



Vanessa A. Ignacio

Partner
Chair, Trademarks, Copyrights & Trade Secrets

New Jersey
T: +1 973.422.6426 | F: +1 973.422.6427
vignacio@lowenstein.com

Vanessa's practice blends science and art to prosecute and enforce trademarks for a diverse group of clients. While her advice to companies on the clearance, development, maintenance, and enforcement of trademarks is scientifically precise, she has proven herself an effective and artful negotiator with trademark examiners.

Clients from industries such as technology, pharmaceuticals, life sciences, and consumer goods benefit from Vanessa's extensive experience in crafting successful trademark applications. Should an application be rejected, Vanessa has a stellar track record of overcoming agency objections with substantive responses that ultimately secure her clients' marks.

Vanessa routinely manages trademark portfolios—from brand selection to clearance and registration to licensing, maintenance, and enforcement—and thousands of marks for hundreds of clients. Highly experienced in all aspects of enforcing brands online, she has an impeccable record of success in fighting off cybersquatters—third parties that illegally use marks on a website or in a domain name.

When it comes to confronting third parties that apply for marks that resemble her clients', Vanessa has been equally successful in handling opposition and cancellation proceedings before the United States Patent and Trademark Office (USPTO) and in managing contested proceedings in jurisdictions around the world.

While Vanessa's proactive approach often helps clients avoid the delays and disruption of a court case, she also provides strategic counsel if litigation becomes necessary.

EXPERIENCE

- > Managed the global Merck Consumer Care trademark and copyright portfolio consisting of more than 5,000 matters from April 2012 until the sale of the Consumer Care Division to Bayer AG in October 2014. Handled all aspects of trademark and copyright clearance, counseling, procurement, prosecution, and enforcement for marquee brands such as Coppertone, Claritin, and Afrin. Coordinated with all applicable business functions, including marketing, packaging, regulatory, claims, medical, and supply to bring products to market and meet company objectives. Drafted licensing, social media marketing, and endorsement agreements. Successfully lodged dozens of trademark oppositions, cancellations, and domain name dispute cases against third-party infringers.
- > Successfully appealed refusals by the United States Patent and Trademark Office to secure federal trademark registration for the Claritin Peel Device, the animated screen used extensively to advertise and promote the Claritin brand. This trademark application presented numerous substantive challenges, including a determination by the USPTO that the Claritin Peel did not function as a trademark (a most difficult basis for refusal). Traversed the USPTO refusals and secured a rare "motion mark" registration through extensive written arguments and evidence, lending another layer of protection to the intellectual property relating to the marquee Claritin brand.
- > Current global trademark and copyright counsel for Bayer's Consumer Care portfolio consisting of more than 5,000 matters for marquee brands such as Coppertone, Claritin, Afrin, Dr. Scholl's, MiraLAX, and Tinactin.
- > Conducted extensive trademark diligence and provided logistical support in the sale of the Merck Consumer Care Division and its coveted portfolio of well-known brands during a seven-month bidding and transaction closing process.
- > Resolved oppositions lodged in multiple jurisdictions against a global drug delivery and development client's newly launched brand used for a key in-licensed bioscience technology. Employed an aggressive defense, resulting in a favorably negotiated settlement that avoided protracted litigation proceedings, preserving all rights in the client's brand name.
- > Represent PSE&G in the creation and implementation of a successful domain name enforcement strategy to combat rampant cybersquatting.
- > Devised multi-pronged strategy to overcome trademark registration and use obstacles, defeating squatters to clear a path to registration for urgent consumer product launch in China and Hong Kong. Efforts included trademark agency appeals, cancellation actions lodged against infringers, domain name acquisitions, and administrative raids of warehouses containing counterfeit goods.
- > Represented multinational pharmaceutical company in dozens of contested trademark proceedings in territories around the world, successfully preventing registration of infringing third-party trademarks.

- > Successfully lodged dozens of domain name dispute complaints for Merck to protect against infringement and deceptive uses of signature company brands.
- > Represented CBS in a trademark opposition proceeding before the Trademark Trial and Appeal Board of the United States Patent and Trademark Office against A&E Networks in connection with the landmark CSI television series' trademarks.
- > Represented Target Brands in connection with extensive program to clear use of an improperly registered descriptive term, preventing competitors from obtaining trademark registrations that could impede a key branding scheme for high-revenue apparel line.

