



Felicity Kohn

Partner

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Felicity Kohn is a member of Pryor Cashman’s Litigation, Intellectual Property, and Media + Entertainment Groups, where she handles a wide range of intellectual property, First Amendment, and complex commercial matters for clients in the creative, lifestyle, and entertainment industries.

Felicity’s clients rely on her shrewd and tireless advocacy to safeguard their valuable intellectual property assets. She brings extensive experience litigating copyright, trademark, and unfair competition actions, as well as defamation actions, at both the state and federal levels.

Beyond litigation, Felicity assists her clients by conducting pre-publication reviews of manuscripts, articles, podcasts, and films. She also helps her clients grow and facilitate their businesses by drafting and negotiating strategic commercial agreements, including licensing, agency, branding, and partnership deals.

Representative matters by industry include:

Fashion, Apparel + Luxury Goods

- Successfully enforced numerous luxury clients’ copyright and trade dress rights in iconic items of fashion, including Chloé, Alaïa, AZ Factory, and Jimmy Choo.
- DJ Khaled and Asahd Tuck Khaled in a trademark infringement litigation to enforce their rights in the ASAHD and WE THE BEST trademarks, stepping in as new counsel and promptly securing a favorable settlement for our clients.
- Shawn Carter (p/k/a Jay-Z) in a trademark, trade dress, and right of publicity litigation concerning the use of the HOV mark in connection with a tequila presented in packaging confusingly similar to Jay-Z’s ACE OF SPADES Champagne.
- Secured multiple judgments for a multimillion-dollar apparel company in a number of licensee contract disputes.
- An Italian glass manufacturing company in connection with a trademark and design patent litigation.

Beauty Products + Cosmetics

- Defeated a personal jurisdiction motion made by Nestle S.A., resulting in prompt favorable settlement on behalf of People for the Ethical Treatment of Animals (PETA) certified cruelty-free cosmetics company in trademark infringement suit.
- The world’s largest cosmetics company in managing trademark issues for its numerous subsidiaries.

Music, Film + Entertainment

- Obtained motion to dismiss on behalf of a major streaming network and film producer in a defamation action based upon a docudrama.
- Successfully defended French, Spanish, and Brazilian film producers against a defamation claim, securing a motion to dismiss for lack of personal jurisdiction.
- Successfully defended a major streaming network against a defamation claim based upon a docudrama, obtaining a Report and Recommendation to dismiss on summary judgment, followed by a favorable settlement.
- Successfully defeated a motion to enjoin the publication of a film by a major streaming network and secured transfer of venue.
- Prevailed on a motion to dismiss the majority of claims against a major streaming network and the producers of a documentary, prompting a speedy and favorable resolution of the remaining claim.
- Represented an author, podcast host, and magazine editor connected with various trademark matters and contract reviews.
- Successfully represented a singer in connection with trademark infringement of her name by another singer/songwriter.
- Obtained pre-discovery summary judgment in a breach of contract action regarding a brokerage fee for the sale of a radio station, including damages and recovery of all attorneys' fees, which was affirmed on appeal.

Art Collectors, Galleries + Auction Houses

- Secured summary judgment victory on behalf of a gallery owner, art dealer, and collector in a litigation related to provenances and improper acquisition of paintings.
- Provided copyright counseling to a large American auction house in connection with its catalogs.

Services

- Litigation
- Copyright
- Trademark
- Fashion
- Media + Entertainment

Education

- New York University School of Law (J.D., *cum laude*, 2012)
 - Notes Editor, Annual Survey of American Law; Robert McKay Scholar
- University of Chicago (M.A., 2008)
- Wesleyan University (B.A., 2002)
 - Phi Beta Kappa

Recognition

- Named "One to Watch" in Intellectual Property Law (2021-24) and Commercial Litigation (2024) by *Best Lawyers in America*
- Named "Women In The Law: One To Watch" by *Best Lawyers in America* (2021)

Admissions

- New York
- U.S. District Courts for the Southern and Eastern Districts of New York
- U.S. Court of Appeals for the Eleventh Circuit

Professional Affiliations

- American Bar Association – Copyright and Related Rights Division, Chair (2023-2024), Vice-Chair (2021-2023); IPL Section Visual Arts and Dramatic Works Committee, Vice-Chair (2020-2021); Copyright Litigation Committee, past Chair (2018-19), past Co-Chair (2017-18); Copyright and Social Media Committee, Fair Use Subcommittee, past Co-Chair (2016-17)

Publications

June 24, 2024

Kohn Writes About Copyright Decisions to Watch in 2024

IP Watchdog

March 22, 2024

Social Media Account Ownership: When a Business Relationship Breaks Down, Who Gets the Accounts?

New York Law Journal

January 10, 2024

Weigensberg and Kohn Write About Copyright and AI in 2024

Law360

March 17, 2023

Copyright Office Issues Guidance on Copyrightability of AI-Generated Content

September 16, 2020

Harmless Sharing or Copyright Infringement?

Published in Women's Wear Daily

October 20, 2017

Protecting Branded Apparel IP Assets: Pursuing Counterfeiters and Their Profits

Published in IP Watchdog