

William H. Brewster

Partner

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Services

Advertising Counseling & Disputes
Anti-Counterfeiting & Gray Markets
Intellectual Property
Trademark Litigation
Trademark, Copyright &
Advertising

Industries

Apparel, Accessories & Luxury
Goods
Automotive
Consumer Goods
Food, Restaurant & Beverage
Media & Entertainment

Bill Brewster specializes in trademark, false advertising, and unfair competition litigation. He has appeared in courtrooms across the country, including jury and bench trials, handled dozens of preliminary injunction and summary judgment motions, and argued numerous appeals. Mr. Brewster also has participated in arbitrations in trademark and advertising cases, as well as proceedings before the Trademark Trial and Appeal Board and the NAD. He currently is co-chair of the firm's 100-lawyer Trademark & Copyright Team.

Mr. Brewster is widely recognized as one of the top IP litigators in the country. In 2008, he was lead trial counsel in *adidas v. Payless*, obtaining the largest jury verdict and the largest judgment ever entered in a trademark case. In 2002, *IP Worldwide* featured Mr. Brewster among "The Magnificent Seven: IP's Best Young Trial Lawyers."

According to *World Trademark Review*, which ranks him in the top tier for US Enforcement and Litigation, "the 'sensational' Bill Brewster consistently ranks among the nation's premier litigators." They also have noted that "the superlative [Mr. Brewster] cuts a dash in the courtroom and has 'impeccable customer service skills.'"

Legal 500 lists the firm as one of two Tier 1 trademark litigation practices, and named it Trademark Litigation Team of the Year in 2014, noting client comments regarding the team's "excellent legal and industry knowledge, very short response times, and valuable advice." *Legal 500* also lists Mr. Brewster as among the eight "Leading



Lawyers" in US Trademark Litigation, noting "extensive appellate and trial experience" and that clients say he is "a great lawyer, easy to work with and responsive."

Chambers USA lists Mr. Brewster in the top tier, and the firm as one of the top 5 trademark and copyright practices in the US, referring to the team's "renowned copyright and trademark offering." Mr. Brewster has been in *The Best Lawyers in America*[®] for over twenty years, and currently is listed in IP Litigation, Trademark Law, and Advertising Law. Other recognition includes:

- *Benchmark: Litigation*: "National Litigation Star" – IP; "Litigation Star" – Georgia
- *Managing Intellectual Property*: "IP Star"
- *Managing IP North America*: "Georgia IP Litigator of the Year"
- *Lawdragon*: Top 500 lawyers in the US
- Georgia "Legal Elite"/"Super Lawyer": IP and IP Litigation
- Martindale-Hubbell: AV[®] rated*

Starting in 2001, Mr. Brewster served as the firm's Managing Partner for six years. In that role, he was responsible for strategic planning and client service, as well as the firm's day-to-day business. During his tenure, he was the youngest managing partner of any *AmLaw 200* firm, and the firm opened in New York and expanded strategic practice areas. His service as Managing Partner followed his tenure as Chair of the IP Department, and provided him with unique mid-career, first-hand experience involving clients and their businesses, as well as the legal profession.

Mr. Brewster serves on the firm's Pro Bono Committee, and received the inaugural Intellectual Property Community Service Award from the State Bar, recognizing his pro bono work and time as Chair of the Board of Special Olympics Georgia. For fourteen years, Mr. Brewster taught trademark law as an adjunct professor at Emory University School of Law; he also taught ethics as an adjunct at the University of Virginia School of Law. He is a member of the Lawyers Club of Atlanta, Capital City Club, and Farmington Country Club.

*CV, BV, and AV are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedure's standards and policies.

Experience

Served as lead counsel for Georgia-Pacific Consumer Products LP in the defense of our client against a trademark infringement suit. The plaintiff voluntarily dismissed the claim after the court denied its motion for preliminary injunction. *Procter & Gamble Co. v. Georgia-Pacific Consumer Prods. LP*, No. 1:09-cv-00318 (S.D. Ohio Aug. 3, 2009).

Represented Georgia-Pacific in false advertising litigation against major competitor. Successfully settled prior to



preliminary injunction hearing. *Georgia-Pacific Consumer Products LP v. The Procter & Gamble Company*, Case No. 1:09-CV-0729 (N.D. GA 2009).

