H. Forrest Flemming III

Partner

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Services

Intellectual Property

Online & Digital Enforcement

Trademark Litigation

Trademark, Copyright & Advertising

Forrest focuses his practice on trademark and commercial litigation. He is an experienced trial attorney who has represented *Fortune* 500 companies in both state and federal courts, and at both the trial and appellate level. Forrest also manages several nationwide trademark enforcement teams.

Forrest also manages a nationwide trademark enforcement program for a famous athletics brand that targets brick-and-mortar infringements, as well as an international domain name enforcement program for a large travel company. In connection with his enforcement work, Forrest is comfortable negotiating with represented and unrepresented infringers, as well as running UDRP proceedings.

Forrest is listed in the 2025 and 2026 editions of *World Trademark Review 1000 – The World's Leading Trademark Professionals*. He was recognized as a New York “Rising Star” in 2022 and 2023 and a Georgia "Rising Star" in 2026 for Intellectual Property by *Super Lawyers* magazine. Forrest was also recognized as an IP "Rising Star" in 2022, 2024, 2025 and 2026 by *Managing Intellectual Property* magazine. He was recommended by *Legal 500 US* for Trademark Litigation in 2023. Forrest was named a "Trademark Leader" in 2024 and 2025 by *World IP Review*.

Experience

Represented adidas in obtaining a preliminary injunction in trademark case against Skechers USA, Inc. in the District of Oregon, and later in the Ninth Circuit Court of Appeals. Forrest spearheaded adidas’s preliminary injunction, summary judgment, trial, and appellate briefing in this case involving adidas’s Three-Stripe Mark and Stan Smith trade dress. He also drafted discovery, including third-party discovery, and assisted with deposition and hearing preparation.

Represented technology company in defeating a motion for preliminary injunction in trademark case brought by eyewear manufacturer in the District of Minnesota. Forrest helped draft the client’s preliminary injunction briefing

in this case.

Represented weapons manufacturer in defeating appeal brought by competitor in trademark case in the Eleventh Circuit Court of Appeals. Forrest helped draft appellee's response brief in connection with this case.

Represented UPS in obtaining summary judgment and defeating appeal in trademark case brought by Progressive Distribution Services, Inc. in the Eastern District of Michigan, and later in the Sixth Circuit Court of Appeals. Forrest helped draft UPS's summary judgment and appellate briefing in this case involving UPS's ORDERLINK mark.

Represented Yahoo in defending against breach of contract claims brought by Mozilla Corporation in California state court. Forrest took expert and corporate depositions, drafted dispositive motions, and prepped corporate executives for depositions in connection with this case.

Education

Emory University School of Law (2014) Law

University of North Carolina at Chapel Hill Bachelor of Music (2011)

Admissions

New York (2021)

Georgia (2016)

Clerkships

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Professional & Community Activities

Emory Law Journal, Former Notes and Comments Editor

Stonewall Bar Association, Former Student Member

UNC Arts Steering Committee, Former Member

Crayons2Calculators, Board of Directors, Former Member

Insights

News Releases

With Record-Breaking Numbers, Kilpatrick Once Again Achieves Most U.S. Attorneys Ranked in 2026 World Trademark Review 1000

February 3, 2026

News Releases

Kilpatrick Achieves Record Number of Attorneys Named 2025 World IP Review Leaders

June 5, 2025

News Releases

Kilpatrick Attorneys Continue to Earn Distinction on Managing Intellectual Property's Prestigious IP Stars List

June 2, 2025

Perspectives

Kilpatrick Client Success | Scoring a Long-Awaited Win for adidas

March 4, 2025

News Releases

Kilpatrick Once Again Achieves Most U.S. Attorneys Ranked in 2025 World Trademark Review 1000

February 4, 2025