

Kollin J. Zimmermann

Partner

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Services

Complex Commercial Litigation
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Trademark, Copyright &
Advertising
Government & Regulatory
Intellectual Property
Trade Secrets

Industries

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Technology
Technology
Apparel, Accessories & Luxury
Goods
Home Furnishings
Media & Entertainment
Consumer Goods

Kollin Zimmermann is a litigator with a focus on intellectual property and technology issues. Mr. Zimmermann regularly represents some of the world's leading technology, entertainment, social media, and Internet companies in federal and state courts across the country. His cases typically involve trademark, copyright, breach of contract, fraud, right of publicity, trade secret, and unfair competition claims. He has been lead or co-lead counsel in numerous high-stakes cases involving preliminary injunction motions and potential damages in the millions or hundreds of millions of dollars. He also provides strategic counseling to clients regarding pre-litigation disputes, global enforcement programs, and other internet-based intellectual property issues.

Mr. Zimmermann has been consistently recognized since 2015 as a Southern California "Rising Star" for Intellectual Property Litigation by *Super Lawyers* magazine. He has also published several articles addressing Internet-based intellectual property issues and was honored with a Burton Award for Distinguished Legal Writing in 2013.

While attending law school, Mr. Zimmermann was a member of the National Moot Court Team and won several awards for his brief writing and advocacy skills. Upon graduation, he received the Virginia C. Nelson Award for being the top student in advanced advocacy courses.

Prior to launching his legal career and as a native of New Orleans, Louisiana, Mr. Zimmermann worked as a financial analyst/loan consultant for the Jefferson Parish Economic Development Commission (JEDCO) where he administered a state and federal cooperative relief program designed to aid the economic recovery of New Orleans from the aftermath of Hurricane Katrina.

Experience

Some notable and representative cases that Mr. Zimmermann has litigated include:

Yahoo Holdings, Inc. v. Mozilla Corporation. Represented Yahoo in breach of contract case involving default search provider deal with Mozilla worth over \$1 billion. Litigated for nearly two years, defeated Mozilla's summary judgment motion, and favorably settled dispute shortly before trial.

Tre Milano, LLC v. Amazon.com, Inc. Represented Amazon.com against trademark infringement claims stemming from the sale of allegedly counterfeit InStyler curling irons on Amazon.com's website. Defeated Tre Milano's ex parte application for temporary restraining order seeking cessation of all infringing sales on Amazon.com's website. Defeated Tre Milano's preliminary injunction motion seeking the same relief. Defeated Tre Milano's appeal of the denial of its preliminary injunction motion. Litigated the case for over a year, until favorably resolving it by settlement.

Abraham Berti Levy v. adidas AG; adidas America, Inc. Represented adidas against trademark infringement and unfair competition claims stemming from alleged use of plaintiff's registered NEVER DONE mark in an international advertising campaign. Litigated case through discovery and won summary judgment cancelling plaintiff's trademark registration as void *ab initio* and holding that plaintiff could not otherwise establish valid trademark rights.

Kirusa, Inc. v. Instagram, LLC. Represented Instagram in a global trademark dispute against Kirusa involving the INSTAVOICE trademark used in connection with Kirusa's InstaVoice mobile app and competing social networking website. This dispute spanned for several years in extended trademark office proceedings around the world, until Kirusa filed suit against Instagram in the District of Delaware, seeking declaratory judgment as to non-trademark infringement and non-trademark dilution, among other related claims. After initial discovery and preliminary motion practice, the case was resolved favorably during an extensive and complex mediation.

eyebobs, LLC v. Snap Inc. Represented Snap against trademark infringement claims brought by Minneapolis-based eyebobs. eyebobs sought a preliminary injunction based on the alleged similarity of its eyeball logo for its eyeglasses business and Snap's logo for its recently launched Spectacles video-recording and social-media-connected eyewear. Defeated the preliminary injunction motion entirely, and eyebobs voluntarily dismissed the case with prejudice shortly afterwards.

Razor USA LLC v. VIZIO, Inc. Represented VIZIO against trademark infringement and dilution claims brought by Razor USA relating to VIZIO's launch of a Razor LED sub-branded television. Litigated for nearly two years, won partial summary judgment as to non-willfulness which led to Razor dropping its damages claims, and ultimately led to a favorable settlement.

