Florida Certified Circuit Mediator
- Selected to the "WTR 1000" list in Florida by *World Trademark Review* (2022-2024)
- Selected to the "IP Stars" list by *Managing Intellectual Property* (2022, 2023)
- Selected to the list of attorneys ranked by *Chambers & Partners USA* for Intellectual Property in Florida (2023, 2024)
- Selected to the "Influential Business Women" list by the *South Florida Business Journal* (2023)
- Selected as a "Legal Innovators" honoree by *South Florida Business & Wealth* (2022)
- Selected to the "40 Under 40" list by *South Florida Business Journal* (2022)
- Selected to the "On the Rise" list by the *Daily Business Review* (2020)

### Education

- University of Central Florida, B.S., 2005
- Stetson University, M.B.A., 2008
- Stetson University College of Law, J.D., *cum laude*, 2008
- Fordham University School of Law, 2016
  - Certificate, Fashion Law Institute, Summer Intensive Program (Fashion Law Bootcamp)

## Bar Admissions

Florida

## Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida

## Professional and Civic

- Palm Beach County Chapter of the Federal Bar Association, Member (2008-present)
  - President and Director for 2023-2024
  - Vice President and Director for 2022-2023
  - National Delegate Officer and Director for 2021-2022
- The Federal Bar Association, Member, since 2008
  - Community Service and Outreach Committee for 2021-2022
- American Apparel and Footwear Association (AAFA), Brand Protection Council Committee, Member (2016-present)
- International Trademark Association (INTA), Member (2008-present)
- Licensing International, Member
- The Florida Bar, Business Law Section, Member
- The Federalist Society for Law and Public Policy Studies, Member