Jessica J. Slusser

SENIOR ATTORNEY

Jessica manages international trademark and copyright portfolios and helps her clients enforce their intellectual property rights worldwide.



Practices

Copyright
Trademark

Education

Southwestern University School of Law, JD, 2001
Concordia College, BA, 1998

Offices

Los Angeles

Phone

213.443.7533

Email

Jessica.Slusser@afslaw.com

Jessica has extensive experience with intellectual property prosecution, enforcement and litigation as well as management of domestic and international trademark and copyright portfolios. She counsels clients on matters involving protection and enforcement of intellectual property rights including counseling, clearance, prosecution, registration, maintenance, licensing, and coexistence agreements.

She has handled numerous trademark opposition and cancellation proceedings before the US Patent and Trademark Office's Trademark Trial and Appeal Board and has litigated trademark, dilution, trade dress, copyright, trade secret, unfair competition, patent, breach of contract, and negligence issues. Jessica has a comprehensive background in all phases of litigation, from pre-suit counseling through trial and appeal, including jury and bench trials in state and federal courts, mediations, and arbitrations.

Prior to joining ArentFox Schiff, Jessica practiced at a national civil litigation and professional services firm in Los Angeles. She also co-established a full-service intellectual property boutique law firm.

Client Work

Jessica's representative matters include:

- Defeated several infringers of a well-known competition reality television series and effected takedowns of infringing intellectual property worldwide.
- Successfully canceled registered trademark of financial market data company that infringed the rights of international provider of information security and compliance cloud solutions.
- Achieved favorable settlement for women-owned fitness start-up in response to copyright infringement, misappropriation and unjust enrichment allegations brought by multinational entertainment and record label conglomerate involving numerous copyrights.
- *H&R Block Eastern Enterprises, Inc. v. Intuit, Inc.,* 945 F.Supp.2d 1033 (W.D. Mo. May 22, 2013): Obtained dismissal of trademark infringement claims (one of the first reported decisions,

and the only one of record at the time in the Eighth Circuit, to achieve this result at the initial pleadings stage by Rule 12 motion).

- *Milton H. Greene Archives, Inc. v. Julien's Auction House, LLC,* 345 Fed. Appx. 244 (9th Cir. 2009): Successfully represented appellee against appeal of jury verdict in copyright infringement action involving photographs of Marilyn Monroe used in a celebrity memorabilia auction. Previously represented client in Milton H. Greene Archives, Inc. vs. Julien's Auction House, LLC, USDC Case No. CV 05-7686 AHM (FMOx), (C.D. Cal. 2007): Attained favorable jury verdict for defendant in copyright infringement action involving photographs of Marilyn Monroe used in a celebrity memorabilia auction.

- *Jada Toys, Inc. v. Mattel, Inc.,* 496 F.3d 974 (9th Cir. 2007), amended, 518 F.3d 628 (9th Cir. 2008): Represented defendant Mattel in trademark infringement action in the Central District of CA involving exclusive rights claim to the words "OLD SKOOL" and "HOT RIGZ" for toy vehicles. Summary judgment for Jada reversed on appeal. This case received significant press attention and is often cited as the standard for trademark dilution analysis prior to the Trademark Dilution Revision Act.

Publications, Presentations & Recognitions

Publications and Presentations

- Co-presenter, "Real lawyers v. Robo Lawyers: Attorney Ethics and Competence in the Age of Generative AI," Southwestern Law School Inn of Court, October 11, 2023

- Presenter, "University of La Verne College of Law – Sports and Entertainment Law Society, Trademark Law Q&A," University of La Verne College of Law, November 9, 2022.

- Co-presenter, "IP Strategy on a Budget," Panel at Southwestern Law School, March 2020.

- Co-author, "How Will AB 72 (and Similar Laws) Impact Provider/Payer Disputes?" Manatt Health Update, October 20, 2016.

- Co-presenter, "Legal Writing: Tips and Tricks from the Front Lines," New Media Legal Publishing and West LegalEdCenter, March 29, 2013.

- Panel Speaker, Discussing trademark protection for red-soled shoes in Christian Louboutin v. Yves Saint Laurent, Inn of St. Ives, Southwestern Law School, 2012.

- Author, "United States Takes Tougher Stand Against Counterfeiting with New Legislation," Manatt IP Newsletter, June 22, 2006.

- Author, "Ownership Interest, Not Just Bare Assignment of 'Right to Sue,' Required for Standing to Sue for Copyright Infringement," Manatt IP Newsletter, July 18, 2005.

- Author, "'By Definition,' Patent Cannot Sufficiently Describe Technology Unknown at Time of Application," Manatt IP Newsletter, July 16, 2004.

- Author, "Employer Search of Employee E-mail Upheld Under Electronic Communications Privacy Act," Manatt IP Newsletter, January 13, 2004.

Recognitions

- Southern California "Rising Star" in Business Litigation and Intellectual Property, Super Lawyers (2006-2012, 2015-2016)

- Top LA Women Lawyers, Super Lawyers (2012)

Boards, Memberships & Certifications

Boards

Since 2014, Jessica has served on the Circle of Love Preschool's Board of Directors, in Manhattan Beach, CA.

Memberships

- California State Bar Association, Intellectual Property Section

- California Lawyers Association, Intellectual Property Section

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Los Angeles County Bar Association

- Women Lawyers Association of Los Angeles
- AIPLA (American Intellectual Property Law Association)

Professional Activities

Since 2023, Jessica has served as a volunteer Judge Pro Tempore for the Los Angeles Superior Court, where she has handled numerous assignments, including traffic arraignments, traffic trials and small claims calendars.

Since 2023, Jessica has served as an Attorney Volunteer for Teach Democracy, formerly Constitutional Rights Foundation yearly with the organization's Mock Trial program, in which middle and high school students present a mock criminal trial.

In 2022, she served as an Adjunct Professor at the University of La Verne College of Law where she taught Trademark Law to second and third-year law students.

Life Beyond the Law

Outside of work, Jessica enjoys spending time with her husband and three children, traveling, exercising, walking her labradoodle and attending horse shows.

Bar Admissions

California
US Patent and Trademark Office

Court Admissions

US District Court, Central District of California
US District Court, Northern District of California
US District Court, Southern District of California
US District Court, Eastern District of California
US Court of Appeals, 9th Circuit