



Elizabeth H. Cohen

PARTNER

Elizabeth practices in the areas of trademarks, copyrights, and other areas of intellectual property and litigation.



Industries

[AI, Metaverse & Blockchain](#)
[Beverage & Food](#)
[Fashion & Retail Law](#)
[Media & Entertainment](#)

Practices

[Copyright](#)
[Trademark](#)

Education

New York University School of Law, JD, 1991
Goucher College, BA, Phi Beta Kappa, 1988

Offices

New York
Washington, DC

Phone

212.457.5418
202.857.6166

Email

Elizabeth.Cohen@afslaw.com

For almost 30 years, Elizabeth has worked with major Fortune 500 companies in the areas of trademarks, copyrights, unfair competition and other areas of intellectual property law. She has represented clients in a wide variety of industries including retail and fashion, entertainment, advertising, automotive, franchising, food and beverage, publishing, trade associations, software, internet, real estate, and hotel services. She currently represents one of the largest retailers in the world with regard to trademarks, packaging, retailing, protection of rights, and other issues. Her extensive experience includes all aspects of trademark law from the clearance of marks, to worldwide trademark registration, to enforcement of rights before courts and tribunals. With regard to enforcement and protection of trademarks, Elizabeth has negotiated a plethora of settlements and other creative solutions to preserve and enhance client's rights.

Client Work

Elizabeth tailors her practice to the needs of her clients. She is always mindful of legal budgets and the business implications of legal advice when consulting with clients about their intellectual property rights.

She manages large domestic and international trademark portfolios for major companies, advises on the selection and clearance of trademarks as well as clearance of product designs and packaging, and handles the filing and prosecution of domestic and international trademark applications. She routinely assists clients regarding trademark enforcement programs, licensing, Internet and domain name issues, and provides general advice and strategy regarding the protection of intellectual property. Elizabeth has advised companies on all aspects of marketing and advertising issues including claim evaluation. The matters she has handled also include copyright, utility and design patent issues, as well as federal and state unfair competition.

Many disputes can be settled, but when that is not possible, Elizabeth has been involved with all aspects of intellectual property litigation, including jury trials, on trademark, copyright, and patent infringement law, false advertising, domain name, and Internet issues and has extensive experience litigating before the US Patent and Trademark Office's Trademark Trial and Appeal Board (TTAB),

as well as Federal courts across the country.

Elizabeth also handles pro bono matters, and for many years has represented the Center for Women and Public Policy as well as other nonprofit organizations.

Previous Work

Before joining ArentFox Schiff, Elizabeth practiced in other firms in New York City and Atlanta.

Professional Activities

An active member of several professional associations, Elizabeth currently holds membership in: the International Trademark Association (INTA), where she has served on many committees; the American Intellectual Property Law Association (AIPLA); the New York Intellectual Property Law Association (NYIPLA); and the American Bar Association.

Publications, Presentations & Recognitions

Elizabeth has been recognized as a leading attorney by the following publications and associations:

- *The Legal 500* for Media & Entertainment and Trademarks – Litigation
- *World Trademark Review*'s WTR1000 for Prosecution Strategy – the publication lauded Elizabeth for providing “trenchant and tailored advice on everything from registration to enforcement.”

Elizabeth is part of ArentFox Schiff's national intellectual property team that has also been widely recognized. The team's recognitions include:

- *Chambers* for Intellectual Property: Trademark, Copyright & Trade Secrets
- *The Legal500* for Intellectual Property: Copyright, Intellectual Property: Patent Prosecution, Intellectual Property: Trademarks – Litigation, and Intellectual Property: Trademarks – Non-Contentious
- *World Trademark Review*'s WTR1000 for Enforcement Litigation and Prosecution Strategy
- *U.S. News & World Report*'s Best Law Firms for Trademark Law, Copyright Law, Litigation: Intellectual Property, Litigation: Patent, and Patent Law
- *Best Lawyers in America* for Copyright Law, Litigation – Intellectual Property, Litigation – Patent, Patent Law, and Trademark Law

Elizabeth's publications include:

- Quoted, "[USPTO guidance a 'good reminder' of best AI practices](#)," *ManagingIP*, April 2024
- "[USPTO must back up new TM sanctions with action: in-house](#)", *Managing IP*, January 12, 2022
- "Packaging Alert: Every Dog Has His Day, Except at the TTAB", February 2018
- "[Opening Pandora's Trademark Box Resets Disparagement Bar](#)," *Law360*, January 2016
- "Federal Circuit: Unconstitutional to Deny Trademark Registrations as 'Disparaging,'" December 2015
- "SMART ONES and SMART BALANCE Not Confusingly Similar in Light of Peaceful Co-Existence," *World Trademark Review*, April 2015
- "In re Bose: The New/Old Fraud Standard," *The Maryland Bar Journal*, May/June 2010 (This edition of the Bar Journal won an award for "Excellence, Creativity and Professionalism in Bar Communications.")
- "Chapter 3: Disclosures and Discovery," *The Legal Strategist Guide to Trademark Trial and Appeal Board Practice* (with co-authors David Kera and Beth Chapman), published 2010 by the ABA Intellectual Property Section
- "Copyright Infringement and the Internet," *IP Value* 2004; (Globe White Pages ed. 2004)
-

“Trademark Litigation in the United States,” *Building and Enforcing Intellectual Property Value* ;
(Globe White Page ed. 2003)

Elizabeth's speaking engagements include:

- “Copyright and Trademark Protection for Part Numbers,” Original Equipment Manufacturers’ Association, Detroit, MI
- “Data Ownership in Clinical Trials,” 2nd Annual Internet Solutions for Clinical Trials, Washington, DC
- “Ethics in Trademark Practice,” INTA Annual Meeting, Seattle, WA

Bar Admissions

[District of Columbia](#)

[Maryland](#)

[New Jersey](#)

[New York](#)

Court Admissions

[Supreme Court of New Jersey](#)

[Supreme Court of the United States](#)

[US District Court, District of Maryland](#)

[US District Court, Eastern District of New York](#)

[US District Court, Northern District of California](#)

[US District Court, Southern District of New York](#)

[US Court of Appeals, 9th Circuit](#)

[US Court of Appeals, 2nd Circuit](#)

[US Court of Appeals, 3rd Circuit](#)

[US District Court, District of Columbia](#)