

Dennis L. Wilson

Partner

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Services

Advertising Counseling & Disputes
Anti-Counterfeiting & Gray Markets
Brand Licensing & Related
Transactions
Class Action Defense
Copyright Litigation & Counseling
Intellectual Property
Litigation
Online & Digital Enforcement
Trade Secrets
Trademark Litigation
Trademark, Copyright &
Advertising

Industries

Media & Entertainment



Dennis Wilson is a member of the firm's Executive Committee and he focuses his practice on complex litigation involving trademark, copyright, entertainment and Internet law issues. Mr. Wilson represents many of the world's largest media and technology companies creating and directing their international rights enforcement programs. He provides strategic counseling to businesses on a wide range of related issues including false advertising, idea submission, rights of publicity and unfair business practices. He has developed and directs international protection programs for some of the world's most recognized brands and media properties.

Mr. Wilson is a frequent speaker on new media issues at local and national bar associations, international trademark associations and universities, and has lectured across the United States on subjects including new media, gaming, intellectual property, licensing, consumer class action advertising litigation, branding and Internet law. He was recognized for Media & Entertainment in 2017 and for Intellectual Property: Trademark, Copyright & Trade Secrets in the 2024 and four years immediately preceding editions of *Chambers USA: America's Leading*



Lawyers for Business. Mr. Wilson was recognized in 2024 by *The Best Lawyers in America*® for Media Law. He is listed in the 2014 to 2024 editions of *World Trademark Review 1000*. Mr. Wilson was named a "Trademark Leader" in 2023 and 2024 by *World IP Review*. He is also listed in the 2017 edition of *Who's Who Legal: Trademarks*. Mr. Wilson is a recipient of the 2016 Client Choice Award USA & Canada in the IP trademarks category for California from Lexology and the International Law Office. He was recommended by *Legal 500 US* for trademark in the 2013, 2014, 2015, 2016, 2017, 2019, 2022 and 2023 rankings, for both copyright and trademark in the 2018, 2020, 2021, 2022 and 2023 rankings, and as a "Leading Lawyer" for Trademark Litigation in 2023. Mr. Wilson was named a Southern California "Super Lawyer" for IP litigation in the 2014 to 2023 editions of *Super Lawyers* magazine. He was recognized as an "IP Star" in 2023 by *Managing Intellectual Property* magazine. Mr. Wilson was recognized as a "Top Intellectual Property Lawyer in California" in 2015 and 2017 to 2019, named as one of the "Top 100 IP Lawyers" in 2024 by the *Daily Journal*, and also named one of the "Most Influential Lawyers" in 2014 by the *Los Angeles Business Journal*. He was named by Legal Media Group to its 2014 *Guide to the World's Leading Trademark Law Practitioners*. In 2012 and 2013, Mr. Wilson was selected as one of "California's Top 75 Intellectual Property Litigators" by the *Daily Journal*, and has also been selected as one of America's Top Lawyers by *Forbes Business*, and been recognized repeatedly as a "Super Lawyer" by the *New York Times* and *Los Angeles* magazines.

In 1995, Mr. Wilson established one of the first comprehensive Internet monitoring and enforcement programs, and currently directs international online protection programs. Mr. Wilson currently oversees a strategic technology team that works around the clock to address and remove unauthorized content from thousands of online sites. As part of this practice, Mr. Wilson enforces client rights and litigates disputes involving Digital Millennium Copyright Act, the Lanham Act, the Federal Anti-dilution Act, the Consumer Fraud and Abuse Act, the Communications Decency Act and various state and federal statutes.

Prior to joining Kilpatrick, Mr. Wilson was a founding partner of Keats McFarland & Wilson LLP in Beverly Hills, California, a boutique intellectual property law firm with extensive involvement in the development, protection, and enforcement of famous brands as they relate to consumer products, entertainment and the Internet. Previously, Mr. Wilson was a partner in the Beverly Hills and Los Angeles offices of a national law firm.

