



Karen K. Gaunt

Partner

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With more than two decades of dedicated work in intellectual property, Karen possesses a sophisticated skill set that combines her litigation and transactional experience in counseling clients on their immediate and long-term business needs. She counsels companies ranging from Fortune 100s to startups on how to build and protect their intellectual property now, and in the future.

Karen is the immediate past chair of the firm's Trademark & Copyright Practice Group and now serves as the chair of Dinsmore's IP Litigation & Enforcement Practice Group. She has represented her clients as both plaintiffs and defendants in nearly 65 federal court cases, has represented clients in numerous state court matters, and has handled nearly 300 matters for clients at the Trademark Trial and Appeal Board. Karen has resolved countless enforcement matters and has led brand protection teams in protecting well-known brands against counterfeiters. Karen is the attorney of record on nearly 2,300 trademarks at the U.S. Patent and Trademark Office, and has lent her counsel to in-house trademark departments with Fortune 100 companies in connection with thousands more. She counsels clients on transactional and litigation matters involving all aspects of domestic and international trademark and branding matters, copyright, advertising, digital, licensing, promotions, and marketing matters. Karen also assists clients with all aspects of anti-counterfeiting matters involving investigation and pursuit of counterfeiters, and removal of counterfeit goods from the marketplace.

She provides her clients with holistic advice on brand development, strategic positioning, protection and enforcement, for both iconic and developing brand identities. Her core philosophy is there is no "one size fits all" approach, and every brand needs and deserves a thoughtful and tailored strategy to brand development that aids and enhances the brand's overall growth.

Karen's integrated and comprehensive counsel is a vital resource for clients facing litigation. She understands litigation is never ideal, and different clients have different philosophies when it comes to handling disputes. She counsels clients through every step of the litigation process, keeping her sights set on the preferred resolution, while also considering her clients' short and long-term goals.

A reputation for providing unique, specialized counsel is why clients continue working with Karen for years. That includes USA Baseball, the national governing body for amateur baseball since 1978, which retains Karen as its outside general counsel. Along with IP and litigation counsel, Karen guides the organization through specialized

projects, such as the development and implementation of a performance standard for non-wood bats used in youth baseball, and unique governance matters. The organization has praised Karen's efforts, stating a working relationship that began as counsel for IP and trademark protection has grown continuously stronger as the program's legal needs have changed. Her work with USA Baseball also led to her recent appointment on the Legal Commission for the World Baseball Softball Confederation, the International Governing Body for the sports of baseball and softball and a member of the International Olympic Committee. In this role, Karen serves with an Italian attorney and an Australian attorney, to guide the organization through a variety of legal issues.

Peers within the legal community also laud Karen's work. She has received numerous awards and honors, including recognition from World Trademark Review's WTR 1,000 where she was recognized in the organization's Gold Tier for her leadership skills and responsiveness, as well as for strategic counseling in transactional and enforcement matters. In recognizing Karen's Gold Tier status, WTR praised her abilities, saying, "Setting the highest standards as chair of the practice is **Karen Gaunt**, 'a natural leader and extremely responsive lawyer.' 'Karen understands her clients' risk tolerances and is flexible about adapting her work product to formats most useful for business people. She is well-versed regarding TTAB proceedings – her writing is persuasive and she is practical at devising case strategies.'"

Services

- Intellectual Property
- Trademark Procurement/Management & Copyright
- Intellectual Property Acquisitions
- Litigation
- Intellectual Property Litigation
- Equine Industry
- Beer, Wine & Spirits Industry
- Gaming & Sports Industry

Education

- University of Cincinnati College of Law (J.D., 1997)
- Denison University (B.A., *cum laude*, 1993)
 - History & English

Bar Admissions

- Ohio

Court Admissions

- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of International Trade
- U.S. District Court for the Southern District of Ohio

- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the Eastern District of Michigan

Affiliations/Memberships

- Ohio State Bar Association
- International Trademark Association
- Cincinnati Bar Association
- Cincinnati Intellectual Property Law Association (Cincy IP), board member
- Cincinnati Academy of Leadership for Lawyers, Class IX, fellow (2005)
- University Club, Board of Governors, Speaker Series Committee co-chair
- Cincinnati Therapeutic Riding & Horsemanship, Board of Trustees
- Birthright, Inc., Advisory Board, Board of Directors (2004 - 2006)

