



Brian D. Wassom

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Brian litigates disputes and counsels clients in a wide range of commercial and intellectual property matters. He has developed a particular focus in matters of creative expression, commercial identity and privacy, which spans the legal doctrines of copyright, trademark, privacy, publicity rights, advertising, journalism and related fields. A futurist at heart, Brian has become a globally recognized thought leader in the brand-new legal issues raised by augmented reality and other cutting-edge emerging media. He regularly publishes blogs and speaks on these topics to industry groups, legal education seminars and conferences across the country. An accomplished litigator, Brian has achieved victories for his clients in federal and state trial and appeal courts across the country. He was also instrumental in helping launch Michigan's first "business court," and remains active in statewide efforts to nurture this new approach to resolving business disputes.

Representative Experience

Trademark/Trade Dress

- ▶ *Leapers, Inc. v. SMTS, LLC* (6th Cir. 2018). Obtained unanimous reversal of trial court decision that had found client's product design functional and thus ineligible for trade dress protection.
- ▶ *Free Methodist Church of North America v. International Child Care (USA), Inc.* (E.D. Mich. 2019). Defend trademark infringement claims involving child care services.
- ▶ *KRBL Ltd. v. Overseas Food Distributors* (C.D. Cal. 2016). Obtained preliminary injunction in trade dress and copyright case involving packaging of food products.
- ▶ *General Motors LLC v. Petty* (E.D. Mich. 2016). Enforce trademark rights against unauthorized reseller.
- ▶ *KRBL Limited v. Cedar Garden Food Import & Export, Inc* (E.D. Mich 2016). Enforce trade dress and copyrights in food packaging.
- ▶ *Oculus Info Inc. v. Oculus VR* (E.D. Va. 2014). Persuaded a federal court that client's trademark infringement claims against leading virtual reality company were likely to succeed.
- ▶ *Papa Romano's Enterprises, LLC v McKay* (Wayne Co. 2013). Trademark and contract enforcement against former franchisee.

Industries

- ▶ Automotive
- ▶ Autonomous and Connected Mobility
- ▶ Emerging Media and Technologies
- ▶ Aerospace and Defense and Government Services

Practices

- ▶ Intellectual Property
- ▶ Copyrights
- ▶ Intellectual Property Enforcement and Litigation
- ▶ Advertising and Marketing Law
- ▶ Cybersecurity and Privacy
- ▶ Trademarks and Brand Management
- ▶ Cybersecurity & Privacy Litigation
- ▶ Litigation and Dispute Resolution
- ▶ Media, First Amendment and Defamation Litigation
- ▶ Appellate & Supreme Court Practice
- ▶ Supply Chain Litigation

Education

- ▶ Artificial Intelligence Certification, Wayne State University School of Engineering 2019
- ▶ CIPP/US (Certified Information Privacy Professional) 2016
- ▶ ICLE, General Civil Mediator Training Certificate 2014
- ▶ Case Western Reserve University J.D. 1999 magna cum laude
- ▶ Wayne State University B.A. 1996

- ▶ *Leapers v. First Quality* (E.D. Mich. 2012). Successful trademark and copyright claims against competitor using infringing marks.
- ▶ *Land Rover v. Oztralia, Inc.* (S.D. Fla. 2011). Enforced Land Rover marks against infringing dealer.
- ▶ *Seattle's Best Coffee LLC v. Seattles Corp.* (C.D. Cal. 2011). Enforced Starbucks' trademark rights against unauthorized retailer.
- ▶ *AAC Services Heating & Cooling Inc v. Advanced Air Care LLC* (Macomb Co. 2010). Defended HVAC company against state law trademark infringement claims.
- ▶ *Children's Legal Services PLLC v. Kresch*, 545 F.Supp.2d 653 (E.D. Mich. 2008), affirmed, (6th Cir. 2009). Obtained summary judgment on liability for service mark infringement, unfair competition, and cybersquatting, as well as a permanent injunction, an accounting, and other relief.
- ▶ *Revolution, Inc. v. Starpower, Inc.* (E.D. Mich. 2009). Defended seller of dancewear from trademark claims.
- ▶ *Dell, Inc v. Elles* (6th Cir. 2008). Successful trademark infringement claims against retailer.
- ▶ *General Motors Corp. v. M&M Flow Through Systems, LLC* (E.D. Mich. 2003). Helped obtain preliminary injunction against trademark infringer.
- ▶ Dozens of TTAB Oppositions and Cancellations for Mattel, Volvo, Wolverine Worldwide, Huttoopia, JP Leo, Xact Genomics, On Clouds, Fathead, General Motors, Sports Authority, Provo Craft, and more.
- ▶ Several UDRP domain name arbitrations for Herman Miller, Moosejaw Mountaineering, Jaguar Land Rover, Quicken Loans, and others.
- ▶ *Adlife Marketing & Communications Co. Inc. v. The Goodies Factory, Inc.* (W.D. Mich. 2019). Defeated claims asserting unauthorized use of photograph on website.
- ▶ *Wargin v. FineEye Color Solutions, Inc. of Grand Rapids* (W.D. Mich. 2016). Enforced photographer's copyrights against infringer.
- ▶ *Best Hand Entm't LLC v. Wideawake-Deathrow Entm't, LLC* (E.D. Mich. 2014). Defended music distributor against copyright and Lanham Act claims by artist.
- ▶ *Chambers v. Ingram* (E.D. Mich. 2012). Defeated copyright and publicity rights claims against author and publisher.
- ▶ *Synthetic Scents, Ltd. v. Old Faithful Outdoors, LLC* (E.D. Mich. 2012). Defeat trademark infringement claims over hunting products.
- ▶ *Provo Craft & Novetly v. Make the Cut* (E.D. Wis. 2010) Enforce software copyrights against infringer.
- ▶ *Mackinac Island Press, Inc. v. Toybox Innovations, Inc.* (W.D. Mich. 2010). Enforced publisher's trademark and copyrights.
- ▶ *Visbeen Associates, Inc. v. Johnson Home Builders, Ltd.* (W.D. Mich. 2009). Defended against claims of architectural copyright infringement.
- ▶ *Johnson v. Jamie Foxx* (E.D. Mich. 2007). Defeated copyright infringement lawsuit against famous artist.
- ▶ *Integrated Bar Coding Systems, Co. v. Wemert* (E.D. Mich 2007). Defended against software source code copyright infringement claims.
- ▶ *Mondrian Properties, L. L. C. v. Michigan Home Builders, Inc.* (E.D. Mich. 2006). Defended architectural copyright infringement claims.
- ▶ *Mike's Cigars Distributors, Incorporated v. Byelick* (E.D. Mich 2006). Defeated request for preliminary injunction in trademark case.
- ▶ *Williams v. 3D Export* (E.D. Mich. 2020). Local counsel for TurboSquid in pro se copyright dispute.
- ▶ *Dankovich v. Keller* (E.D. Mich. 2017). Local counsel for Vice News in pro se copyright dispute.
- ▶ Scores of lawsuits on behalf of ASCAP members enforcing music copyrights against food service establishments.
- ▶ Over a dozen cases for DIRECTV, Inc. against sellers and purchasers of pirate access devices.

