



Vanessa A. Ignacio

Partner
Chair, Trademarks, Copyrights & Trade Secrets

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An early advocate for the protection of brand rights in domain names and online platforms, Vanessa has an undefeated record in combatting online trademark infringement, cybersquatting, and phishing attacks in domain name dispute proceedings for such iconic brands as Claritin, Aleve, Dr. Scholl's, Alka-Seltzer, Arm & Hammer, Coppertone, and Catalent, to name a few. She is called upon by clients as diverse as Phibro Animal Health, Church & Dwight, Yext, and the Robert Wood Johnson Foundation to protect their brands and product trade dress. Her clients trust her deep understanding of their businesses and rely on her ability to accurately assess risks in trademark selection in ways that align with their business goals.

Vanessa manages the national and global trademark portfolios—from brand selection to clearance and registration to licensing, maintenance, and enforcement—of clients spanning industries as diverse as life sciences and pharmaceuticals, consumer packaged goods, animal health, financial services, apparel, footwear, cosmetics, and software and technology. She has specialized knowledge related to clearing global pharmaceutical names, including counseling on regulatory approval of pharmaceutical brands. Vanessa advises on IP transactional issues in the context of trademark portfolio audits, securitization of IP assets, and due diligence matters. She also has specific experience in getting her clients' brands cleared for use in online resale platforms in China and addressing peculiar trademark registration issues in that jurisdiction. Highly experienced in enforcing and defending intellectual property in oppositions, cancellations, and appeals before the Trademark Trial and Appeal Board of the United States Patent and Trademark Office (USPTO), Vanessa has litigated and negotiated matters involving trademark infringement, trade dress, copyright infringement matters, and false advertising disputes, and she has an impeccable record of success in appealing refusals to register trademarks in the USPTO and agencies worldwide.

Prior to her legal career, Vanessa worked in Artist & Repertoire at several prominent music companies, including Polygram and Capitol Records. This background enhances her experience addressing copyright protection, securitization, licensing, and enforcement. She draws on her prior experience to counsel clients on a range of entertainment law agreements, including production, distribution, and music publishing contracts.

In her spare time, Vanessa enjoys her eclectic music collection, watching hockey ("Let's Go Rangers!"), and volunteering as a member of Impact 100 Garden State, a women-led philanthropic organization providing high-impact community grants.

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

- > **Lexology: Client Choice Award (2020)**
Recognized in the Intellectual Property: Trademarks category
- > **World Trademark Review (2012-2020)**
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 15, 2020
"Romag Fasteners: SCOTUS Holds That Plaintiffs in Trademark Suits Need Not Show "Willful Intent" of Infringement to Recover Damages for Lost Profits," *Trademarks, Copyrights & Trade Secrets Client Alert*
Vanessa A. Ignacio, Matthew P. Hintz
- > April 2, 2020
"The U.S. Patent and Trademark Office Response to COVID-19," *Intellectual Property Client Alert*
Vanessa A. Ignacio, Mark P. Kessler, David Toma, Matthew P. Hintz
- > 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

- > Speaker, **Intellectual Property Owners Association Annual Meeting**, Intellectual Property Owners Association, September 21-24, 2020
- > 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