Experience

Successfully represented Zynga Inc. in trademark litigation in connection with an online game called "MafiaVille." The defendant responded to Zyngas initial demand letters by filing a declaratory judgment action and also submitting a federal trademark application for "MafiaVille." The declaratory judgment action was dismissed on procedural grounds, following which the client asked its long-time trademark prosecution counsel to handle the opposition to the "MafiaVille" application. Following almost two years of opposition proceedings in the TTAB, and with trial deadlines looming, Kilpatrick Townsend prepared and filed the complaint in the defendants home Maryland. After several weeks of discussions, the defendant agreed to all of Zyngas demands in a confidential settlement agreement and entry of a consent judgment in Zyngas favor in the United States District Court for the District of Maryland.

Established one of the first comprehensive Internet monitoring and enforcement programs, and we currently direct numerous international online protection programs to address copyright and trademark infringement, rights of publicity, grey market infringement, product distribution diversion, disclosure of private facts and



defamatory statements. To this day, our Internet monitors work to address and remove unauthorized content from online sites. Enforcement programs for entertainment properties have included *Anchorman 2*, *Batman*, *Casper*, *Interstellar*, *The Godfather*, *Harry Potter*, *The Hunger Games*, *Indiana Jones*, *Iron Man*, *Jurassic Park*, *Kung Fu Panda*, *The Looney Tunes*, *The Lord of the Rings*, *Madagascar*, *The Matrix*, *Mighty Morphin Power Rangers*, *Mission: Impossible*, *Noah*, *Pirates of the Caribbean*, *Shrek*, *The Simpsons*, *Spider-Man*, *Star Trek*, *Star Wars*, *Teenage Mutant Ninja Turtles*, *Terminator: Genisys*, *Titanic*, *Tomb Raider*, *Toy Story*, *Transformers*, *Twilight Saga*, *Wolf of Wall Street*, *The X-Files* and *X-Men*. Celebrity enforcement programs have included The Doors, Harrison Ford, Melanie Griffith and Tom Hanks. Corporate rights enforcement programs include Chanel, Louis Vuitton, Pioneer, QSC Audio Products, Samsung, Sony Electronics and Toto USA.

Represented DC Comics in this copyright infringement case filed against an unknown leaker of unreleased images from "The Watchmen" comic. DC Comics learned that someone had accessed its servers and distributed the images online. Through DMCA subpoenas, investigations, and this case, we identified the infringer and were able to prevent further access to the server. The case was settled favorably for the client.

Represented Warner Bros. in this case brought against a cybersquatter who had registered 102 domain names based on the Harry Potter property. We obtained a decision ordering the transfer of all of the domain names.

Representing Zynga Inc. in the Northern District of California to protect its trademark rights in the WITH FRIENDS family of brands against an online and mobile "dating" application under the name "Bang With Friends." Negotiated a favorable settlement. *Zynga Inc. v. Bang With Friends, Inc.*, No. 13-3517 (N.D. Cal. filed July 30, 2013).

Defended Apple Inc. (Apple) in Carl Sagan's defamation action based on Apple's use of Sagan's name as a product word, and later renaming code word "BHA" at Sagan's request (BHA was later revealed to stand for "Butt Head Astronomer"). Complaint was dismissed at pleadings stage after several attempts by Sagan to state a valid claim (Butthead ruled not defamatory as not provable as a true or false statement).

Filed complaints and applications for temporary restraining orders and seizure orders against various retailers, wholesalers, and importers of counterfeit goods in Los Angeles on behalf of our clients. The court granted the orders, and the seizure orders were executed simultaneously by U.S. Marshals at over 30 locations in and around the toy district in downtown Los Angeles. Pursuant to the seizure, over 150,000 counterfeit toys and novelty items were seized on behalf of the plaintiffs. Among the defendants was a large-scale counterfeiter, which had violated a permanent injunction entered against it in a previous litigation. We filed a motion for an order finding this defendant in contempt of the permanent injunction. The court granted this motion and issued a \$3.6 million damage award.

