

Richard Z. Lehv

Senior Litigation Counsel
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Overview

“In the trademark and copyright area, we are the ‘big firm.’ Few firms of any size can compete with the decades of knowledge and experience that our firm brings to each IP matter. We have litigated trademark, copyright, and related cases for so many kinds of clients for so many years that we can handle even the biggest cases quickly and more cost-effectively than just about anyone.”

Few trademark and copyright litigators are as successful and well-known as Richard Lehv. For more than 40 years, he has handled cases involving trademark, copyright, trade dress infringement, and comparative and false advertising, including some of the most-cited cases in these fields. And because adversaries know of Richard’s experience and reputation, he often is able to resolve contentious matters quickly and favorably, without extensive litigation.

Richard has deep experience using consumer surveys to establish evidence relating to advertising

messages, likelihood of confusion, and secondary meaning – and has successfully challenged the validity of surveys used by other parties in litigation. He also has considerable experience negotiating and drafting high-tech license agreements.

In federal and state trial and appellate courts across the country, and in the USPTO’s Trademark Trial and Appeal Board, Richard represents clients across a wide range of industries including entertainment, luxury goods, consumer goods, financial services, pharmaceuticals, jewelry, cosmetics, apparel, and toys. He also serves as a mediator in trademark infringement cases.

Richard is a Lecturer in Law at Columbia Law School, where he teaches a seminar on trademark and copyright litigation, and he speaks widely on these subjects before professional organizations. IKEA, Lacoste, Tiffany and Company, the Gallup Organization, and Jack Wolfskin are among his many clients.

Representative Experience

Beyond the reported decisions listed above, Richard has worked on the following matters:

- After five years of litigation, won summary judgment in August 2018 on behalf of the creators of one of the most popular shows on TV. The lawsuit was filed by an individual who claimed our clients stole his idea and used the idea to create and produce their hit show without credit or compensation to plaintiff. In 2015, the Court granted our motion to quash service on our European clients on the ground that the Court lacked personal jurisdiction; the California Court of Appeals affirmed. One of our client's U.S. entities remained a defendant on a claim for inducing a breach of contract. After the plaintiff conducted discovery in Europe, the Court in August 2018 granted our motion for summary judgment, holding that plaintiff could not establish any of the elements of a claim for inducement of a breach of contract.

Education

Columbia Law School (JD, 1972)

Harlan Fiske Stone Scholar

Union College (BA, *magna cum laude*, 1969)

Honors in History, *Phi Beta Kappa*

Admissions

Bar Admissions

New York

Court Admissions

U.S. Supreme Court

U.S. Court of Appeals, 2nd Circuit

U.S. District Court, Eastern, New York

U.S. District Court, Southern, New York

Focus

- Entertainment Properties
- Consumer Products
- Food & Beverage
- Jewelry & Watches
- Toys

Services

- Trademark
- Litigation
- Social Media & Domain Names
- Publicity & Privacy

Associations

International Trademark Association (INTA)
(Member, Panel of Mediators, 2012-present)

Copyright Society of the U.S.A. (Trustee and
Member of Executive Committee, 1999-2002)

Association of the Bar of the City of New York
(Member, Committee on Copyright and Literary
Property, 1983-1986; Committee on Legal
Assistance, 1977-1981)

Brooklyn Law School, Adjunct Associate Professor,
1994-2004

Recognition

- *Chambers and Partners* Leading Individual
- *World Trademark Review* Global Leader 2020-21

- *The Best Lawyers in America*© for the 15th consecutive year for Copyright Law, Litigation-Intellectual Property, and Trademark Law
- *Super Lawyers*® 2006-2020, Intellectual Property Litigation, Intellectual Property, and Alternative Dispute Resolution
- *Managing Intellectual Property*, named one of "The World's Leading Trade Mark Law Practitioners" in a survey of 4,000 practitioners, June, 2008
- *Managing Intellectual Property* named Fross Zelnick "Top Trademark Litigation Team" in the United States, 1999
- *New York Magazine*, named one of the "Best Lawyers in New York," June, 2008
- *Guide to the World's Leading Trade Mark Law Practitioners*, published by Euromoney Legal Media Group, Inc. 2008
- M&G Elecs. Sales Corp. v. Sony Kabushiki Kaishi
- Tri-Star Pictures, Inc. v. Unger
- Carvel Corp. v. The Ice Cream Bakery, Inc.
- JR Tobacco of America, Inc. v. Davidoff of Geneva (CT), Inc.
- Anheuser-Busch, Inc. v. Balducci
- Twin Peaks Prods., Inc. v. Publications Int'l, Ltd.
- Coors Brewing Co. v. Anheuser-Busch Companies, Inc.
- Pump, Inc. v. Collins Management

Decisions

- Jack Wolfskin Ausrüstung Fur Draussen GmbH & Co. KGAA v. New Millennium Sports, S.L.U.
- Inter-IKEA Systems B.V. v. Akea, LLC
- Frida Kahlo Corporation v. Tupperware Corporation
- Inter-IKEA Systems B.V. v. Arsen Manasyan
- Lacoste Alligator S.A. v. Maxoly, Inc.
- Crown Awards, Inc. v. Discount Trophy & Co., Inc.
- Overbeck Corp. v. Overbeck GmbH
- Luv N'Care, Ltd. v. Babelito, S.A.