

Fisher Broyles

Name: Brooks R. Bruneau

Email: brooks.bruneau@fisherbroyles.com

Direct: (609) 454-6772

Office: Princeton

Practice Areas: Intellectual Property; International; Internet E-Commerce; Litigation – Civil Pretrial and Trial Services; Litigation & Risk Management; Mediation

Bar Admissions: New Jersey; U.S. District Court, District of New Jersey; U.S. District Court, Southern District of New York; U.S. Court of Appeals, Third Circuit; U.S. Court of Appeals for the Federal Circuit

Education: Penn State Dickinson School of Law; J.D., 1990; Colgate University; B.A., 1986

Experience: Porzio Bromberg & Newman, P.C.

Brooks Bruneau focuses his practice on intellectual property dispute resolution, as well as counseling clients on registration and protection of their intellectual property.

Brooks represents a variety of U.S. and overseas clients ranging from Fortune 500 companies to start-up companies. His clients' industries include casual and sportswear clothing, designer clothing and cosmetics, pharmaceuticals, software, large scale and industrial manufacturing, consumer health and beauty aid products, food manufacturers and distributors, publishers, as well as vineyards. All of his clients have come to trust him to protect their intellectual property, and resolve their IP conflicts, because he stays focused on what is best for the client and its business.

In connection with IP disputes, Brooks often quietly resolves disputes in a manner that never involves the courts or press. Rather than seeing a dispute as only resolved by litigation, Brooks' experience and legal skills allow him to develop creative approaches to provide clients alternative forms of resolution. His personal style is to find the most advantageous way to balance the client's business goals and legal needs with the costs associated to achieve the desired outcome. Throughout any negotiation process, he keeps clients aware of the costs and benefits or detriments to any settlement option and stays focused on what is best for the client and their business.

When court action is needed, Brooks is a skilled litigator. He has been described by other trademark specialists in the WTR 1000-The World's Leading Trademark Professionals as a "tenacious litigator", "having incredibly deep knowledge", and "a staunch defender of clients' IP rights in negotiations, counseling and disputes." (2012-2014 Editions of the WTR 1000). His litigation experience includes protecting and defending clients in trademark and copyright infringement actions, trade secret and false advertising matters, as well as general intellectual property issues across the United States.

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In addition to dispute resolution and litigation, Brooks handles trademark prosecution, licensing, and counseling on the clearance and registration of clients' trademarks, both in the United States and worldwide. His practice includes searching and clearing trademarks, prosecuting trademark applications, and supervising the maintenance of clients' trademark portfolios, both large and small. Furthermore, Brooks is highly experienced in representing his clients before the Trademark Trial and Appeal Board administrative court at the United States Patent and Trademark Office.

Brooks' experience includes handling matters concerning intellectual property infringement claims, false advertising, misappropriation of trade secrets, e-commerce, and internet domain names throughout the United States and globally. Brooks also counsels clients on comparative advertising issues, advertising claims, as well as general review of marketing materials for IP issues.

Advising on creating and protecting product trade dress in a client's particular industry is also one of Brooks' strengths, and involves dealings with both the United States Trademark Office and the Federal District Courts. His significant experience in trade dress matters allows him to counsel clients about protecting their rights in product packaging designs, including product packaging and product configuration. He is also an experienced litigator in the trade dress field, and counsels clients on strategy for enforcing or defending against infringement claims. His litigation experience also includes protecting and defending clients in trade secret and false advertising matters, as well as general intellectual property issues, including copyright disputes.

Overall, Brooks Bruneau provides the type of intellectual property counseling companies' need in a competitive global marketplace.

Presentations & Teaching Experience

- "Strategies for Responding to Cease and Desist Letters", Roundtable Moderator, INTA Annual Conference, San Francisco, CA, May 2011

Publications

- "False Patent Marking Claims Are Not Going Away, So Be Prepared", *New Jersey Law Journal Intellectual Property & Life Sciences Supplement*, September 27, 2010.