
Intellectual Property Law



Anthony F. Lo Cicero

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PRACTICE AREAS

- Alternative Dispute
- Anti-Counterfeiting
- Copyright
- False Advertising
- International Protection
- Intellectual Property Litigation
- International Trade Commission
- Patent
- Strategic Counseling
- Trade Dress
- Trade Secret
- Trademark
- Unfair Competition

INDUSTRIES

- Computer Hardware and Software
- Consumer Electronics
- Financial Services
- Green Technology and Energy
- Internet and e-Commerce
- MEMS & Semiconductors
- Motors, Machinery & Other Mechanical Devices
- Retailing & Apparel
- Toys & Games
- Universities & Research Institutions
- Mobile Devices & Wireless

Anthony F. Lo Cicero has extensive experience in all aspects of intellectual property law, including patent litigation, due diligence and other transactional work and counseling, trademark and brand protection and enforcement, and providing intellectual property expertise to varied industries.

Mr. Lo Cicero has been lead counsel in defending companies in patent litigation involving product areas as diverse as angular rate sensors, camcorders, cordless telephones, and the operations of websites and has supervised due diligence in the software, entertainment, communications and other industries. He has also provided patent counseling to companies in the semi-conductor manufacturing, retail, apparel, network security and telecommunications fields. Over the past thirty-five years, Mr. Lo Cicero has represented many of the most prestigious apparel manufacturers and retailers in the United States. He also advanced brand development and enforcement strategies ranging from

CERTIFICATION/SPECIALTIES

- Registered Patent Agent, United States Patent and Trademark Office, 1977

BAR ADMISSIONS

- U.S. Supreme Court, 1982
- U.S. Court of Appeals for the Federal Circuit, 1982
- New York, 1976
- U.S. District Court Southern District of New York, 1976
- U.S. District Court Eastern District of New York, 1976
- U.S. Court of Appeals for the Second Circuit, 1979

EDUCATION

- Brooklyn Law School, Brooklyn, NY, J.D., cum laude, 1975
- Polytechnic University, Brooklyn, NY, B.S.E.E., cum laude, 1972

anti-counterfeiting and trademark infringement protection to trade dress and Internet domain matters. He has also represented clients in toys, plastics, and other fields.

Mr. Lo Cicero is a frequent speaker and has lectured on patent infringement, trademark dilution, anti-counterfeiting, arbitration, intellectual property damages and recovery, domain name disputes, and Internet related issues.

Mr. Lo Cicero was named in *Corporate Counsel Edition Super Lawyers* for Intellectual Property in both June 2009 and June 2010.

Mr. Lo Cicero graduated cum laude from Polytechnic University with a degree in electrical engineering. He received his law degree from Brooklyn Law School where he graduated cum laude and was the Assistant Managing Editor of the Brooklyn Law Review.

PUBLISHED WORKS

- **ARE Copyright Law Alert:**
Second Circuit Clarifies Digital Millennium Copyright Act's Safe Harbor Provisions In Viacom International, Inc. v. Youtube, Inc. Decision
April 18, 2012
- **ARE Trademark Law Alert:**
Fourth Circuit Revives Rosetta Stone Case Against Google's Keyword Searching
April 13, 2012
- **ARE Patent Litigation Alert:**
NYIPLA Files Amicus Brief in *Mayo v. Prometheus*
September 8, 2011
- **ARE Patent Litigation Alert:**
***Centillion v. Qwest Communications*: Federal Circuit Held That "Use" of a System Means Use as a Whole and the User Must Derive Benefit From It**
January 31, 2011

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- Education Through Music (Member, Board of Directors 2008 -)
- New York Intellectual Property Law Association (Board Member 2007-10; Chairman, Patent Litigation Committee 2010-11; Second Vice President 2011)
- International Anti counterfeiting Coalition (Member, Board of Directors 1993-2005)
- New York State and American Bar Associations

PROFESSIONAL EXPERIENCE

- Adjunct Associate Professor, Brooklyn Law School, 1984-1985
- Associate Managing Editor, Brooklyn Law Review, 1974-1975
- Lecturer: American Arbitration Association, Practising Law Institute, New York State Bar Association

