

Christopher P. Bussert

Senior Counsel

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Services

Anti-Counterfeiting & Gray Markets
Brand Licensing & Related
Transactions
Clearance & Portfolio Management
Copyright Litigation & Counseling
Franchising
Intellectual Property
Trademark Litigation
Trademark, Copyright &
Advertising



Chris Bussert has more than 30 years of experience in helping clients protect and defend their most important assets and brands. Mr. Bussert represents clients in trademark, franchise, copyright, and unfair competition litigation, including proceedings before the Trademark Trial and Appeal Board, and in licensing and trademark clearance and prosecution matters.

Mr. Bussert was recognized in *The Best Lawyers in America*[®] for Franchise Law, Intellectual Property Litigation and Trademark Law in 2021 and the 14 years immediately preceding, and was also named a 2015 "Atlanta Lawyer of the Year" in the area of Franchise Law by *The Best Lawyers in America*[®]. He was listed in "The Trademark Experts' Experts" by *World Trademark Review* *World Trademark Review's* inaugural guide to the top 1,000 trademark practitioners in the world. He is also listed in the "International Who's Who of Trademark Lawyers", the "International Who's Who of Franchise Lawyers", and the "International Who's Who of Business Lawyers" by *Law Business Research Ltd.* He was named a 2008 Georgia "Super Lawyer" in the areas of Intellectual Property, Intellectual Property Litigation and Franchise/Dealership Law by *Super Lawyers* magazine. Mr. Bussert has been recognized as one of *Georgia Trend's* 2012 "Legal Elite" for Intellectual Property Law. In 2010, and again in 2020 and the five years immediately preceding, he was named a "Legal Eagle" by *Franchise Times* and was named by Legal Media Group to the *2010, 2012 and 2014 Guide to the World's Leading*

Trademark Lawyers. He was listed in the 2016, 2017 and 2018 editions of *Chambers USA* for Franchising and was also ranked nationally for Franchising in the 2017 and 2018 editions. Mr. Bussert was a recipient of the 2016 Client Choice Award USA & Canada in the Intellectual Property - Trademarks category for Georgia from Lexology and the International Law Office (ILO). He received the 2010 University of Toledo College of Law Distinguished Alumnus Award. Mr. Bussert is AV[®] rated by Martindale-Hubbell.*

* 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

Represented a regional culinary business in defending claims made by competitor for trademark infringement and unfair competition. *Valley Hospitality Services, LLC v. Jamie Keating Culinary, Inc.*, Civil Action No. SU-18-CV-845-68 (Muscogee County, Georgia, Order entered May 18, 2018).

Represented Gladys Knight in a dispute involving a former licensee's right to use her name in connection with a national restaurant chain. Secured a permanent injunction preventing the use of her name by the former licensee. *Gladys Knight-McDowell v. Rival Group, LLC, Cascade Foods, LLC, Granite Foods, LLC, and Shanga Hankerson*, (N.D. Ga. August 29, 2016) and *State of Georgia, ex rel. Tracy Graham Lawson, District Attorney for Clayton Judicial Circuit v. Shanga Hankerson, et al.*, (Clayton County, Georgia, July 22, 2016).

Successfully defended a national personal products manufacturer in a licensing dispute. *M.D. Science Lab, LLC, v. Jenkins, et al.*, AAA No. 79 122 00067 11 JENF (2014).

Achieved a win on behalf of MR. ELECTRIC[®] franchisor against Alber Electric, a business operated by a former MR. ELECTRIC[®] franchisee that was accused of trademark infringement and unfair competition. After a bench trial, a permanent injunction was obtained as well as an award of the former franchisee's profits. Subsequently, summary judgment was obtained against the former franchisee's principal for his part of the infringement and later an award of attorney's fees. *Mr. Electric Corp. v. Reiad Khalil, et. al.*, No. 2:06-cv-02414-CM-GLR (D. Kan. 2009). *Mr. Electric Corp. v. Khalil*, 2013 U.S. Dist. LEXIS 15723 (D. Kan. Feb. 6, 2013) and *Mr. Electric v. Khalil*, Bus. Franchise Guide (CCH) 15176 (D. Kan. Oct. 16, 2013).

