



## Christina D. Frangiosa

### MEMBER

Christina D. Frangiosa counsels clients across various industries about intellectual property and technology law. Her combined litigation and transactional practice concentrates on copyright and trademark advisory services (search, applications, and use), counterfeiting, infringement, unfair competition, false advertising, trade secrets, licensing, and policy development.

Chris's experience ranges from educating clients about protecting their copyright, trademark, and trade secret rights, to negotiating agreements to protect these rights, and finally, to litigating and resolving their enforcement claims or defending against claims filed by others. She has appeared in state and federal courts on behalf of her clients and represents them in trademark applications filed with the U.S. Patent and Trademark Office (USPTO) and in opposition and cancellation proceedings before the Trademark Trial and Appeal Board (TTAB). Her clients have included accounting service companies, advertising companies, authors, computer software developers, consulting firms, construction and building companies, educational organizations, entertainment companies and personalities, entrepreneurs, legal and medical professionals, manufacturers, music groups, nonprofit organizations, retail establishments, service companies, and website developers.

Chris is also very active in the legal community, serving in many key leadership roles of the American Bar Association Section of Intellectual Property Law, providing legal commentary on IP-related issues in the mainstream media, authoring articles, leading CLE sessions, and most notably, serving as the publisher of the [Privacy and IP Law Blog](#), which addresses recent developments in trademark, copyright, computer, data security, and privacy law.

### **PRACTICE AREAS:**

[Intellectual Property](#)

[Intellectual Property Litigation](#)

[Data Security & Privacy](#)

### **STATE ADMISSIONS:**

Pennsylvania

New Jersey

### **COURT ADMISSIONS:**

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the District of New Jersey

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Federal Circuit

### **EDUCATION:**

J.D., cum laude, Temple University School of Law, 1997; Executive Editor, Temple Law Review

B.A., American University, 1990

## REPRESENTATIVE MATTERS

- Advise numerous clients in connection with trademark applications filed before the U.S. Patent & Trademark Office, including in responding to Office Actions raising questions about descriptiveness, mere ornamentation, descriptive marks having acquired secondary meaning, and likelihood of confusion.
- Represented both plaintiffs and defendants in connection with cease and desist letters in various industries asserting trademark, trade dress, copyright, or trade secret rights against unauthorized users.

- Obtained the dismissal of statutory damages and attorney fees claims as well as counts for unfair competition, misappropriation, and unjust enrichment against the defendant in *Quadratec, Inc. v. Turn 5, Inc., d/b/a Extreme Terrain*, Civ. A. No.: 13-6384, 2015 WL 4876314 (E.D.Pa. Aug. 13, 2015). Dispute ultimately settled on mutually agreeable terms.
- Represented photographer in copyright infringement and unfair competition case against book publisher who used her photographs in international and translated editions without authorization.
- Represented large waterproofing company in enforcing its trademark rights against various competitors who used the marks on their websites to advertise their own services.
- Represented clients in opposition and cancellation proceedings before the TTAB, defending against claims of likelihood of confusion averred by third parties in connection with our clients' trademark and service mark applications.
- Represented sporting goods manufacturer in TRO proceedings against competitor asserting claims of trademark infringement, trademark dilution, and unfair competition under the Lanham Act.
- Represented international hotel chain as local counsel in trademark infringement/dilution litigation to resolve a more than 20-year-dispute with a local kitchen textiles company.
- Represented a national consulting company in multimillion-dollar contract dispute with technology retail store relating to custom enterprise software development. The dispute settled on mutually favorable terms.

## PROFESSIONAL AFFILIATIONS

- Fellow of the American Bar Foundation
- American Bar Association, Intellectual Property Law Section
  - IPL Section Council, Member (2018 – 2022 Term)
  - Delegate to IP Associations Leadership Meetings (2018 – Present)
  - Trademarks & Unfair Competition Division, Chair (2016 – 2018)
  - Women in IP Action Group, Member (2016 – Present)
  - Membership Board, Member (2015 – 2018)
  - Nominating Committee, Member (2013 – 2014)
  - CLE Board, Member
    - ABA IPL Spring Meeting 2019, Program Chair
    - Co-Sponsor for trademark programming at ABA IPL Spring meeting in 2017 and 2018, for webinars in 2016, and at the ABA Annual Meeting in 2015
  - Previously served in the following capacities:
    - Trademarks & Unfair Competition Division, Vice Chair (2014 – 2016)
    - ABA Cybersecurity Task Force, IPL Section Liaison (2014 – 2015)

