


William J. Thomashower

Of Counsel

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William Thomashower (*TÔMA-shower*) is Of Counsel and a member of Pryor Cashman's Intellectual Property Group. With over 40 years of experience litigating complex IP cases, he has represented clients in state and federal courts, before arbitration panels, and in matters before the U.S. Patent and Trademark Office (USPTO).

Bill has counseled global brands, consumer goods companies, luxury goods manufacturers, digital media companies, web-based businesses, entertainment and publishing companies and B2B industrial entities on all aspects of trademark law, including selection, prosecution, policing and litigation. He has extensive experience handling cases involving infringement, dilution, trade dress and false advertising claims.

Bill is a registered patent attorney with the USPTO and has advised on utility and design patent validity and infringement matters and has litigated such cases. He also has advised on copyright issues, including registration, licensing and infringement.

Additionally, he has counseled clients on and has litigated defamation and constitutional issues, antitrust claims and the regulations governing physicians and healthcare providers, including the National Practitioner Data Bank. He has argued cases before New York's highest court, the N.Y. Court of Appeals in Albany, NY.

His experience includes:

- Filing a Petition for Certiorari to the U.S. Supreme Court on behalf of a physician challenging the constitutionality of laws and regulations for reporting competent physicians to the U.S. Health and Human Services Agency;
- Obtaining summary judgment of non-infringement of a design patent for packaging after completing all discovery and expert reports for trial;
- Successfully defending, through appeal, a national internet retailer against a brand owner's trademark and copyright infringement claims;
- Litigating a healthcare federal antitrust case by a radiology practice against a radiology benefit management company formed by competitors;
- Successfully defending a Fortune 500 electronic banking company in numerous patent infringement litigations brought by patent assertion entities;
- Obtaining a jury verdict of non-infringement for a client using a trademark to describe genuine merchandise in a case involving disputed ownership with former partners;
- Successfully halting the attempted misappropriation of a famous New York nightclub's name through an emergency motion for preliminary injunction.

Industry Recognition

Bill is a frequent lecturer and writer on issues involving intellectual property, licensing and legal ethics, among other subjects. He serves on the New York Intellectual Property Law Association's ("NYIPLA") Trademark, Programs and Amicus Brief Committees, where he has co-authored NYIPLA Amicus Briefs to the U.S. Supreme Court. He has co-authored an amicus brief in connection with a patent for an automobile drive shaft. He has given CLE lectures for the NYIPLA and Howard Law School's Institute for Intellectual Property and Social Justice (IIPSJ). Bill is also seen as a media source for newsworthy trademark decisions and has been quoted by *Bloomberg Law* on a trademark decision from the U.S. Court of Appeals for the Second Circuit and by Managing IP about a TTAB decision rejecting an amicus brief in *Monster Energy Co. v. Herman James* (2024). He is also a member of the IP and Litigation Sections of the ABA and NYS Bar Associations.

Services

- Intellectual Property
- Trademark
- Litigation

Education

- Columbia Law School (J.D., 1973)
 - with honors
- Columbia University (B.S., 1970)
 - with honors

Recognition

- He received an award in 2020 for 18 years as a lecturer at the Annual Institute for Intellectual Property and Social Justice at Howard Law School.

Admissions

- New York, 1974
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. District Courts for the Southern and Eastern Districts of New York

Professional Affiliations

- NYIPLA Committees: Trademark Law & Practice and Amicus Briefs
- American Bar Association Committees: Intellectual Property, Antitrust, Litigation
- New York State Bar Association Committees: Intellectual Property, Antitrust

Publications

March 23, 2023

SCOTUS to Address Product Parody Standards in Jack Daniel's Properties, Inc. v. VIP Products LLC

December 21, 2022

Finguerre-DuCharme and Thomashower Discuss Monster Energy Co. Trademark Case

Bloomberg Law

March 11, 2019

Pryor Cashman, NYIPLA Argue Bar Against "Scandalous" and "Immoral" Trademarks Violates First Amendment