Represented GLASS DOCTOR[®] franchisor and successfully defended claim made by a former franchisee that the parties' dispute must be arbitrated. *Synergistic International, Inc. v. Monaghan*, 2013 WL 5587269 (C.D. Ill. Oct. 10, 2013).

Represented TWO MEN AND A TRUCK[®] franchisor and obtained a preliminary and permanent injunction against an infringer and an award of attorney's fees. *Two Men and a Truck/International, Inc. v. Robert Lee Thomas, et al.*, 908 F. Supp. 2d 1029 (D. Neb. 2012).



Represented TWO MEN AND A TRUCK® franchisor in enforcing right of first refusal to purchase trademark. Eliminated geographic concurrent restriction on company's service mark registrations and created national trademark right. *Two Men and A Truck Int'l, Inc. v. David Underwood, et. al.*, No. 11-00598 (E.D. Va. filed June 1, 2011).

Achieved a win on behalf of MR. APPLIANCE® franchisor against former MR. APPLIANCE® franchisees. The former franchisees were accused of violating their franchise agreement's post-term non-compete provision and debranding obligations of their franchise agreement. After a bench trial, a permanent injunction was obtained enforcing the non-compete provision to its full extent, an assignment of the former franchisees' MR. APPLIANCE® telephone numbers and an award of attorney's fees. *Mr. Appliance Corp. v. Woodrow Holloway et al.*, No. 6-004 (W.D. Tex. filed Jan. 7, 2010).

Represented the National Football League and the New Orleans Saints in a trademark dispute involving rights in and to the designation "Who Dat" and subsequently in rolling out a co-branding license program involving a wide variety of products. *Who Dat?, Inc. v. NFL Properties LLC, et al.*, Case No. 2:10-CV-02296-CJB-KWR (E.D. La. 2010).

Defended Network Communications Inc., a national publishing company, in a trademark infringement action. Obtained summary judgment that the plaintiff's mark was generic. *New Homefinders Inc. v. Network Communications Inc.*, No. 06-0442 (N.D. TX filed Feb. 26, 2008).

Represented GLASS DOCTOR® franchisor and obtained a preliminary injunction against third-party infringer. *Synergistic International Inc. v. Windshield Doctor, Inc.*, 2003 WL 21468568 (C.D. Cal. April 28, 2003).

Represented Harley-Davidson in obtaining a multi-county preliminary injunction and seizure order in connection with anticipated counterfeiting activities during its 100th Anniversary Open Road Tour. *Harley-Davidson Motor Co. Group, et al. v. John Does, et al.*, No. 02-2003 (N.D. Ga. filed July 18, 2002).

Represented the National Football League in 1994 and 2000 in connection with obtaining multi-county preliminary injunction and seizure orders in connection with anticipated counterfeiting activities at Super Bowl XXXIV and XXVIII. *National Football League Properties, Inc., St. Louis Rams Partnership and Tennessee Football, L.P. v. Does 1 through 100*, (Fulton Co. Sup. Ct. 1994, 2000).

Represented the National Football League and Atlanta Falcons in a trademark dispute involving rights in and to the "Dirty Bird" mark. *Alan Weiss v. National Football League Properties, Inc. and Logo Athletic, Inc. and The Five Smiths, Inc. d/b/a The Atlanta Falcons*, Case No. 1:99-CV-0928-RLV (N.D. Ga.).

Obtained a preliminary injunction on behalf of COLORS ON PARADE® franchisor against a former franchisee



enforcing the franchise agreements post-termination noncompete and debranding provisions. *Total Car Franchising Corp. v. L & S Paint Works, Inc.*, 981 F. Supp. 1079 (M.D. Tenn. 1997).