British Broadcasting Corporation v. Scott Stander & Associates, Inc. Represented BBC in complaint for trademark infringement and dilution of the famous Dancing With The Stars trademark, as well as for breach of and interference with BBC's contracts with its professional dancers, by defendants' competing live dance show. Won partial summary judgment, which led to a favorable settlement, including a consent judgment and permanent injunction against defendants.

Cheap Stuff, Inc. v. Yahoo! Inc. Represented Yahoo in breach of contract and "click-fraud" case against internet advertising company Cheap Stuff. Litigated for several years, defeated Cheap Stuff's summary judgment motion, and favorably settled dispute after winning critical motions to compel on key issues.

Instagram, LLC v. Zhou Murong. Represented Instagram in complaint against several Chinese nationals seeking a declaratory judgment as to the validity of the domain name purchase agreement for Instagram.com, enjoining the defendants from using the INSTAGRAM trademark, and transferring 21 infringing domain names. Concurrently, managed a trademark dispute against defendants in China, until the matters were ultimately resolved through a favorable global settlement.

Delphi Connection Systems LLC v. Koehlke Components Inc. Represented Koehlke Components against allegations of trademark infringement and counterfeiting relating to government-contracted manufacturing of technical parts for aircrafts and military weapons. Favorably resolved dispute while cross-motions for summary judgment were pending.

Damask Fabrics v. American Eagle Outfitters, Inc. Represented American Eagle Outfitters against copyright infringement claims brought by Damask Fabrics. Favorably and efficiently settled dispute prior to summary judgment filings.

M Seven System Limited v. Leap Wireless International, Inc. Obtained favorable settlement for Korean mobile device developer (M Seven) against competitor for trade secret misappropriation and copyright infringement.

Retail Property Trust (RPT) v. Orange County People for Animals (OCPA). Represented OCPA in free speech case brought by RPT. RPT filed a preliminary injunction motion seeking to prohibit OCPA from protesting outside of a pet shop inside of a mall owned by RPT. Successfully defeated the preliminary injunction motion and obtained a ruling that the mall's rules regulating free speech were unconstitutional. Filed and won an anti-SLAPP



motion, resulting in dismissal of RPT's claims and full award of OCPA's attorneys' fees. Successfully defeated RPT's appeal, resulting in full award of attorneys' fees on appeal as well.

Education

University of San Diego School of Law J.D. (2010)

Auburn University B.S. (2006) Economics

Admissions

California (2010)

Court Admissions

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Central District of California

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

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

U.S. District Court for the Southern District of California

Professional & Community Activities

American Bar Association, Intellectual Property Litigation Section, Member

California State Bar Association, Intellectual Property Section, Member

Beverly Hills Bar Association, Member

Santa Monica Bar Association, Member

Insights

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2020 Rising Stars by *Southern California Super Lawyers*

September 14, 2020

[News Releases](#)

Kilpatrick Townsend Elects Kollin Zimmermann to Partner

January 7, 2020

[News Releases](#)

Seven Kilpatrick Townsend Attorneys Recognized by Southern California Super Lawyers



June 10, 2019

[News Releases](#)

Kilpatrick Townsend Elevates 11 Attorneys to Counsel

December 10, 2018

[Events](#)

Virtual Reality, AI, and Trademarks: What Effects Might Virtual Reality and AI Have on Trademarks?

November 8, 2018

[News Releases](#)

Three Kilpatrick Townsend Attorneys Named 2018 Rising Stars by Southern California Super Lawyers

June 21, 2018

[Publications](#)

Unexpected Termination of a License Agreement Proves Costly

November 22, 2017

[Publications](#)

Penalty Against Overstock's False Advertising Affirmed on Appeal

July 24, 2017

[News Releases](#)

Three Kilpatrick Townsend Attorneys Named 2017 Rising Stars by Southern California Super Lawyers

June 27, 2017

[News Releases](#)

Kollin Zimmermann Joins Kilpatrick Townsend in Los Angeles

October 14, 2015