



## William M. Bryner

### Partner

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### Services

Franchising

Intellectual Property

Trademark Litigation

Trademark, Copyright &

Advertising

### Industries

Apparel, Accessories & Luxury

Goods

Consumer Goods

Retail & Consumer Goods

Bill Bryner practices in the area of trademark, unfair competition, advertising, and copyright law, with an emphasis on litigating disputes in those fields. He has extensive experience litigating matters of this type in federal courts around the country, as well as before the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office, and in counseling clients regarding trademark and copyright protection and enforcement. Mr. Bryner is a North Carolina State Bar Board Certified Specialist in the area of Trademark Law.

Mr. Bryner is listed in the 2019 and the five immediately preceding editions of *Chambers USA* in the area of Intellectual Property. He was named to *Business North Carolina's* 2009, 2012 and 2017 "Legal Elite" list for Intellectual Property/Trademarks Law and was listed in *The Best Lawyers in America*<sup>®</sup> in 2019 and the eight years immediately preceding in the area of Intellectual Property Litigation and Trademark Law and again in 2020 for Franchise Law, Intellectual Property Litigation, and Trademark Law. Mr. Bryner was also recognized as a "Greensboro Lawyer of the Year" in 2014 and 2017 for Trademark Law and in 2016 for Intellectual Property Litigation by *The Best Lawyers in America*<sup>®</sup>. He was named a North Carolina "Super Lawyer" in 2019 and the seven years immediately preceding for Intellectual Property Law by *Super Lawyers* magazine. Mr. Bryner is listed in the 2019 and the seven years immediately preceding editions of *World Trademark Review 1000 – The World's Leading Trademark Professionals*. He received Lexology's *Client Choice Guide - International 2013* Award in the Intellectual Property: Trademarks category for North Carolina. Mr. Bryner was named by Legal Media Group to its *2014 Guide to the World's Leading Trademark Practitioners*. He speaks proficient Spanish.

### Experience

Obtained a temporary restraining order thwarting the misuse of the client's trademark by a loan services company seeking to enter into loan transactions with, *inter alia*, a world-famous boxing champion..

Represented Universal Furniture International Inc., a home furnishings manufacturer, in a suit against Collezione



Europa USA, Inc., a furniture wholesaler, based on Collezione's infringing imitations of Universal's highly successful Grand Inheritance and English Manor furniture collections and Collezione's marketing of those imitations. The court found (1) that Collezione had infringed upon Universal's valid copyrights in Universal's Grand Inheritance collection and English Manor collection; (2) that Collezione had passed off Universal's furniture as Collezione's, in violation of the Lanham Act; and (3) that Collezione's violation of the Lanham Act also constituted an unfair and deceptive trade practice in violation of N.C. Gen. Stat. § 75-1.1. After additional hearings related to monetary remedies the court awarded Universal Furniture International Inc. an amount that represented the entirety of Collezione's gross sales of the infringing furniture, as permitted by the Copyright Act. *Universal Furniture Int'l, Inc. v. Collezione Europa USA, Inc.*, No. 1:04CV00977, 2007 U.S. Dist. LEXIS 31026, *aff'd*, 2009 U.S. Dist. LEXIS 10880 (M.D.N.C. Feb. 12, 2009).

We provide extensive trademark counseling to a large non-profit humanitarian organization. We also manage the organization's domestic and international trademark portfolio, and represent the organization in domestic oppositions at the Trademark Trial and Appeal Board, as well as in international oppositions and enforcement matters in numerous countries.

Represented a major tobacco company in opposition proceedings regarding the use of the word "pleasure" in connection with cigarette advertising and promotion.

Represented the owner of the GLASS DOCTOR mark in a trademark infringement suit against a company that had used the mark WINDSHIELD DOCTOR for 17 years in a specific geographic territory. The defendant had prior actual use of its mark in that geographic area, but such use was junior to the client's federal registration. The defendant had also begun using GLASS DOCTOR interchangeably with its own mark. Obtained summary judgment enjoining the defendant's use of both marks. On a trial on the appropriate quantum of monetary relief, we secured and then successfully defended on appeal an order requiring the defendant's disgorgement of its profits. *Synergistic Int'l, LLC v. Korman*, 402 F. Supp. 2d 651 (E.D. Va. 2005), *aff'd in part and rev'd in part*, 470 F.3d 162 (4th Cir. 2006).