Represented LONGHORN STEAKS® franchisor against a third party operating under a confusingly similar *mark*. Obtained a permanent injunction and an award of the infringer's profits on behalf of the franchisor. *Contemporary Restaurant Concepts, Ltd. v. Las Tapas-Jacksonville, Inc.*, 19 U.S.P.Q.2d 1411 (M.D. Fla. 1991).

Represented Abatement Technologies Inc., manufacturer of negative air machines used for asbestos removal, in an action brought by a competitor based on misappropriation of trade secrets, fraud, misrepresentation and breach of fiduciary duty. Obtained summary judgment on all claims asserted by the competitor. *Aerospace America, Inc. v. Abatement Technologies, Inc.*, 738 F. Supp. 1061 (E.D. Mich. 1990).

Successfully defended FANTASTIC SAM'S® national haircutting franchisor against former franchisees' fraud and breach of contract claims in arbitration. *Fantastic Sam's Int'l, Inc. v. Forrest and Lottie Spain* , AAA No. 30 14 0153 88 (1988).

Represented Roosevelt Thomas & Associates, a national diversity consulting firm, with negotiating license agreements with a number of global *Fortune* 500 companies to use the consulting firm's copyrighted materials.

Represented the Callaway Gardens Resort in connection with negotiating license agreements involving the organization's nationally recognized CALLAWAY and CALLAWAY GARDENS brands.

Education

University of Toledo, J.D. (1983) *magna cum laude*, *Order of the Coif*

Kalamazoo College, B.A., Biology (1978)

Admissions

Georgia (1986)

Indiana (1983)

Court Admissions

U.S. District Court for the Northern District of Georgia (1986)

U.S. Court of Appeals for the Federal Circuit (1992)

Supreme Court of Georgia (1995)

U.S. Court of Appeals for the Eleventh Circuit (2005)

U.S. Court of Appeals for the Fourth Circuit (2005)



Professional & Community Activities

ABA Forum on Franchising, Former Governing Committee, Member, Co-Chair 2016 Annual Meeting – Miami Beach, Florida (2016)

The Franchise Law Journal, Former Editor-in-Chief

The Intellectual Property Strategist, Editor

The Trademark Reporter, Former Editor

The International Trademark Association (INTA), ADR Outreach Subcommittee Chair (2009-2011), ADR Law Firm Outreach Subcommittee Chair (2007-2009), Annual Meeting, Past Chair (2004), Information Resources Committee, Past Chair, Vice-Chair and Subcommittee Chair (1997-2003)

Kalamazoo College, Board of Trustees, Former Member, and Alumni Association Executive Board, Past President

University of Toledo College of Law, Deans Advisory Council

United States Tennis Association - Georgia, Investment Committee, Member (Since 2013)

United States Tennis Association - Georgia, Adult Competition Committee, Chair (Since 2017)

Georgia Senior Cup Team, Captain (Since 2017)

USA Gordon Trophy, International Team (Since 2016), Men's 60s, Captain (Since 2017)

Georgia State College of Law, Past Adjunct Professor

University of Georgia, The University of Toledo College of Law, Lecturer

University of Toledo College of Law, Lecturer

Insights

Publications

Trademark Law and Franchising: Five of the Most Significant Developments

September 1, 2020

News Releases

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2021

August 20, 2020

News Releases

Three Kilpatrick Townsend Attorneys Named 2020 *Franchise Times* Legal Eagles

April 14, 2020

Alerts



More Thoughts on COVID-19: Franchising for the Long Game
March 19, 2020

[News Releases](#)

Chris Bussert Named 2020 ILO Client Choice Award Winner
March 10, 2020

[In The News](#)

Kilpatrick Townsend's Trademark Team Earns Top Ranking From World Trademark Review
February 20, 2020

[Perspectives](#)

4 Key Takeaways | Trademark Clearance
November 26, 2019

[Perspectives](#)

6 Key Takeaways | Ethics: Investigations Gone Wild
November 5, 2019

[News Releases](#)

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

[Events](#)

Trademark Clearance and Investigation Considerations Before Expansion Through a New or Existing Concept
October 16, 2019