HONORS & AWARDS

- > **World Trademark Review (2012-2019)**
Recognized among leading global trademark practitioners
- > **Expert Guides: Trade Marks (2017-2018)**
Nominated by in-house counsel in the 11th and 12th edition of the Trade Mark Guide as one of the leading practitioners in the field
- > **Client Choice Awards (2017)**
Exclusive Winner of the Intellectual Property (nominated by in-house counsel) – Trademarks Category - NJ
- > **YWCA Union County: Tribute to Women & Industry (TWIN) Award Honoree (2015)**
- > **Chambers USA: America's Leading Lawyers for Business (2013)**
Recognized in the Intellectual Property category
- > **Super Lawyers: Rising Star (2009)**
Recognized for work in Intellectual Property Law

NEWS & INSIGHTS

Publications

- > May 23, 2019
"Mission Product: Supreme Court Protects Rights of Trademark Licensees in Bankruptcy Despite "Rejection" of Underlying Trademark License Agreement by Debtor-Licensors," *Lowenstein Sandler Client Alert*
Joseph J. DiPasquale, Philip J. Gross, Vanessa A. Ignacio, Matthew P. Hintz
- > September 26, 2016
"Despite Consent Agreement, Trademarks for Craft Beer Too Similar for Registration," *Trademark Prosecution and Enforcement Client Alert*
Vanessa A. Ignacio, Matthew P. Hintz
- > August 3, 2016
"Social Media Sites' Infringement Remedies Another Reason to 'Favorite' Trademark Registration," *Legaltech News*
Vanessa A. Ignacio, Matthew P. Hintz

In the Media

- > October 3-7; November 8, 2019
Lowenstein's representation of NexPhase Capital in its investment in Popcornopolis was reported in ***Business Wire***, the ***Valdosta Daily Times***, ***Bloomberg Law – Big Law Business***, ***The Tullahoma Tennessee News***, ***Mergers & Acquisitions***, and the ***Global Legal Chronicle***. The Lowenstein team included **Christopher C. Henry, Michael Walutes, Matt Savare, Vanessa A. Ignacio, Julie Levinson Werner, James C. Shehan, Eric Jesse, Sabrina Cua, Bryan Sterba, Megan Monson, and Lauren M. Troeller.** ***View Lowenstein's news announcement about this transaction.***
- > February 6-8; March 9, 2019
Lowenstein Sandler's role as legal counsel to New Mountain Capital and portfolio company Topix Pharmaceuticals, Inc. in connection with the acquisition by Topix of ClarityRx Clinical Skin Care, Inc. is highlighted in ***The PE Hub Network***, ***Business Wire***, the ***San Fernando Valley Business Journal***, ***Cosmetics Technology***, and the ***Global Legal Chronicle***. (Lowenstein deal team: **Marita A. Makinen, David L. Goret, Michael Walutes, Matt Savare, Vanessa A. Ignacio, Anthony W. Raymundo, Megan Monson, Bryan Sterba, and Jacob D. Unger.**) ***View Lowenstein's news announcement about this transaction.***
- > July 30, 2018
The PE Hub Network and ***Mergers & Acquisitions*** note Lowenstein Sandler as counsel to **NexPhase Capital, LP** in its equity stake investment in **Brandt Information Services, LLC**.
- > January 2017
Vanessa Ignacio is ranked as one of the world's leading trademark professionals for the sixth consecutive year by the *World Trademark Review*.
- > January 2016
Vanessa Ignacio is ranked as one of the world's leading trademark professionals for the fifth consecutive year by the *World Trademark Review*.

SPEAKING ENGAGEMENTS

- > Moderator, **Women, Influence & Power in Law Conference**, Washington, D.C., October 10-12, 2017
- > **Women, Influence, & Power in Law Conference**, Washington, D.C., September 21-23, 2016

EDUCATION

- > Benjamin N. Cardozo School of Law (J.D. 2000), cum laude; Notes and Annotations Editor, *Cardozo Online Journal of Dispute Resolution*
- > Rutgers, The State University of New Jersey (B.A. 1995), with highest honors

ADMISSIONS

- > New York
- > New Jersey