



## NANCY RUBNER FRANDSEN

SENIOR COUNSEL

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### BIOGRAPHY

For more than 38 years, Nancy Rubner Frandsen has guided clients not only through the core areas of trademark and copyright strategic counseling and portfolio management but also through the more complex areas of the practice, including enforcement before the federal courts and the Trademark Trial and Appeal Board (TTAB). Nancy's in-depth knowledge of her clients' businesses, from individual entrepreneurs to major corporations, enables her to support and advance their unique objectives and goals and has made her their go-to trademark lawyer.

#### Client Experience:

- Publishing companies
- Newspapers
- International food manufacturer and distributor
- Promotional apparel and product distributors
- Casinos and entertainment companies
- Organic gardening products manufacturer
- Leading independent organization producing scholarly work to clarify, modernize and improve the law
- Beverage companies
- Software companies
- Musical groups
- Education companies
- Furniture companies

### HONORS

Best Lawyers, 2012 to Present

- Trademark Law, Lawyer of the Year, 2023-2023
- Copyright Law, Lawyer of the Year, 2018 & 2022
- Litigation - Intellectual Property Lawyer of the Year, 2020, 2022

Chambers USA

- Intellectual Property in Pennsylvania, 2006-Present

Pennsylvania Super Lawyers

- Intellectual Property, 2010-Present

Top 50 Women Lawyers in Pennsylvania, 2016-2023

World Trademark Review 1000, 2011-Present

- Top Attorney in Pennsylvania for Enforcement and Litigation - Gold
- Top Attorney in Pennsylvania for Prosecution and Strategy - Gold
- Global Leaders: Private Practice, 2022

World Intellectual Property Review (WIPR), 2017 to Present

The Legal 500 United States, 2022

- Intellectual Property
- Copyright

Who's Who Legal, 2016 to Present

- Trademarks

Managing Intellectual Property

- Sporting goods manufacturer and distributor
- Distributor of food service equipment and supplies

## COMMUNITY & PROFESSIONAL

American Bar Association

- Intellectual Property Section
- Litigation Section

International Trademark Association

- Academic Committee

Philadelphia Intellectual Property Law Association

Pennsylvania Bar Institute: Intellectual Property Advisory Committee

Pennsylvania Bar Institute's IP Law Institute, Co-Chair and Course Planner, 2007 to present

ChIPS Philadelphia Chapter, Founder and Leader, 2018 to present

Copyright Society of the U.S.A.

- Philadelphia Chapter: Chair, 2001 to 2003

## COMMUNITY

- Philadelphia Volunteer Lawyers for the Arts
- Breastcancer.org: Board Member

## PRO BONO

- Serves as trademark counsel to breastcancer.org, the world's leading online resource for breast health and breast cancer information.
- Represented a pro bono client in a trademark infringement case against the client's former volunteer, who tried to claim trademark rights in a fundraiser. The case was settled after a preliminary injunction was issued in favor of our client.
- Routinely provides trademark and copyright counsel to artists and cultural organizations for Philadelphia Volunteer Lawyers for the Arts.

- Top 250 Women in IP

- IP Stars in Pennsylvania

Arrive Magazine *Top Women Lawyers in the Northeast*

Martindale-Hubbell *AV Preeminent*

Arthur H. Seidel Distinguished Service Award, 2016

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## EDUCATION

J.D., Temple University Beasley School of Law, 1986, *cum laude*

B.A., Ohio University, 1975

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## ADMISSIONS

Pennsylvania

U.S. Supreme Court

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Fourth Circuit

U.S. Court of Appeals, Fifth Circuit

- Serves as trademark counsel to Surrey Services for Seniors, a nonprofit organization offering comprehensive resources, services, and activities for older adults.

## **REPRESENTATIVE MATTERS**

- Manages worldwide trademark portfolios for multiple clients, with attendant counseling related thereto.
- Responsible for international enforcement of client trademarks through the use of cease and desist letters, domain name disputes, mediation, and litigation.
- Defended a longtime client in trade dress litigation involving the shape of a food product. Successfully prevailed on a declaratory judgment action, affirmed on appeal to the Third Circuit Court of Appeals, which led to the cancellation of an incontestable trademark registration of the opposing party.
- Defended a family restaurant business against a trademark infringement claim from other family members. Successfully negotiated a settlement between the parties.
- Represented a client in trademark litigation involving energy drinks against a vodka manufacturer. Defeated a motion to dismiss, which ultimately led to a favorable settlement for the client.
- Represented a client in trademark litigation involving sports accessories, which ended in a successful settlement for the client. Prior to settlement, successfully moved to dismiss a declaratory judgment action filed by the infringing party, allowing the client to litigate in the client's choice of forum.
- Represented a longtime client in trade dress litigation involving playground equipment. Defeated two motions to dismiss, which ultimately led to a settlement in favor of the client.
- Represented a well-known retailer in defense of copyright infringement. After our client prevailed on a motion for partial summary judgment on damages and costs and succeeded in requiring the plaintiff to post a bond, the district court dismissed the case, and all fees and costs were awarded to our client. The decision was later affirmed by the Second Circuit Court of Appeals.
- Represented a publisher in a copyright infringement claim. After our client prevailed on all liability issues at trial, the district court awarded the client statutory damages and attorney's fees.

## **PRACTICE FOCUS**

- Portfolio management
- Trademark and copyright enforcement

## **NEWS**

**IP Philly:** A Live CLE Program in Partnership with Temple University Beasley School of Law Event, March 13, 2024

RCCB's Intellectual Property Group is Once Again Recognized by WTR1000 for Excellence  
*World Trademark Review*, February 15, 2024

Best Lawyers in America Recognizes Six Practices in New York and Pennsylvania in its "Best Law Firms"  
Report for 2024  
Firm News, *Best Lawyers®*, November 2, 2023

Nancy Rubner Frandsen Recognized by Who's Who Legal (WWL)  
Firm News, *WWL*, September 6, 2023

Twenty-three RCCB Attorneys Recognized in 2024 Edition of the Best Lawyers in America  
Firm News, *Best Lawyers*, August 17, 2023

## **PUBLICATIONS**

Nancy Rubner Frandsen to Participate in a Panel Discussion on Fraud in Trademark Applications and  
Registrations  
Speaking Engagement, April 18, 2023

RCCB's Intellectual Property Group Serves as Faculty for 4 Sessions on IP and Technology Law at the PBI  
Technology Institute 2023  
Speaking Engagement, *Pennsylvania Bar Institute 2023*, March 27, 2023

2022 Litigation Year In Review  
Publication, *RCCB Litigation Alert*, March 2, 2023