

Nichole Davis Chollet

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Services

Intellectual Property
Trademark Litigation
Trademark, Copyright &
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Industries

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Food, Restaurant & Beverage
Media & Entertainment
Retail & Consumer Goods
Technology

Nicki Chollet represents brand owners across a broad spectrum of industries in complex trademark and trade dress litigation. Representative clients in litigated matters include adidas AG and adidas America, Inc., Flowers Foods, Inc. and Energizer Holdings, Inc. She also regularly practices before the Trademark Trial and Appeal Board.

Apart from litigation, Nicki has developed and directs intellectual property enforcement programs for some of the world's best known brands and regularly advises clients on a wide range of issues, including how to minimize the risk of disputes, how to strengthen their own intellectual property rights, and how to defend and respect the intellectual property rights of others on social media.

Nicki has gained valuable experience and insights into the demands on, and role of, in-house counsel during multiple secondments at one of the world's largest athletic footwear and apparel companies and at a multinational logistics and transportation company.

Nicki frequently speaks at conferences and on panels in the area of trademark and copyright law and has been a guest lecturer in trademark and copyright courses at Emory University School of Law. She also devotes time to pro bono matters and is actively involved in the Georgia State Bar.

Nicki participated in the Irving R. Kaufman Memorial Moot Court Competition at Fordham University and served as a Dean's Teaching Fellow during law school. She received the Dean's Award for Outstanding Academic Achievement in Constitutional Law and of the Arthur Bolton Award for Excellence in Brief Writing.

Nicki was recognized by *The Best Lawyers in America*® in 2026 for Intellectual Property Litigation and again in 2027 for both Intellectual Property Litigation and Entertainment Law (Motion Pictures and Television). She was also recognized in 2023 and the eight years prior as a Georgia "Rising Star" in the area of Intellectual Property by *Super Lawyers* magazine.

Experience

Defended Meta Platforms, Inc. in a trademark infringement lawsuit brought by Metacapital Management L.P. over Meta's use of the META and META PAY marks in connection with its payment process services. Nicki directed strategy and managed the litigation, including the motion to dismiss and discovery. *Metacapital Management L.P. v. Meta Platforms, Inc.*, No. 1:2022cv07615 (S.D.N.Y.).

Represented Ford Motor Company in its defense of Ford's use of "BlueCruise" in connection with its advance driving assistance systems in a claim brought by Cruise LLC, a San Francisco based start-up that was beta testing autonomous vehicles, and its parent-company General Motors LLC. Nicki led the preparation of the response to Cruise and GM's motion for preliminary judgment. The case resolved amicably after arguments on the motion for preliminary judgment. *Cruise LLC, GM Cruise Holdings LLC, and General Motors LLC v. Ford Motor Company*, Case No. 3:21-cv-05685-SI (N.D. Cal.).

Defended The Wine Group against a series of claims made by JaM Cellars, Inc. based on The Wine Group's use of the descriptive phrases "Bold & Jammy" and "Rich & Butter." Nicki was tasked with responding to the motion for preliminary injunction and leading discovery. *JaM Cellars, Inc. v. The Wine Group LLC*, 4:19-cv-01878-HSG (C.D. Cal.); Civil Action No. 3:20-cv-02229-HS (C.D. Cal.).

Represented Armor-All in a trademark infringement and false advertising action against its direct competitor TSI Products, Inc. in the automotive air conditioning recharge industry. Negotiated a favorable settlement prior to motions for summary judgment. *The Armor All/STP Products Co. v. TSI Products, Inc.*, 3:17-cv-01131 (MPS) (D. Conn.).

Represented Patagonia, Inc. in a dispute brought against Anheuser-Busch, LLC centered around the registration and use of PATAGONIA in connection with beer. Nicki spearheaded expert discovery and took and defended several depositions. *Patagonia, Inc. v. Anheuser-Busch, LLC*, No. 2:19-CV-02702-VAP-JEM (C.D. Cal.).

Represented adidas America, Inc., adidas AG, Reebok International Limited, and Reebok International Ltd. in trademark infringement litigation spanning multiple years against numerous New York-based defendants using the mark RBX and related designs. *adidas America Inc. v. TRB Acquisitions LLC*, 3:15-cv-02113 (D. Or.).

Represented adidas America, Inc. and adidas AG against Skechers in a trade dress and trademark infringement law suit, successfully obtaining a preliminary injunction against Skechers barring its further sale of, inter alia, footwear that infringed adidas's famous Stan Smith trade dress. *adidas America Inc. v. Skechers USA Inc.*, 15-cv-01741-HZ (D. Or.).

Represented Flowers Foods Inc., a leading producer of baked goods, in various trademark and unfair competition matters, including in Trademark Trial and Appeal Board matters and in a trademark infringement action against Bimbo Bakeries based on Bimbo's national launch of the NATURE'S HARVEST product. *Flowers Bakeries Brands LLC v. Bimbo Bakeries USA Inc.*, 7:13-cv-00138 (M.D. Ga.).

Represented a *Fortune* 100 multinational corporation in the mail, package, and freight delivery industry in trademark enforcement and licensing work.

Represented Georgia-Pacific Consumer Products LP in the defense of our client against a trademark infringement suit. The plaintiff voluntarily dismissed the claim after the court denied its motion for preliminary injunction. *Procter & Gamble Co. v. Georgia-Pacific Consumer Prods. LP*, No. 1:09-cv-00318 (S.D. Ohio Aug. 3, 2009).

Represented a California-based *Fortune* 500 multinational corporation that designs and manufactures consumer electronics and computer software products in its trademark portfolio management, anti-counterfeiting, and trademark opposition and enforcement work.

Represented United Pet Group, Inc., a leading global manufacturer of pet products, in trade dress litigation against a competitor. Case settled favorably after we filed for preliminary injunction. *United Pet Group, Inc. v. Salix Corp. et al.*, No. 09-03323 (E.D.N.Y. filed July 31, 2009).

Education

Emory University School of Law J.D. (2008) *with honors, Order of the Coif*

St. John Fisher College B.A. (2005) Political Science and Economics, *magna cum laude*

Admissions

Georgia (2008)

Court Admissions

Georgia Court of Appeals (2008)

Georgia Lower Courts (2008)

Supreme Court of Georgia (2008)

U.S. District Court for the Northern District of Georgia (2009)

Professional & Community Activities

Georgia Bar Association, Sports and Entertainment Section, Board Member

Georgia Bar Association, Intellectual Property Section, Member

Everybody Wins Mentor Program

Freedom Writers Mentor Program (2008-2010)

Insights

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Alert

Second Circuit Clarifies "Blurry" Issue Between Articulation and Distinctiveness of Trade Dress at Pleading Stage

February 7, 2025

Perspectives

3 Key Takeaways | Second Circuit Clarifies "Blurry" Issue Between Articulation and Distinctiveness of Trade Dress at Pleading Stage

February 7, 2025

News Releases

135 Kilpatrick Townsend Attorneys Recognized in 2022 Super Lawyers

December 15, 2022

News Releases

Kilpatrick Townsend Attorneys Named 2020 Georgia Super Lawyers

March 6, 2020