




## David E. Weslow

Partner



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David focuses his practice on litigation and transactions involving trademarks, copyrights, and domain names, and related product and service development and distribution issues. A former software and web developer, he regularly handles cutting-edge disputes involving law and technology. David has developed particular expertise helping businesses navigate Internet, software, and Internet Corporation for Assigned Names and Numbers (ICANN) issues, and assists clients with the often novel application of intellectual property claims to cyber scams, intangible thefts, social media issues, and other Internet and software based disputes. He is the author of Bloomberg BNA's *Guide to the Anticybersquatting Consumer Protection Act* and, in each of the past few years, represented clients in more than double the number of *in rem* anti-cybersquatting lawsuits than the closest competing firm – with hundreds of domain names and websites at issue.

David was named a 2018 “Trailblazer” by *The National Law Journal* for intellectual property litigation, one of DC’s “Super Lawyers” (2016-2018) and “Rising Stars” (2013-2015) for Intellectual Property Litigation by *Super Lawyers* magazine, and a “Leading Practitioner” in Information Technology Law (2016-2017) by *Who’s Who Legal: Telecommunications Media & Technology*. He received the 2016 “Lonnie Borck Memorial Award” from the Internet Commerce Association for pro bono intellectual property litigation, and *The Legal 500 US 2012* recognized him for his practice “relating to online and emerging technology.” He is also frequently interviewed by media outlets from around the world for commentary on intellectual property, Internet, and technology law issues, and is a frequent lecturer on these issues.

### Practice Areas



- Intellectual Property
- Litigation
- Copyright
- Cybersquatting & Internet IP
- Digital Trade
- Privacy, Cyber & Data Governance
- Blockchain and Digital Assets

### Credentials



#### Education

- J.D., with honors, University of Maryland School of Law
- B.A., Elon College

#### Law Journals

- Articles Editor, *Maryland Law Review*

#### Bar and Court Memberships

- District of Columbia Bar
- Maryland Bar
- U.S. Courts of Appeals for the Fifth and Federal Circuits
- U.S. District Courts for the District of Colorado and District of Maryland

## Representative Matters

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- Counseling clients regarding open source software issues, intangible asset transfers involving cryptocurrencies and smart contracts, and intellectual property issues associated with blockchain technologies.
- Developing strategies for global enforcement of trademarks and copyrights in physical and cyber contexts.
- Representing parties in record-setting domain name transactions.
- Preparing a wide range of Internet, new media, and intellectual property agreements and opinions.
- Representing luxury consumer product companies in trademark, copyright, and patent actions throughout the country.
- Representing generic top-level domain (gTLD) applicants and registries, counseling clients on brand protection programs to address new gTLDs, and advising clients in more than one dozen gTLD objection proceedings.
- Representative Reported Cases:
  - *Montblanc-Simplo GmbH v. Ilnitsky*, 2018 U.S. Dist. LEXIS 24431 (E.D. Va. 2018).
  - *Central Source LLC v. 15 domain names*, 2018 WL 2770194 (E.D. Va. 2018).
  - *411 Mania.com, LLC v. Doe*, 2017 U.S. Dist. LEXIS 147547 (E.D. Va. 2017).
  - *Central Source LLC v. 10 domain names*, 2017 WL 1337798 (E.D. Va. 2017).
  - *GMF, Inc. v. gmf.com*, 2017 WL 2525134 (E.D. Va. 2017).
  - *Muscle Mass, Inc. v. Doe*, 2017 WL 1532025 (E.D. Va. 2017).
  - *Intercontinental Data Communications Ltd. v. Doe*, 2016 WL 8674624 (E.D. Va. 2016).
  - *Wagner v. Lindawagner.com*, 202 F.Supp.3d 574 (E.D. Va. 2016), *aff'd*, 680 Fed. Appx. 240 (4th Cir. 2017).
  - *Montblanc-Simplo GmbH v. Montblanc-outlet.co*, 2016 WL 9175602 (E.D. Va. 2016).
  - *Acme Billing Co., v. Doe*, 2015 U.S. Dist. LEXIS 65250 (E.D. Va. 2015).
  - *Central Source LLC v. 33 domain names*, 2015 U.S. Dist. LEXIS 53590 (E.D. Va. 2015).
  - *Central Source LLC v. 12 domain names*, 2014 U.S. Dist. LEXIS 104778 (E.D. Va. 2014).
  - *Central Source LLC v. 227 domain names*, 2014 U.S. Dist. LEXIS 110119 (E.D. Va. 2014).
  - *Payless ShoeSource Worldwide Inc. v. Premier Success*, 2014 UDRP LEXIS 773 (WIPO 2014).
  - *Spanx, Inc. v. Nawas*, FA1404001552547 (NAF 2014).
  - *United Press Int'l Inc. v. UPIphoto.com*, 2013 U.S. Dist. LEXIS 189667 (Va. 2013).
  - *Electronic Creations Corp. v. Gigahertz, Inc.*, 2013 U.S. Dist. LEXIS 88805 (N.D.N.Y. 2013).

- *Transtex Comp., Inc. v. Laydon Comp., Ltd*, 2012 U.S. Dist. LEXIS 155476 (W.D. Ky. 2012).
- *Myriad Dev., Inc. v. Alltech, Inc.*, 817 F. Supp. 2d 946 (W.D. Tex. 2011).
- *Nokota Horse Cons., Inc. v. Bernhardt*, 2009 U.S. Dist. LEXIS 105142 (D. N.D. 2009).
- *Bains Ultra Inc. v. 7677 East Berry Ave. Assoc.*, 2009 U.S. Dist. LEXIS 14633 (D. Colo. 2009).
- *Alltech Inc. v. Myriad Dev. Inc.*, 2008 U.S. Dist. LEXIS 98707 (W.D. Va. 2008).

## Affiliations

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- American Bar Association (ABA), IP Section
- American Intellectual Property Law Association (AIPLA)
- Intellectual Property Constituency (IPC) of ICANN's Generic Names Supporting Organization
- International Trademark Association (INTA)
  - Internet Committee
- Editorial Board, *Trademarks & Brands Online*
- Advisory Board, *Bloomberg BNA Electronic Commerce & Law Report*

## Recognitions

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- Named to *Law360's* Intellectual Property Editorial Advisory Board (2018)
- Recognized as one of the nation's top "Intellectual Property Trailblazers" by *The National Law Journal* (2018)
- Named a "Leading Practitioner" in Information Technology Law by *Who's Who Legal: Telecommunications Media & Technology* (2016-2017)
- Named by *The Legal 500 US* a "recommended lawyer" in Copyright Law (2012)
- Named one of DC's "Super Lawyers" (2016-2020) and "Rising Stars" for Intellectual Property Litigation (2013-2015) by *Super Lawyers* magazine
- Received the 2016 "Lonnie Borck Memorial Award" from the Internet Commerce Association