Distinctions

- *Super Lawyers*®
 - Top 25 Women Lawyers in Cincinnati (2024)
 - Trademark Lawyer of the Year in Cincinnati (2024)
- *Best Lawyers*®
 - "Lawyer of the Year" in Cincinnati for Litigation - Intellectual Property (2016)
 - "Lawyer of the Year" in Cincinnati for Copyright Law (2013, 2015, 2018, 2020)
 - "Lawyer of the Year" in Cincinnati for Trademark Law (2024)
 - Copyright, Intellectual Property and Trademark Law (2021-2024)
- *Chambers USA*®: *America's Leading Lawyers for Business*, Intellectual Property (2008 - 2022)
 - Up And Coming (2006 - 2007)
- Ohio *Super Lawyers*® (2012 - 2022)
 - For Intellectual Property (2021)
 - Top 25: Women Cincinnati Super Lawyers (2013, 2017-2018, 2020-2022)
 - Top 50 Women Ohio Super Lawyers (2018, 2021, 2022)
- Ohio Rising Stars® (2005 - 2006, 2011)
- *Cincy Magazine*
 - Cincy Leading Lawyer
 - Leading Lawyers Power 100 (2021)

- *World Trademark Review's* edition of *WTR 1000* (2014 - 2015); *Silver tier* (2016 - 2019); *Gold tier* (2020-2022)
- [Honored by the National Law Journal in its Counsel to Counsel category \(2014\)](#)

Experience

Stepping to the Plate for “America’s Game”

Baseball is about as “American” as you can get, and USA Baseball has been the national governing body for amateur baseball since 1978, including representing the United States as a member of the U.S. Olympic Committee and internationally as a member of the World Baseball Softball Confederation.

“Our first interaction with Dinsmore was in the area of IP and trademark protection, but as our organization and needs have changed, our counsel has not,” said Paul Seiler, Executive Director/CEO of USA Baseball.

“That’s due to the fact Dinsmore is a full service team that provides for all of our legal needs, from contract work to real estate guidance to sponsor relations. This allows USA Baseball to be connected across all of our business units with a common and knowledgeable firm that understands who we are, in all facets of our operations,” he added.

Dinsmore serves as USA Baseball’s outside general counsel and handles all legal issues for the organization, including intellectual property, data protection, corporate, litigation, employment and finance. Among recent work, Dinsmore provided legal support to USA Baseball’s efforts to develop and implement a performance standard for non-wood bats used in youth baseball. This work began several years ago and, ultimately, reached a variety of legal areas including intellectual property, corporate, licensing, insurance and agreement work. The performance standard was announced on August 7, 2015, and on January 1, 2018, USA Baseball’s National Member Organizations will require non-wood youth bats meet the performance standard, which will be indicated by the USA Baseball trademark on bats that have passed performance testing.

“One of our former board members had a saying, ‘You do business with your friends.’ And while perhaps not always literal or possible in business, in this case it is,” Seiler said. “Our decision to have Dinsmore represent USA Baseball is based on the relationship we have, as well as for the quality counsel provided on a daily basis.”

As the national governing body of amateur baseball, USA Baseball engages with nearly every major national amateur baseball organization in America, which equates to millions of amateur players in ballparks and playgrounds across the country. The organization also promotes and develops the game on a grassroots level nationally and internationally. Dinsmore attorneys have assisted the organization with finance and real estate work related to further development of USA Baseball’s National Training Complex in Cary, North Carolina.

“The great thing about our relationship with Dinsmore is that we know our best interests are always being looked out for. We never feel like we are just a client. For that matter, I don’t think we even use that word (client) when

referencing our partnership,” Seiler said. “Dinsmore is an impactful brand in the legal world, yet it would be hard to argue that we have a more personal relationship with anyone we do business with.”