[Publications](#)

Rupert Barkoff, Through the Eyes of a Colleague
October 7, 2019

[Publications](#)

Trademark Enforcement In Distinct Geographic Territories: Is the Infringement Case "Ripe"?
October 7, 2019



[Publications](#)

Trademark Law and the Cannabis Industry: Six Things That Will Separate Brand Winners from Brand Losers
August 22, 2019

[News Releases](#)

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

[Publications](#)

Remembering Kilpatrick Townsends Rupert Barkoff, a Pioneer in Franchise Law
June 27, 2019

[In The News](#)

Rupert Barkoff Remembered as 'True Pioneer' in Franchise Law
June 12, 2019

[News Releases](#)

Four Kilpatrick Townsend Attorneys Named 2019 Franchise Times Legal Eagles
April 30, 2019

[News Releases](#)

Kilpatrick Townsends 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

[In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2019
August 20, 2018

[News Releases](#)

Kilpatrick Townsend Achieves Recognition From Chambers USA 2018
May 11, 2018



[News Releases](#)

Kilpatrick Townsend Attorneys Named 2018 Franchise Times Legal Eagles

April 12, 2018

[News Releases](#)

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

March 19, 2018

[News Releases](#)

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

January 25, 2018

[News Releases](#)

Kilpatrick Townsend Attorneys Named to 2017 International Who's Who of Franchise Lawyers

December 7, 2017

[Publications](#)

4 Top Takeaways Use of Investigators

November 13, 2017

[Publications](#)

Franchising: An Updated Look at the Basics

October 9, 2017

[News Releases](#)

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

August 15, 2017

[News Releases](#)

Kilpatrick Townsend Achieves Recognition From Chambers USA 2017

May 30, 2017

[News Releases](#)

Kilpatrick Townsends Rupert Barkoff and Chris Bussert Named 2017 Franchise Times Legal Eagles

April 12, 2017



[News Releases](#)

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

February 9, 2017

[Events](#)

Soak Up The Franchising

November 2, 2016

[In The News](#)

Kilpatrick Townsend's Media Report September 30 - October 6, 2016

October 7, 2016

[In The News](#)

Kilpatrick Townsend's Media Report August 26 - September 1, 2016

September 2, 2016

[News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2017

August 16, 2016

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2016

May 31, 2016

[News Releases](#)

Kilpatrick Townsends Rupert Barkoff and Chris Bussert Named Among the Nations 2016 Top Franchise Attorneys

April 6, 2016

[News Releases](#)

Four Kilpatrick Townsend Attorneys Receive 2016 ILO Client Choice Awards

February 17, 2016

[News Releases](#)

Kilpatrick Townsend Receives Top Recognition in 2016 World Trademark Review 1000



January 21, 2016

[Publications](#)

The Intellectual Property Handbook: A Practical Guide for Franchise, Business, and IP Counsel, Second Edition
January 1, 2016

[News Releases](#)

Kilpatrick Townsends Rupert Barkoff and Chris Bussert Named to 2015 International Who's Who of Franchise Lawyers
December 18, 2015

[Alerts](#)

NLRB Issues Joint Employer Decision Potentially Affecting Franchisors
August 28, 2015

[News Releases](#)

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

[In The News](#)

Kilpatrick Townsend's Media Report June 5-11, 2015
June 12, 2015

[Alerts](#)

It's Not Too Late to Avoid Early
June 9, 2015

[In The News](#)

Kilpatrick Townsend's Media Report April 23-30, 2015
May 1, 2015



[In The News](#)

Kilpatrick Townsend's Media Report April 3-9, 2015

April 10, 2015

[News Releases](#)

Kilpatrick Townsends Rupert Barkoff and Chris Bussert Named Among the Nation's Top Franchise Attorneys

April 10, 2015

[In The News](#)

Kilpatrick Townsend's Media Report March 13-19, 2015

March 20, 2015

[News Releases](#)

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

February 5, 2015