

PRACTICE FOCUS

Laura J. Winston is the chair of the firm's Intellectual Property group. Laura focuses her law practice primarily in the areas of trademarks and copyrights, representing a broad range of both domestic and international clients, from individual business owners and small startup ventures to established Fortune 500 and publicly traded companies. Her experience extends across various industries, including animal health, gaming software and hardware, alternative energy, consumer products, and numerous others.

Laura's practice covers the full range of trademark services, including strategic advice on domestic and international trademark protection strategies, transactions, searching and clearance, acquisition and registration, opposition and cancellation proceedings, and domain name disputes litigation. With over 25 years of legal experience, she has successfully obtained thousands of trademark registrations for her clients. In the past ten years, Laura has obtained the transfer of 25 infringing domain names, in several of these cases stopping the phishing attempts of the perpetrators.

Additionally, Laura is an active member of the International Trademark Association (INTA), where she currently serves on INTA's Public Information Committee and is a former subcommittee chair of INTA's Brands and Innovation Committee. She regularly facilitates INTA Table Topic discussions for U.S. and international participants in areas such as trademark searching and clearance, meeting the complex use requirements needed to obtain registration in the U.S., and cost-effective international trademark protection strategies.

Laura is also an adjunct professor at Fordham University School of Law and has served on the faculty of Brand School Masterclass by BrandTwist, an online branding course targeted at small businesses and entrepreneurs.

REPRESENTATIVE MATTERS

- Settled a dispute between agricultural product providers over priority and right to use a trademark for a successful fertilizer product.
- Favorably resolved a dispute of copyright ownership and the right to mint NFTs of large-scale artworks by well-known artist.
- Successfully stopped a generics manufacturer from adopting and registering a trademark that encroached on the rights of the name-brand manufacturer.

SPEAKING ENGAGEMENTS & PRESENTATIONS

- "Legal Toolkit for Glassblowers, Glass Art Society Conference," Presenter, Detroit, MI Jun. 2023
- "The Regulatory Challenges of Developing a Pharmaceutical Trademark," Presenter, International Trademark Association Annual Meeting, Singapore, May 2023
- "Trademark Application Pre-filing Strategies," Presenter, Strafford Webinars, Sept. 2021
- "Is Genericide Still a Thing?" Presenter, Celesq® AttorneysEd Center (online), Jun. 2021
- "Impact of Recent U.S. Trademark Office Changes," Presenter, ABA IPL Spring Virtual, Apr. 2021

PUBLICATIONS

- Author, "From Palette to Protection: When Does Color Function as a Trademark?," New York Law Journal, October 23, 2023
- Author, "Why Quality Control is Essential in Trademark Licensing," FSR, July 26, 2023
- Author, "What Return of Fraud on USPTO Means for TM Practitioners," Law360, Nov. 2021

Additional Publications

- Author, "Is Genericide Still a Thing? Maybe We Worry Too Much About Proper Use of Trademarks", Legal Intelligencer, March 21, 2021
- Co-Author, "Rise of the Mass Filers: Options for the USPTO to Consider," World Trademark Review, January 2021



LAURA J. WINSTON

Principal and Chair of the Intellectual Property Practice, New York
Pronouns: She/Her

PRACTICE AREAS

- Hospitality
- Intellectual Property
- International Practice

PROFESSIONAL AFFILIATIONS

- International Trademark Association, Public Information Committee
- Fordham University School of Law, Adjunct Professor

RECOGNITIONS

- World's Leading Trademark Professionals (WTR1000), 2023:
 - Noted for "social media, internet, and software expertise" and "strategic counseling and responsiveness."
- Oppedahl's Toteboards, 2022
 - Recognized for trademark registrations

EDUCATION

- Rutgers University School of Law - Newark, J.D.
- Tufts University, B.A.

ADMISSIONS

- New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York