Represented Harley-Davidson Motor Company in winning a reversal in the United States Court of Appeals, Seventh Circuit. The Court held that Harley-Davidson's lawsuit against use of HOGS ON THE HIGH SEAS was not barred by previous rulings finding HOG generic for large motorcycles, and remanded the case for trial. The case was later settled favorably for our client. *H-D Michigan, Inc. v. Top Quality Service, Inc.*, No. 04-C-0533, 2006 WL 2547083 (E.D. Wis. Aug. 31, 2006), *rev'd*, 496 F.3d 755 (7th Cir. 2007).

Represented the manufacturer of Leggs® pantyhose in action to enjoin use of LEG LOOKS® mark on re-designed packaging. The Fourth Circuit reversed the judge of the District Court and remanded the case with



instructions to enter an order permanently enjoining defendant from affixing its LEG LOOKS<sup>®</sup> trademark to any of its products placed in the same channels of distribution as those in which Leggs<sup>®</sup> products are sold. *Sara Lee Corp. v. Kayser-Roth Corp.*, 81 F.3d 455 (4th Cir. 1996).

Represented Dan River Inc. in declaratory judgment action against ALS arising out of alleged false advertising claims. After extensive discovery, ALS agreed to dismiss their counterclaim and agreed not to challenge Dan River's right to manufacture and market its product. *Dan River, Inc. v. ALS Enterprises, Inc.*, Case No. 4:06 CV 00002, (W.D. Va. 2006).

### **Education**

Duke University, J.D. (1996) *with honors*

Brigham Young University, B.A., Political Science (1993) *summa cum laude*

College of Eastern Utah, A.S. (1991) *with high honors*

### **Admissions**

North Carolina (1996)

### **Court Admissions**

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Eastern, Middle and Western Districts of North Carolina

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

### **Professional & Community Activities**

NC LEAP Steering Committee, Member

### **Insights**

#### [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*<sup>®</sup> 2020  
August 15, 2019



### [News Releases](#)

Kilpatrick Townsend Achieves Top-Tier Recognition from Chambers USA 2019

May 2, 2019

### [News Releases](#)

Kilpatrick Townsends Trademark Practice Receives Gold Level Recognition

February 5, 2019

### [News Releases](#)

Kilpatrick Townsend Attorneys Named 2019 North Carolina Super Lawyers

January 28, 2019

### [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 North Carolina Super Lawyers

February 6, 2018

### [News Releases](#)

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

January 25, 2018

### [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 Trademark Practice Receives Gold Level Recognition in the 2017 World Trademark Review 1000

February 9, 2017

### [News Releases](#)

Kilpatrick Townsend Attorneys Named 2017 North Carolina Super Lawyers

January 30, 2017

### [News Releases](#)

Kilpatrick Townsend Attorneys Selected To Business North Carolina Magazine's 2017 "Legal Elite"

January 11, 2017

### [News Releases](#)

Best Lawyers in America Names Kilpatrick Townsend Attorneys 2017 Lawyers of the Year

August 24, 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 Townsend Receives Top Recognition in 2016 World Trademark Review 1000

January 21, 2016

### [News Releases](#)

Kilpatrick Townsend Attorneys Named 2016 North Carolina Super Lawyers

January 15, 2016

### [In The News](#)

Kilpatrick Townsend's Media Report October 2-8, 2015

October 9, 2015



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Best Lawyers in America Names Kilpatrick Townsend Attorneys 2016 Lawyers of the Year

August 20, 2015

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

August 19, 2015

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Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2015

May 22, 2015

[News Releases](#)

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

February 5, 2015

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2015 North Carolina Super Lawyers

January 28, 2015