AWARDS & HONORS

- New York — Metro 2011 Intellectual Property Super Lawyer, 2011

REPRESENTATIVE CASES

- *Barnhart v. Federated Department Stores, Inc.*, 715 U.S.P.Q.2d (BNA) 1184, United States District Court for the Southern District of New York, 2005
- *BEI Techs. v. Matsushita Electric Industrial Co.*, 268 F.Supp.2d 782, United States District Court for the Eastern District of Michigan, 2003
- *Paco Sport, Ltd. v. Paco Rabanne Perfumes*, 2000 U.S. App. LEXIS 29570, United States Court of Appeals for the Second Circuit, 2000
- *Westchester Media v. PRL USA Holdings, Inc.*, 214 F.3d 658, United States Court of Appeals for the Third Circuit, 2000
- *Polo Ralph Lauren, L.P. v. Schuman*, 46 U.S.P.Q.2d (BNA) 1046, United States District Court for the Southern District of Texas, Houston Division, 1998
- *Westchester Media Co. L.P. v. PRL USA Holdings, Inc.*, 1998 U.S. Dist. LEXIS 11737, United States District Court for the Southern District of Texas, Houston Division, 1998
- *Hoechst Celanese Corp. v. Nylon Eng'g Resins*, 1997 U.S. Dist. LEXIS 16339, United States District Court for the Middle District of Florida, Fort Myers Division, 1997
- *G.A. Modelfine, S.A. v. Burlington Coat Factory Warehouse Corp.*, 919 F.Supp. 723, United States District Court for the Southern District of New York, 1996

SPEAKING ENGAGEMENTS

- **July 24, 2012 – July 25, 2012**
The 9th Annual Patents and the Financial Services Industry
Location: New York, NY
- **April 24, 2012 – April 25, 2012**
The 4th Annual Corporate IP Counsel Summit
Location: New York, NY
- **March 23, 2012**
The Practical Impact of the America Invents Act on Patent Litigation
Location: The Waldorf Astoria Hotel, New York, NY
- **July 27, 2011 – July 28, 2011**
8th Annual Patents for Financial Services Industry
Location: New York, NY

IN THE PRESS

- **In the Press:**
'T-minus' Buffet enters the private placement biz
Investment News, December 2, 2011
- **In the Press:**
Super Lawyers names partners Anthony F. Lo Cicero and Charles R. Macedo
New York — Metro 2011 Intellectual Property Super Lawyers

REPRESENTATIVE CASES CONT.

- *Coach Leatherware Co. v. Ann Taylor, Inc.*, 933 F.2d 162, United States Court of Appeals for the Second Circuit, 1991
- *United States Polo Assn., Inc. v. Polo Fashions, Inc.*, 1984 U.S. Dist. LEXIS 21908, United States District Court for the Southern District of New York, 1984
- *Polo Fashions, Inc. v. BDB, Inc.*, 1983 U.S. Dist. LEXIS 14420, United States District Court for the District of South Carolina, 1983
- *Mattel, Inc. v. Azrak-Hamway International, Inc.*, 724 F.2d 357, United States Court of Appeals for the Second Circuit, 1983

AMICUS BRIEFS

- Brief of Amicus Curiae NYIPLA in Mayo Collaborative Services (D/B/A Mayo Medical Laboratories) and Mayo Clinic Rochester, Petitioners, v. Prometheus Laboratories, Inc., (Sup. Ct. September 8, 2011)
September 8, 2011
- Brief for Amici Curiae Double Rock Corporation, Island Intellectual Property LLC, LIDs Capital LLC, Intrasweep LLC, Access Control Advantage, Inc., Ecomp Consultants, Pipeline Trading Systems LLC, Rearden Capital Corporation, Craig Mowry and PCT Capital LLC in Support of Petitioners, Bernard L. Bilski and Rand A. Warsaw v. John J. Doll, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office, Docket No. 08-964, (Sup. Ct. Aug. 6, 2009)
August 6, 2009
- Brief For Amici Curiae Reserve Management Corporation, PCT Capital LLC, Rearden Capital Corp. And Sales Optimization Group In Support Of Maintaining State Street and AT&T in In Re Bernard L. Bilski and Rand A. Warsaw, Appeal No. 2007-1130 (Fed. Cir. Apr. 4, 2008)
April 1, 2008