The firm served as lead counsel on behalf of the world's premier and most diversified sports, entertainment, and media company, and co-defendant for infringement of a South Carolina tennis teaching professionals U.S. patent relating to a hybrid tennis court. The patent covers a tennis court having one type of surface (such as grass) on one side of the net and a different surface (such as clay) on the opposite side. The plaintiff sued the client because it promoted a match between the top two tennis players in the world on a half grass-half clay tennis court called Battle of the Surfaces. The problem with the plaintiff's case was the match took place in Spain, which required the tennis court to be in Spain as well. Since she possessed only a U.S. patent, the plaintiff attempted to create new law by alleging that televising the match in the U.S. and the use of images of the court on web sites promoting the match in the U.S. should constitute infringing "use" of the tennis court. Judge Joseph Anderson of the U.S. District Court for the District of South Carolina, Rock Hill Division, disagreed and granted motions in favor of our client to dismiss the complaint. The U.S. Court of Appeals for the Federal Circuit affirmed Judge Anderson's decision.

Represents Flowers Foods Inc., a leading producer of baked goods, and its subsidiaries in various trademark, unfair competition, false advertising, and copyright matters, including litigation before federal district courts and the Trademark Trial and Appeal Board, as well as trademark clearance and registration projects.

The firm served as lead trial counsel for Hulu LLC, a news corporation, and NBC Universal collaborative venture in the suit related to the launch of Hulu.com. The firm successfully defeated an attempt by a Web publishing firm, Lulu Enterprises, to obtain a preliminary injunction that would have delayed the website launch of the much-anticipated Hulu.com, a website portal that offers downloadable premium video content consisting of hit television shows such as *The Office*, *Heroes*, *24*, *The Simpsons*, *Prison Break* and *House*.

Successfully represented Georgia-Pacific in the expedited arbitration of a case involving false advertising claims in its competitor's nationwide television, radio, and print campaign for paper towels. Obtained injunction and award of attorneys' fees. *Georgia-Pacific Corp. v. The Procter & Gamble Co.*, No. 03-2957 (N.D. Ga. filed Aug. 30, 2003).

Represented adidas America Inc. and adidas-Salomon AG in trademark infringement litigation against Payless Shoesource involving the defendant's infringing use of the well-known and distinctive adidas Three-Stripe Mark. Following a 14-day trial and two days of deliberation, the jury found unanimously in adidas' favor on all seven claims, including trademark infringement, trade-dress infringement, unfair competition and unlawful and deceptive trade practices. The jury awarded \$305 million in monetary relief, including \$137 million in punitive



damages. This verdict was the largest in history for a trademark infringement case. Following entry of final judgment in excess of \$60 million, the parties later settled for an undisclosed amount. *adidas America Inc. v. Payless Shoesource Inc.*, No. CV01-1655 (D. Or. Nov. 11, 2008).

Education

University of Virginia School of Law, J.D. (1987)

Emory University, M.A., Political Science (1984)

Emory University, B.A., Political Science and Economics (1984)

Admissions

Georgia

New York

Court Admissions

Georgia Supreme Court

Georgia Court of Appeals

U.S. District Court for the Northern District of Georgia

U.S. District Court for the Middle District of Georgia

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Eastern District of New York

U.S. District Court for the Northern District of New York

U.S. District Court for the Southern District of New York

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. Supreme Court

Professional & Community Activities

American Bar Association, Intellectual Property, Litigation, and Sports & Entertainment Sections, Member

American Intellectual Property Law Association (AIPLA), Member

Emory University School of Law, Adjunct Professor of Trademark Law (2001-present)



International Collegiate Licensing Association (ICLA), Member

International Trademark Association (INTA), Member and Past Chair of National Moot Court Competition

State Bar of Georgia, Intellectual Property, Litigation, and Sports & Entertainment Sections, Member

University of Virginia School of Law, Associate Member of the Deans' Council, Former Adjunct Professor

Insights

[News Releases](#)

Kilpatrick Townsend Receives Top Rankings in 2020 *Legal 500 US*

June 23, 2020

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Kilpatrick Townsend Attorneys Named 2020 Managing Intellectual Property IP Stars

June 1, 2020

[News Releases](#)

Kilpatrick Townsend Achieves Top-Tier Recognition from *Chambers USA 2020*

April 24, 2020

[News Releases](#)

Kilpatrick Townsend Named 2020 Top Trademark Prosecution Firm by Managing Intellectual Property

March 26, 2020

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2020 Georgia Super Lawyers

March 6, 2020

[In The News](#)

Kilpatrick Townsend's Trademark Team Earns Top Ranking From World Trademark Review

February 20, 2020

[News Releases](#)

Kilpatrick Townsend Achieves Strong Rankings in Benchmark Litigation 2020

January 6, 2020

[News Releases](#)



Thirty-nine Kilpatrick Townsend Attorneys Named to 2018-2019 *International Who's Who of Business Lawyers*
October 22, 2019

[News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2020
August 15, 2019

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Kilpatrick Townsend Receives Top Rankings from 2019 Legal 500 US
July 10, 2019