IP Licensing/Agreement Experience

Our attorneys have drafted a wide variety of agreements for clients to help them protect their intellectual property. Since 2011, we have drafted more than 575 total agreements, which can be broken down as follows:

Development Agreements (70)

- Independent Contractor Agreements (15)
- Talent Agreements (15)
- Presenter Agreements and Content Provider Agreements (10)
- Joint Ownership Agreements (10)
- Production Agreements (10)
- Employee Invention Policy and Agreements (5)
- Joint Development Agreements (5)

Litigation-related/Dispute Agreements (55)

- Pre-Litigation Settlement Agreements (15)
- Trademark Trial & Appeal Board Settlements (15)
- Co-Existence Agreements (10)
- Litigation Settlement Agreements – Patent Disputes (5)
- Litigation Settlement Agreements – Trademark Disputes (5)
- Joint Defense Agreements (5)

License Agreements (155)

- Software License Agreements (35)
- Patent License Agreements (35)
- Trademark License Agreements (20)
- End User License Agreements (15)
- Subscription Agreements (10)
- Software as a Service (SaaS Agreements (10)
- Channel Partner Agreements (10)
- Pilot Agreements (10)

- Copyright License Agreements (5)
- OEM License Agreements (5)

IT-related Agreements (170)

- Terms of Use and Privacy Policy (35)
- Healthcare-related IT Agreements (30)
- Software IT Agreements (25)
- Hardware IT Agreements (25)
- Master Client/Service Agreements (25)
- Support and Maintenance IT Agreements (15)
- Reseller Agreements (15)

Research Agreements (55)

- Advanced Research Agreements (25)
- Materials Transfer (20)
- Cooperative Research and Development Agreements (10)

Misc. Agreements (55)

- Non-Disclosure Agreements (25)
- Participant Agreements (10)
- Exclusive Sales Representation Agreements (5)
- Termination Agreements (5)
- Domain Purchase Agreements (5)
- Domain Escrow Agreements (5)

NPE Experience

We have defended clients in challenges to their patents from a wide variety of NPEs. Several representative examples of patents we have defended are below:

- **Cascades Publishing Innovation, LLC:** U.S. Patent 8386484
- **Data Speed Technology LLC:** US Patent 5,867,686 – High speed real-time information storage system
- **eTagz:** US Patent 7,503,502 – Computer readable hang tag and product
- **eTagz:** US Patent 7,703,686 – Consumer computer-readable product label apparatus and method
- **eTagz:** US Patent 6,298,332 – CD-Rom product label apparatus and method
- **eWatch:** US Patent 6,970,183 – Multimedia surveillance and monitoring system including network configuration
- **Helfrich Patent Licensing:** Various US Patents related to mobile device technology
- **Honeywell International, Inc.:** Various US Patents related to bar code and QR code technology
- **Infinite Data, LLC:** US Patent 5,790,530 – Message passing multiprocessor system)
- **Innovatio IP Ventures:** Various US Patents related to local area network radio frequencies and multiple channel wireless access
- **Lemolson Foundation:** Various US Patents relating to bar code technologies
- **Lodsys:** US Patent 7,222,078 – Interactive applications (smartphone apps)
- **Mobile Logistics:** Various US Patents related to transportation yard management systems
- **MPHJ (formerly Project Paperless):** Various US Patents related to computer architecture and document management
- **Pragmatus Telecom, LLC:** US Patent 6,322,231 – Method and system for coordinating data and voice communications via customer contract channel changing system using voiceover IP)
- **Round Rock:** Various US Patents related to radio frequency identification
- **TPQ Development LLC:** US Patent 5,412,730 – Encrypted data transmission system employing means for randomly altering the encryption keys)
- **US Ethernet Innovations:** Various US Patents related to Ethernet connections and point of sale
- **Wireless Media:** Various US Patents related to transportation yard management systems
- **You Technology, Inc.:** Various US Patents related to biometric technology

Publications

July 24, 2024

A Cautionary Tale of Taking the Preliminary Injunction Gambit with Unclear Trade Secrets

June 8, 2023

Bad Spaniels or Jack Daniel's? SCOTUS Sides with Whiskey Maker in Trademark Dispute

June 7, 2022

The Upcycle Conundrum: Copyright and Trademark Infringement Risk of Repurposed Products
Best Lawyers

December 29, 2020

Intellectual Property Measures Included in Spending and Coronavirus Relief Omnibus Bill