

**Holley C. M. Horrell** *Attorney*



Strategic, straightforward, driven.

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## Overview

Holley represents clients in business disputes and trademark and copyright litigation. She thoughtfully approaches each case from start to finish, considering the client's goals and advocating strategically at every phase of the litigation.

Holley's experience includes representing business clients, from start-up to Fortune 100 companies, in matters ranging from breach-of-contract claims, to complex coordinated antitrust litigation, to trust instruction proceedings. She relishes getting into the details and learning the client's business to allow her to advocate effectively whether over the scope of discovery or dispositive motions.

Holley also regularly represents clients in copyright and trademark infringement lawsuits in federal court and has appeared before the Trademark Trial and Appeal Board. For example, she won a preliminary injunction under the Lanham Act against a company for distributing counterfeit goods and was recognized as an "Attorney of the Year" for this work. She brings that litigation experience to bear when assisting clients outside the courtroom, such as in pre-litigation counseling and negotiations, to understand their intellectual property rights and potential issues.

Holley maintains an active pro bono practice, primarily representing children in foster-care-related legal proceedings, and also supports that work by serving on the board of the Children's Law Center of Minnesota.

## Education

J.D., Stanford Law School; Editor-in-Chief and Symposium Chair, *Stanford Technology Law Review*

B.A., Duke University, English with minors in Art History and Mandarin, *summa cum laude*, *Phi Beta Kappa*; Writer and Senior Editor, *The Chronicle*

## Experience

U.S. District Court for the District of Minnesota, Judge Joan N. Ericksen, Law Clerk

Irell & Manella, Associate

## Representative Experience

- Defending client against Lanham Act claims in federal court relating to nationwide franchise's mark.
- Pursuing a client's intellectual property rights in its famous marks, fighting widespread sales of counterfeit branded personal protective equipment by pursuing federal litigation across the country. Won a preliminary injunction under the Lanham Act to stop the defendant's distribution of counterfeit goods.
- Defended a major manufacturer of security equipment in federal court against a former customer's implied-breach-of-contract claims for \$22 million, obtaining summary judgment in the client's favor on both the plaintiff's claims and our client's counterclaim.
- Represented client in defending its marks in Trademark Trial and Appeal Board opposition proceedings initiated by a major financial services company, and negotiated a successful resolution.
- Represented employee of private college in satisfactorily negotiating resolution of gender and pregnancy discrimination employment claims.
- Advise famous individual regarding relevant intellectual property rights and represent the individual in asserting such rights in pre-litigation communications.
- Served as local counsel for a major technology company in trademark litigation, participating in drafting a motion to dismiss that the court granted on personal jurisdiction grounds.
- Successfully negotiated full payment of amounts due under client's trademark licensing agreement.
- Aggressively pursued litigation against vendor for breaches of contract, obtaining satisfactory settlement.
- On appeal before the Minnesota Court of Appeals, obtained a complete reversal in favor of our client in a case involving complex statutory interpretation.
- Defended a company in a multi-million-dollar class action in the energy sector.
- Counseled a Fortune 100 studio with regard to potential copyright and trademark claims.
- In a pro bono representation, successfully petitioned the Army Discharge Review Board to upgrade the discharge status of a veteran to Honorable.

## Admissions

- U.S. District Court for the Central District of California
- U.S. District Court for the Eastern District Court of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the District of Minnesota
- State Bar of California
- State Bar of Minnesota

## Professional & Community Affiliations

### PROFESSIONAL AFFILIATIONS

- American Intellectual Property Law Association
- Federal Bar Association
  - Community Outreach Committee Member (2020-present)

- Minnesota Women Lawyers
  - Legal Athletes Affinity Group Co-Chair (2020-present)
- The Honorable Jimmie V. Reyna Intellectual Property American Inn of Court

#### **COMMUNITY INVOLVEMENT**

- Children's Law Center of Minnesota, Board Member (present)
- Girls on the Run Twin Cities
  - Board Member (present)
  - Co-Chair of Associate Board (2019-2020)
  - Special Events Committee Member (2016-2019)
- Fourth Generation (a program of the Minneapolis Foundation), Volunteer Grantmaker (2017-2018)
- Los Angeles Intellectual Property Law Association, Chair of Copyright and Trademark committee (2014-2015); Co-Chair of Washington in the West committee (2013-2014)

### Thought Leadership

#### **PUBLICATIONS**

- *'Willful' Thinking: Supreme Court Set To Clarify When Trademark Owners May Recover Profit Awards*, Article, Law.com (October 28, 2019)
- *Case Update and Potential Implications for Patent Owners: Wi-Fi One, LLC v. Broadcom Corp.* (Fed. Cir. 2017), Article (January 8, 2018)

#### **TEACHING AND LECTURING**

- *Rule 16 Initial Scheduling Conferences and Learning About Opposing Parties' ESI and Preservation*, Guest Lecturer, University of Minnesota Law School (February 2023)
- "Preparing to Defend a Deposition," *Winning Strategies for Today's Deposition Practice*, Minnesota CLE (October 2022)
- *Pre-Trial and Early Case Coordination: Multidistrict Litigation vs. Coordinated and Consolidated Class and Mass Actions*, Federal Bar Association Minnesota Chapter, Panelist (April 28, 2022)
- *Legal Ethics and Professional Responsibility for IP Attorneys – Know When to Say "No,"* Midwest IP Institute, Minnesota CLE, Panelist (October 2020)
- *Art & the Law (or IP 101 for Artists)*, Graduate colloquium class for Master of Fine Art students at the Department of Art, the University of Maryland, College Park (May 2020)
- *IP (P)review: An All-Star Opinion (Analyzing the Converse Decision on Trade Dress)*, Federal Circuit Bar Association Bench & Bar Dialogue, Minneapolis (April 2019)
- *Religion in the Workplace – Duties to Accommodate and the Consequences of Not Doing So*, 2018 Upper Midwest Employment Law Institute, Minnesota CLE (May 2018)

### Recognition

- 2021 Attorney of the Year, *Minnesota Lawyer*

- Listed in Best Lawyers: Ones to Watch (2021-2023)
- Rising Star, Minnesota Super Lawyers (2020-2022)
- Recognized as Up and Coming Attorney, *Minnesota Lawyer* (2019)
- Recognized as Minnesota State Bar Association North Star Lawyer for pro bono service (2018-2019)
- Appointed to a Merit Selection Panel by Chief Judge John R. Tunheim to advise the U.S. District Court of the District of Minnesota on the reappointment of U.S. Magistrate Judge Tony N. Leung (July 2018)
- Featured in a “Pro Bono Spotlight” by the Inner City Law Center of Los Angeles, CA, for her *pro bono* representation of veterans (Sept. 2015)
- Hilmer Oehlmann, Jr. Award for Outstanding Performance in Federal Litigation (Spring 2010)

### Languages

- French (fluent)
- Mandarin (familiar)