

Eric Stevens

PARTNER

t: 919.783.1017

Eric Stevens helps businesses identify and protect trademarks, copyrights, and other intellectual property assets; negotiates technology transactions such as technology development agreements and cloud services agreements; and handles complex intellectual property and commercial litigation.



OFFICE LOCATION

301 Fayetteville St., Suite 1900
Raleigh, NC 27601

JURISDICTIONS LICENSED

North Carolina, US District Court for the Eastern District of NC, US District Court for the Middle District of NC, US District Court for the Western District of NC, US Court of Appeals for the Fourth Circuit, US Court of Appeals for the Federal Circuit

“In my intellectual property practice, I ask questions that get beyond the client's immediate need and help me understand how that specific matter fits in with their broader business objectives. Only then can I help them advance those objectives in a consistent and coordinated way.”

BIOGRAPHY

Eric focuses his practice on intellectual property law and litigation. He prosecutes trademark registration applications before the United States Patent and Trademark Office and handles opposition and cancellation proceedings before the Trademark Trial and Appeal Board of the USPTO. He assists clients in negotiating technology transactions such as software license agreements, software as a service agreements, agreements for the development of software and mobile applications, and agreements for the sale or licensing of trademarks, copyrights, patented inventions, trade secrets, and proprietary and open source software. He counsels clients regarding rights of privacy and publicity, internet law, trade secrets, and intellectual property aspects of entertainment law. During more than fifteen years of intellectual property litigation experience, Eric has represented clients in intellectual property disputes involving trademark and copyright infringement, domain name piracy, software licensing, trade secret theft, violations of publicity and privacy rights, and false advertising.

AREAS OF FOCUS

LITIGATION

- Represented restaurant franchise in lawsuit against vendor and reseller of defective point of sale software system.
- Represented seller of components for remanufactured toner cartridges in dispute against business competitor for false advertising and business libel.
- Represented restaurant franchisor in suit against franchisee for breach of contract and service mark infringement for continuing to use well-known service marks without authorization after termination of the franchise agreement.

INTELLECTUAL PROPERTY

- Represented manufacturer of communications hardware in negotiation of complex agreement to license complementary technology for use in development of smart streetlighting system.
- Represented entrepreneurial business in negotiation of agreement with software development company for development of mobile application through which consumers access and use client's services.
- Represented boat manufacturer in opposition and cancellation proceeding before the Trademark Trial and Appeal Board.

INTELLECTUAL PROPERTY LITIGATION

- Represented local business in lawsuit that took place in the North Carolina Business Court in which the plaintiff alleged that my client engaged in cyberpiracy by registering several internet domain names that corresponded to the business name of one of its competitors.
- Represented trucking company in lawsuit pending in U.S. District Court for the Western District of North Carolina for alleged trademark infringement. Plaintiff moving company sought seven figure damages award resulting from client's use of phrase in advertising copy that is allegedly

similar to the plaintiff's business name, but the case was settled on very favorable terms for my client.

- Represented home design firm accused of infringing the plaintiff architectural firms' copyright in home plans in a lawsuit that took place in the Western District of North Carolina. The Court granted summary judgment in favor of our client and held that the plaintiff had not presented sufficient evidence that our client had access to or copied the plaintiff's plans. The Fourth Circuit Court of Appeals affirmed the ruling in a published opinion.

TRADE SECRET PROTECTION

- Handled theft of trade secrets case for a business that was engaged in negotiations to enter into a business relationship with another company. When a client's employee had left the conference room where the negotiations were taking place, representatives of the defendant company surreptitiously accessed my client's laptop and copied materials from its hard drive.

CREDENTIALS

EDUCATION

Mercer University, JD, 1990, *magna cum laude*

Wake Forest University, BA, 1987, *cum laude*

PROFESSIONAL & COMMUNITY ACTIVITIES

Board of Advisors, North Carolina Technology Association

President-Elect, Downtown Raleigh Rotary Club