PUBLISHED WORKS EXTENDED

- **ARE Copyright Law Alert:
Second Circuit Clarifies Digital Millenium Copyright Act's Safe Harbor Provisions In Viacom International, Inc. v. Youtube, Inc. Decision**
April 18, 2012
- **ARE Trademark Law Alert:
Fourth Circuit Revives Rosetta Stone Case Against Google's Keyword Searching**
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Centillion v. Qwest Communications: Federal Circuit Held That "Use" of a System Means Use as a Whole and the User Must Derive Benefit From It**
January 31, 2011
- **ARE Trademark Law Alert:
Facebook To Offer Personalized URLs**
June 9, 2009
- ***Tiffany (NJ) Inc. v. eBay Inc.*: Guidelines for Online Retailers to Police Third Party Sales of Counterfeit Goods**
Common Law Journal, July 29, 2008
- **HearSay: I Got it on eBay...(Audio interview excerpt)**
HearSay with Cathy Lewis, July 18, 2008, WHRV
- ***Tiffany v. eBay*: Trademark Owners Beware**
IP Law360, July 16, 2008
- **Q&A With Amster Rothstein & Ebenstein's Anthony F. Lo Cicero**
IP Law360, September 21, 2007
- **Refining In U.S. Patent Law For Software**
IP Law360, May 7, 2007
- **Courts Write History on Permanent Injunctions In Patent Actions**
IP Law360, August 22, 2006, Guest Column

SPEAKING ENGAGEMENTS EXTENDED

- **July 24, 2012 – July 25, 2012**
The 9th Annual Patents and the Financial Services Industry
Location: New York, NY
- **April 24, 2012 – April 25, 2012**
The 4th Annual Corporate IP Counsel Summit
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- **March 23, 2012**
The Practical Impact of the America Invents Act on Patent Litigation
Location: The Waldorf Astoria Hotel, New York, NY
- **July 27, 2011 – July 28, 2011**
8th Annual Patents for Financial Services Industry
Location: New York, NY
- **June 16, 2011**
Emerging Strategies in the Defense of Non-Practicing Entities' Patent Infringement Litigation, from the Celesq®-West LegalEdcenter IP Master Series
Location: Webcast
- **May 24, 2011 – May 25, 2011**
3rd Annual Corporate Intellectual Property Counsel Forum
Location: New York, NY
- **March 10, 2011**
Divided Patent Infringement and Infringement by Use--New Standards from the Federal Circuit, from the Celesq®-West IP Master Series
Location: Webcast
- **January 13, 2011**
The Supreme Court and Intellectual Property Law 2010-11, from the Celesq®-West IP Master Series
Location: Webcast
- **November 15, 2010 – November 16, 2010**
World Research Group The TechNet Patents Forum
Location: New York, NY
- **November 8, 2010 – November 9, 2010**
World Research Group The TechNet Patents Forum
Location: New York, NY
- **November 4, 2010**
Emerging Strategies: Protecting IP Portfolios in the Post-Internet Age, from the Celesq-West IP Master Series
Location: Webcast
- **September 23, 2010**
Emerging Ethical Issues in Intellectual Property Practice, from the Celesq-West IP Master Series
Location: Webcast
- **August 13, 2010**
False Patent Marking - A New Twist on an Old Statute, from the Celesq-West IP Master Series
Location: Webcast
- **July 27, 2010 – July 28, 2010**
World Research Group 7th Annual Patents & The Financial Services Industry
Location: Westin at Times Square, New York, NY
- **April 27, 2010 – April 28, 2010**
World Research Group Second Annual Corporate IP Counsel Summit
Location: The New York Helmsley Hotel, New York, NY
- **November 9, 2009**
Celesq-West IP Master Series: A New Dawn for Patent Damages: Will The Courts Pre-empt Congress?
Location: Webcast
- **November 5, 2009 – November 6, 2009**
World Research Group's Patents & the Technology & Internet Industries
Location: New York, NY
- **July 28, 2009 – July 29, 2009**
World Research Group's 6th Annual Patents & The Financial Services Industry
Location: New York, NY
- **May 28, 2009**
Rescuecom v. Google: The Second Circuit Retreats, from the Celesq-West IP Master Series
Location: Webcast
- **April 29, 2009 – April 30, 2009**
Corporate IP Counsel Summit
Location: New York, NY
- **January 22, 2009**
Celesq-West IP Master Series: Ethical Considerations for Intellectual Property Attorneys - An Important Update
Location: Webcast
- **November 13, 2008**
Celesq®-West IP Master Series: Fair Use in a You Tube World-Revisited
Location: Webcast
- **September 25, 2008**
Celesq-West IP Master Series: Supreme Court Round-Up Revisited
Location: Webcast
- **July 29, 2008 – July 30, 2008**
World Research Group's Fifth Annual Patenting Your Business Methods in the Financial Services Industry Conference
Location: New York, NY