Represented Saban Entertainment Inc. (Saban) against claims of copyright infringement, unfair competition,



and breach of contract. The plaintiff, a graphic designer, claimed that he was the copyright owner of the Mighty Morphin Power Rangers logo. On behalf of Saban, we filed a motion for summary judgment, arguing that the work was a work made for hire, or in the alternative, was assigned to Saban pursuant to a written agreement. The district court granted Saban's motion for summary judgment and awarded Saban its attorneys' fees and costs. The district court's decision was affirmed by the Ninth Circuit and the Supreme Court denied plaintiff's Petition for *Writ of Certiorari*. *Dees v. Saban Entertainment, Inc.*, 1997 U.S. App. 34129 (9th Cir.).

Defended Apple in a trademark infringement action brought by Bob Dylan regarding Apples "DyLar" computer software language (which Apple claimed was a contraction of "Dynamic Language"). Dylan claimed that his music was sold on CDs, as was Apples computer language, making the types of goods related enough for a strong likelihood of confusion. Settled favorably despite difficult facts discovered in internal discovery (eg, "Woodstock", "Hendrix," and "Joplin" were other names used by Apple for elements of the software package).

Represented the International Anticounterfeiting Coalition, Inc. in the Ninth Circuit and filed an Amicus Brief on behalf of numerous intellectual property owners seeking to overturn a lower court's decision that flea market owners could not be liable for the infringing acts of flea market vendors. The Ninth Circuit, relying on our brief, held that flea market owners can be found liable for contributory and vicarious copyright infringement resulting from the sale by its vendors of counterfeit merchandise. The Ninth Circuit further stated that a flea market owner "cannot disregard its vendors' blatant trademark infringements with impunity," and that a flea market owner can be held liable for contributory trademark infringement. *Fonovisa, Inc. v. Cherry Auction, Inc.*, 76 F.3d 259 (9th Cir. 1996).

Represented DC Comics, Disney, Nike, and Warner Bros. in a lawsuit against a swap meet owner and its vendors based on the sale of counterfeit and infringing merchandise on the swap meet's premises. Relying on the landmark *Fonovisia v. Cherry Auction* decision, the action against the swap meet owner was based on contributory and vicarious copyright infringement and contributory trademark infringement. We successfully resolved this matter with the swap meet owners adopting a three strikes policy wherein they agreed to evict any tenant who has sold or offered for sale infringing merchandise after the third such occasion. *Time Warner Entertainment, Co., L.P. v. B.C.P. Toys, Inc.*, 2000 U.S. App. LEXIS 4989 (9th Cir.).

Filed suit against the defendant for trademark infringement and unfair competition based on his unauthorized sale and distribution of apparel bearing Polo's trademarks. While litigating the action, we discovered that the defendant had received in excess of \$14 million from the sale of counterfeit shirts. The cases proceeded to trial. Several days into the trial, the defendant agreed to settle the case on terms favorable to our client. After the defendant failed to pay the required settlement amount, Polo discovered that the defendant had funneled assets to other sources. We obtained a TRO freezing his assets. The defendant violated the TRO and continued to funnel assets. We filed a motion for an order finding the defendant in contempt, and the Court sent the



defendant to jail for civil contempt.

Education

University of Southern California J.D. (1991)

California State University B.A. (1988)

Admissions

California (1991)

Court Admissions

U.S. Court of Appeals

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Southern District of California

Professional & Community Activities

Beverly Hills Bar Association, Intellectual Property Section, Member

State Bar of California, Member

International Trademark Association, Member

International Anti-Counterfeiting Coalition, Member

Insights

[News Releases](#)

Kilpatrick Attorneys Named 2024 World IP Review Leaders

July 16, 2024

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Kilpatrick Earns High Rankings in 2024 Legal 500 US

June 25, 2024

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Kilpatrick Continues Tradition of Impressive Number of Attorneys Named Managing Intellectual Property's IP Stars

June 10, 2024

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Kilpatrick Earns Widespread Recognition in 2024 Chambers USA

June 7, 2024

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Dennis Wilson and Mehrnaz Boroumand Smith Named 2024 Top 100 IP Lawyers by Daily Journal

May 23, 2024