

Jennifer Fairbairn Deal

Trademark Of Counsel

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Services

Advertising Counseling & Disputes

Intellectual Property

Trademark Litigation

Trademark, Copyright & Advertising

Jenn Deal specializes focuses her practice on intellectual property enforcement and litigation, counseling clients on a range of trademark and unfair competition issues and advising them on strategies for protecting their brands. She specializes in protecting clients' intellectual property rights online and in opposition and cancellation proceedings before the Trademark Trial and Appeal Board. She also has significant experience representing clients in litigation in federal district courts across the nation, including for preliminary injunction and summary judgment motions and in bench and jury trials, as well as in opposition and cancellation proceedings before the Trademark Trial and Appeal Board. Jenn also has litigated trademark, trade dress, and unfair competition issues before the U.S. International Trade Commission.

Jenn joined Kilpatrick in 2011 as an associate and member of its Trademark and Copyright team after spending two years clerking for the Honorable J. Owen Forrester, Senior Judge, in the U.S. District Court for the Northern District of Georgia. In 2017, Jenn became a senior associate and in 2019, she was elevated to partner. In 2021, Jenn left the firm and became a life and career coach for lawyers where she worked one-on-one with lawyers, who feel stressed, anxious, overwhelmed, and unfulfilled, to create careers and lives that they love. She also teaches webinars and speaks on this topic as well. Jenn rejoined Kilpatrick in 2025.

Jenn has devoted a considerable amount of time to pro bono litigation matters, namely working with the Atlanta Volunteer Lawyer Foundation's Safe Families Initiative and served as a member of the AVLF Junior Board. Jenn successfully represented numerous survivors of intimate partner abuse and stalking in obtaining 12-month protective orders.

Jenn was recognized in 2017, 2018 and 2019 as a Georgia "Rising Star" for Intellectual Property Litigation by *Super Lawyers* magazine and was a recipient of the *Daily Report*'s "On the Rise" award in 2019.

Experience

Represents and has represented Energizer Holdings, Inc., a global leader in the business of providing portable power and lighting solutions, and its subsidiaries in various trademark, unfair competition, false advertising, and

copyright matters, including litigation before federal district courts and the Trademark Trial and Appeal Board, as well as trademark clearance and registration projects.

Represented Major League Baseball Properties and the Chicago Cubs Baseball Club, LLC in a widely publicized lawsuit in federal court in Illinois claiming the defendants, vendors, were producing and planning to sell merchandise that infringed and counterfeited the trademarks of MLB and the Cubs. The Court granted both a temporary restraining order, authorizing the seizure and impoundment of the knock-off products, and a preliminary injunction prohibiting such sales. *Major League Baseball Properties, Inc. & Chicago Cubs Baseball Club, LLC v. Stevens et al.*, No. 1:16-cv-09140 (N.D. Ill. 2016).

Represented FN Herstal, S.A., a Belgian firearms and weapons manufacturer in a trademark infringement case against Clyde Armory involving our client's rights to the trademark SCAR for assault rifles and accessories. Following a bench trial, the court issued a lengthy order holding that FN Herstal has superior rights in its SCAR mark and that there was "ample evidence of bad faith" on Clyde Armory's part in adopting and using its infringing SCAR-Stock mark for assault rifle stocks. The court issued a permanent injunction against Clyde Armory, ordering it to, among other things, cease all use of SCAR or SCAR-Stock and to deliver up for destruction its infringing products and any materials displaying SCAR or SCAR-Stock. Following oral argument, the Eleventh Circuit affirmed. The U.S. Supreme Court denied Clyde Armory's petition for a writ of certiorari, and both the District Court and Eleventh Circuit awarded attorneys' fees in our client's favor. *FN Herstal, S.A. v. Clyde Armory, Inc.*, 838 F.3d 1071 (11th Cir. 2016).

Education

Emory University School of Law J.D. (2009) *First Honor Graduate*, *with high honors*, *Order of the Coif*

Valdosta State University B.A., Criminal Justice (2006) *summa cum laude*

Admissions

Georgia (2009)

Court Admissions

Georgia Superior Court (2009)

U.S. District Court for the Northern District of Georgia (2011)

Clerkships

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Professional & Community Activities

State Bar of Georgia, Intellectual Property Law Section, Member

Certified Life Coach

Advanced Certification in Feminist Coaching

Insights

News Releases

Kilpatrick Townsend and United Way of Greater Atlanta Award Grants Totaling $25,000 to Raising Expectations and Atlanta Wealth Building Initiative

January 13, 2022

Perspectives

Monthly Minute | Protecting and Enforcing Your Trademarks

December 22, 2020

Alert

Using Trademark Law to Fight Price Gouging: Beware the Exhaustion Doctrine

April 29, 2020

News

On the Rise: Jenn Deal

June 19, 2019

News Releases

Kilpatrick Townsend Achieves Recognition for 2019 Georgia Super Lawyers

February 28, 2019