

# Kelu Sullivan

Partner

Kelu Sullivan is a skilled trademark and copyright lawyer who focuses on providing practical and realistic advice to help clients make strategic decisions in sync with their business goals. She has spent her entire career helping clients select, register, and enforce their trademarks and copyrights representing her clients in all aspects of trademark and copyright law, including portfolio management, licensing and litigation. Kelu is particularly experienced in the management of large international trademark portfolios, and working with clients' legal and business departments to achieve desired outcomes. Kelu represents clients in federal district and appellate courts, managing every aspect of litigation, from complaints, to discovery, to presentation of the case in front juries. She has also presented difficult trademark cases on appeal, and successfully overturned three lower tribunal decisions.

Prior to joining Kelly IP, Kelu was a partner at BakerHostetler in Washington, DC



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## Bar and Court Admissions

- District of Columbia
- Virginia
- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Supreme Court

## Education

- University of Virginia School of Law, J.D., 2007
- George Mason University, B.A., *cum laude*, 2004

## Professional Activities

- District of Columbia Bar Association
- Asian Pacific American Bar Association
- Bar Association of the District of Columbia
- Intellectual Property Owners Association
- American Intellectual Property Law Association
- International Trademark Association
- American Bar Association: Intellectual Property Section

## Highlights

- *Globefill Inc. v. Elements Spirits, Inc. and Kim Brandi* (9th Cir.). Overturned jury verdict on the basis of attorney misconduct.
- *Globefill Inc. v. Elements Spirits, Inc. and Kim Brandi* (9th Cir.). Overturned District Court decision to dismiss the case on the basis that trade dress was functional.
- *Cold War Museum, Inc. v. Cold War Air Museum Inc.* (Fed. Cir.). Overturned TTAB decision to cancel the trademark COLD WAR MUSEUM and reinstated the registration for COLD WAR MUSEUM. The Court clarified that a registered trademark is presumed to be valid and the petitioner must rebut the evidence of acquired distinctiveness.
- Manages large international trademark portfolios, including nearly the entire trademark portfolio for a global diversified technology and industrial leader, manages all enforcement, and licensing needs globally.
- Searched and Cleared thousands of trademarks on behalf of industrial, commercial and consumer brands around the world.
- Performed intellectual property and information technology due diligence on behalf of medical devices and energy companies.
- Counseled clients, initiated and responded to hundreds of trademark and copyright claims in various industries.

## Professional Recognition

- Asian Pacific Bar Association: Member Appreciation Award for Membership
- Washington, D.C., Super Lawyer "Rising Star" (2014-2016)

## Select Publications

- "Orphan Works at the Dawn of Digitization," *Richmond Journal of Law & Technology*, 2011.
- Supreme Court Amicus Brief on behalf of the Bar Association of District of Columbia in *ABC, Inc. v. Aereo*