- Trademark Litigation Committee, Vice Chair (2013 – 2014)
- Joint Task Force on Online Piracy and Counterfeiting (Anti-Piracy Task Force), Co-Chair (2011 – 2014)
- Chair, Trademark Legislation Committee (2011 – 2013); Vice Chair (2009 – 2011)
- International Data Protection & Online Security Newsletter, Editorial Board Member (2008 – 2009)
- Philadelphia Bar Association
  - IP Committee, Former Chair
  - Women in IP subcommittee, Former Co-Chair

## COMMUNITY INVOLVEMENT

- National Society Daughters of the American Revolution (Valley Forge Chapter), Member; American History Committee, Former Chair and Former Corresponding Secretary
- Society of Mayflower Descendants (Commonwealth of Pennsylvania), Member
- Order of the Sons and Daughters of Italy, Member
- Colonial School District, former School Board Director (2011 – 2015)

## AWARDS AND RECOGNITION

- Selected for inclusion in *Pennsylvania Super Lawyers – Rising Stars*
- Named one of the “Top Attorneys” for Intellectual Property Law by *Suburban Life* magazine, 2016 – 2017
- Selected for inclusion in Expert Guide’s *Women in Business Law* in 2015, 2016, and 2017 as a leading trademark practitioner

## NEWS AND INSIGHTS

### PUBLICATIONS

- [“INSIGHT: Tips for Protecting Creative Works Following SCOTUS Copyright Ruling,”](#) co-author, Bloomberg Law, August 2019.
- [“Four Steps to Take Today to Protect Your Copyrights,”](#) co-authored, PhotoPXL, July 2019.
- [“Barber Poles and Lapel Pins: A Trademark Perspective,”](#) The Temple 10-Q, September 21, 2017.
- [“Planning a ‘March Madness’ Promotion for Your Business? Beware the NCAA’s Wrath,”](#) Entrepreneur Online, March 13, 2017.
- “Is Your Company a Trademark Bully?” Lawyer Issue, December 2016.

- "Copyright Ownership and IOT Devices," The SciTech Lawyer, April 2016.
- "Plaintiff's Damages," Trademark Infringement Remedies (book and cumulative supplement), chapter editor, Bloomberg BNA/ABA IP Law Section, 2016 – Present.
- "Trademark Tips: Seven Experts Share their Secrets," Landslide (an ABA publication), featured contributor, May/June 2015.
- "Can I Copyright My 'Knight in Shining Armor' Story?" DRI Today, April 14, 2014.

## MEDIA COVERAGE

- "[BYOD in the Workplace: Creating bring your own device policies to mitigate risks.](#)" Smart Business Magazine, June 2015.
- "[Intellectual Property Law Spring CLE Preview: Shutting Down Rogue Websites: International & Domestic Solutions.](#)" Law Student Action Group, April 24, 2014.
- "[As the IoT evolves, so do regulation and enforcement, experts say at IP Law Conference.](#)" ABA News, April 2016
- "[Don't be a Target: How to Protect Data Security and Customers' Trust.](#)" Smart Business Magazine, March 2014.
- "[Your Web Footprint: How to avoid some common pitfalls when doing business online.](#)" Smart Business Philadelphia, August 2013.

## SPEAKING ENGAGEMENTS

- "[Best Practices in Trademark Searching, Prosecution & Maintenance.](#)" presenter, 7th Annual American Bar Association Section of Intellectual Property Law Trademark Day with the USPTO, September 2019.
- "What's New at the Trademark Office? Coffee with USPTO Trademark Leadership, moderator, American Bar Association Section of Intellectual Property Law's 34th Annual IP Law Conference, April 2019.
- "[Product & Package Configuration: Multi-Faceted IP Protection.](#)" co-presenter, Eckert Seamans' Continuing Legal Education Seminar, August 2018.
- "Ethical Issues in Trademark Practice," moderator, American Bar Association Section of Intellectual Property Law Webinar, June 2018.
- "Product Configuration: The Intersection of Trademark, Copyright and Patent and Registered Design Laws (Table Topic)," moderator, INTA Annual Meeting, May 2018.
- "Ethical Issues in Trademarks," presenter, Pennsylvania Bar Institute, April 2018.
- "Ethical Issues in Trademark Practice," co-presenter, American Bar Association's 33rd Annual Intellectual Property Law Conference, April 2018.
- "Seeking Expert Advice – How to Deal with Survey, Industry and Damage Experts in Trademark and Copyright Cases," co-presenter, West LegalEdcenter, January 2018.