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Kilpatrick Townsend Attorneys Named 2019 Managing Intellectual Property IP Stars
June 17, 2019

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Kilpatrick Townsend Earns Top Rankings from Leaders League
June 14, 2019

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Kilpatrick Townsend Achieves Top-Tier Recognition from Chambers USA 2019
May 2, 2019

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Kilpatrick Townsend Achieves Recognition for 2019 Georgia Super Lawyers
February 28, 2019

[News Releases](#)

Kilpatrick Townsend's Trademark Practice Receives Gold Level Recognition
February 5, 2019

[In The News](#)

Kilpatrick Townsend Ranked Among Top-Three in the World for Trademark by 2018 Who's Who Legal
October 8, 2018



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Seven Kilpatrick Townsend Attorneys Recognized in Benchmark Litigation 2018

September 24, 2018

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Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2019

August 20, 2018

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Kilpatrick Townsend Attorneys Named 2018 Managing Intellectual Property IP Stars

June 19, 2018

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Kilpatrick Townsend Receives Top Rankings from 2018 Legal 500 US

June 11, 2018

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Kilpatrick Townsend Achieves Recognition From Chambers USA 2018

May 11, 2018

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Forty-Four Kilpatrick Townsend Attorneys Named to 2017 - 2018 International Who's Who of Business Lawyers

March 19, 2018

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Kilpatrick Townsend Once Again Achieves Recognition for 2018 Georgia Super Lawyers

February 28, 2018

[Perspectives](#)

KTS Advertising Law Guides: Anatomy of a False Advertising Challenge

February 12, 2018

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Kilpatrick Townsends Trademark Practice Receives Gold Level Recognition in the 2018 World Trademark Review 1000

January 25, 2018



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Kilpatrick Townsend Attorneys Named 2017 “Legal Elite”

December 7, 2017

[News Releases](#)

Kilpatrick Townsend Recognized by Prestigious 2017 Legal 500 US

October 2, 2017

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Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018

August 15, 2017

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Kilpatrick Townsend Attorneys Named 2017 Managing Intellectual Property IP Stars

June 27, 2017

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Kilpatrick Townsend Achieves Recognition From Chambers USA 2017

May 30, 2017

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William Brewster Named Managing Intellectual Property's Georgia IP Litigator of the Year

April 3, 2017

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Kilpatrick Townsend Once Again Achieves Recognition for 2017 Georgia Super Lawyers

February 28, 2017

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Kilpatrick Townsends Trademark Practice Receives Gold Level Recognition in the 2017 World Trademark Review 1000

February 9, 2017

[In The News](#)

Kilpatrick Townsend's Media Report August 19-26, 2016

August 26, 2016



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Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2017
August 16, 2016

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Eight Kilpatrick Townsend Attorneys Named to 2016 Benchmark Litigation
August 9, 2016

[In The News](#)

Kilpatrick Townsend's Media Report June 24-30, 2016
July 1, 2016

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Kilpatrick Townsend Earns Top Trademark Rankings in The Legal 500 United States 2016
June 28, 2016

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Kilpatrick Townsend Recognized by Prestigious 2016 Legal 500 US
June 20, 2016

[In The News](#)

The National Law Journal's Intellectual Property Hot List 2016: Kilpatrick Townsend & Stockton
June 6, 2016

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Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2016
May 31, 2016

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Thirty-Two Kilpatrick Townsend Attorneys Named 2016 Managing Intellectual Property IP Stars
May 26, 2016

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Kilpatrick Townsends Bill Brewster Selected to 2017 Class of Leadership Atlanta
May 4, 2016



[In The News](#)

Kilpatrick Townsend's Media Report January 15-21, 2016

January 22, 2016

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Kilpatrick Townsend Receives Top Recognition in 2016 World Trademark Review 1000

January 21, 2016

[In The News](#)

Kilpatrick Townsend's Media Report October 16-22, 2015

October 23, 2015

[In The News](#)

Kilpatrick Townsend's Media Report September 11-24, 2015

September 25, 2015

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Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2016

August 19, 2015

[News Releases](#)

Ten Kilpatrick Townsend Attorneys Named to 2015 International Who's Who of Trademark Lawyers

August 13, 2015

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Kilpatrick Townsend Recognized by Prestigious 2015 Legal 500 US

July 15, 2015

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Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2015

May 22, 2015

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Twenty-Nine Kilpatrick Townsend Attorneys Named 2015 Managing Intellectual Property IP Stars

May 6, 2015



[Alerts](#)

Understanding B & B Hardware and Strategic Responses to the Opinion

March 31, 2015

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Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers

February 26, 2015

[News Releases](#)

Kilpatrick Townsend Once Again Receives Top Recognition in 2015 World Trademark Review 1000

February 5, 2015