- "How to Get Rid of Infringing, Proprietary and Just Plain Embarrassing Content from the Internet," co-presenter, Pennsylvania Bar Institute, August 2017.
- "[Trade Dress for Business Lawyers](#)," co-presenter, Pennsylvania Bar Institute, May 31, 2017.
- "[Product Configuration — The Intersection of IP Rights](#)," co-presenter for Clear Law Institute webinar, May 2, 2017.
- "How to Get Rid of Infringing, Proprietary and Just Plain Embarrassing Content on the Internet," co-presenter at the [Pennsylvania Bar Institute's 11th Annual Intellectual Property Law Institute](#), April 26, 2017.
- "Here Comes the Judge: Mock Preliminary Injunction," moderator, ABA Intellectual Property Law Section 32nd Annual IP Law Conference, April 6, 2017.
- "[Fair Use or Foul: Use of Other's Works](#)," co-presenter, Clear Law Institute webinar, February 7, 2017.
- "[Use and Abuse of Expert Witnesses in Trademark and Copyright Litigation](#)," co-presenter, Clear Law Institute webinar, January 9, 2017.
- "[Is Your Company a Trademark Bully and, If So, so What?](#)" co-presenter, Clear Law Institute webinar, October 11, 2016.
- "[Redskins/Slants and Government Free Speech: Does it Matter?](#)" Pennsylvania Bar Institute's 10th Annual IP Institute, April 2016.
- "[How IoT and Copyright Law Intersect: Ownership Issues and the Internet of Things](#)," ABA Intellectual Property Law Section, 31st Annual IP Law Conference, April 2016.
- "[Copyright Ownership and IoT Devices](#)," ABA Section of Science & Technology Law's Internet of Things National Institute, March 2016.
- "Discretion Governs: Recovering Attorney Fees in Copyright & Trademark Cases," DRI Intellectual Property Litigation seminar, May 2014.
- "[Shutting Down Rogue Websites: U.S. Legislative Response](#)," ABA IPL Section 29th Annual Conference, April 2014.
- "Social Media for Business: Terms of Use, Privacy Policies and Community Guidelines," Pennsylvania Bar Institute's Facebook, Twitter & Blogging! Oh My ... Course, October 2013.
- "[IP is All Around Us – Trademarks](#)," IP Law Section's Presidential Showcase at the ABA Annual Meeting, August 2013.
- "[Brand Protection: Ten Tips to Managing Trademark Rights Effectively](#)," Thomson West LegalEd Center webinar, February 2013.
- "Trademark and Internet Law Basics," Drexel University Arts Administration Graduate Program – Law in the Arts class, February 2013.
- "[The Scope and Severity of Extra-Territorial Online Piracy and Counterfeiting](#)," moderator, IPL Section's Plenary Session at the ABA Annual Meeting, August 2012.
- "[Pirates and Counterfeiters: Enforcing Copyrights and Trademarks Online](#)," moderator, ABA IPL Section 27th Annual

Conference, March 2012.

- "Federal Legislation to Combat Online Piracy and Counterfeiting," Pennsylvania Bar Institute, CLE Presentation to IP Committee of Philadelphia Bar Association, December 2011.
- "Top 10 Ways to Preserve Your Trademark," Pennsylvania Bar Institute Fourth Annual IP Institute, April 2010.
- "Ethics in Trademark Application Prosecution: Alleging 'Fraud in the PTO' After *In re Bose*," ABA IPL Section 25th Annual Conference, April 2010.
- "Absolute Accuracy Required: The TTAB's *Medinol* Standard Requires Cancellation of Registration Where the Description is Erroneously Broad," Pennsylvania Bar Institute Third Annual IP Institute, March 2009.