Copyright

- ▶ Authored amicus brief for AIPLA advocating the prevailing position in *Georgia v. Public.Resource.Org*, ___ US ___ (April 27, 2020), that the State of Georgia's official commentary to its state code is a government edict and not entitled to copyright protection.
- ▶ *Meshwerks v. Toyota Motors Sales USA, Inc.*, 528 F.3d 1258 (10th Cir. 2008). Unanimous victory defeating copyright infringement claim on the grounds that digital images in question were not original. Named one of the "Top Verdicts and Settlements" of 2006 by *Crain's Detroit Business* and a "Top Intellectual Property Case of 2008" by *The Colorado Lawyer*.

Media/First Amendment/Defamation

- ▶ *Shumake v. Rob Wolchek* (Oakland Co. 2018). Defeated defamation claims against local “Hall of Shame” television news reporter.
- ▶ *Candy Lab Inc. v. Milwaukee County*, 266 F. Supp. 3d 1139 (E.D. Wis. 2017). Obtained preliminary and permanent injunctions striking down regulation of location-based augmented reality games under the First Amendment, in the first case to extend free speech rights to the AR medium.
- ▶ *Townsend v. Townsend* (Macomb Co. 2019). Defended retaliatory defamation claim based on police report of domestic violence.
- ▶ *Ponder v. Staggs* (Macomb Co. 2018). Obtained business defamation judgment against Facebook user.
- ▶ *Doe v. Doe* (Macomb Co. 2019); *Kincaid v. Polony* (Macomb Co. 2013). Unmasked anonymous online defamers and harassers.
- ▶ *Petrou v. Bank of Ann Arbor, et al.* (E.D. Mich. 2018). Defended local newspaper against defamation claims.
- ▶ *Convertino v. Ashenfelter* (6th Cir. 2015). Helped defend reporter’s privilege under the 1st and 5th Amendments not to name a confidential source.
- ▶ *Williams v. DTE Energy, Inc.* (Wayne Co. 2015). Defended against eavesdropping claims.
- ▶ *Bowens v. ARY*, 794 N.W.2d 842 (Mich. 2011). Second chair in 10-year litigation that successfully defended Dr. Dre and the “Up in Smoke” Tour against claims of eavesdropping.
- ▶ *Williams v. New World Communications of Detroit Inc.* (Wayne Co. 2009). Helped defeat eavesdropping claims against television news organization.
- ▶ *State News v. MSU*, 481 Mich. 692 (2008). Pursued FOIA claims against university on behalf of student newspaper.
- ▶ *Nagler v. Henderson* (E.D. Mich. 2008). Helped defeat defamation and product disparagement claims against magazine publisher.
- ▶ *Nichols v. Moore*, 477 F.3d 396 (6th Cir. 2007). Defended filmmaker Michael Moore from claims of eavesdropping, invasion of privacy and defamation.
- ▶ *Radio One v. Wooten*, 452 F. Supp.2d. 754 (E.D. Mich. 2006). Helped obtain preliminary injunction against radio personality violating noncompetition agreement.
- ▶ *Flanagan v. Altria Group* (E.D. Mich. 2005). Helped defeat false advertising and consumer protection act claims.
- ▶ *Detroit Free Press v. Ashcroft*, 303 F.3d 681 (6th Cir. 2002). Helped newspapers establish a First Amendment right of access to immigration court removal proceedings.
- ▶ Obtained removal of infringing, defamatory, and revenge porn content from social media sites and virtual worlds, including in new circumstances presenting issues of first impression.
- ▶ Obtained right to film murder trial in Lenawee County on behalf of Court TV.
- ▶ Advised major brands on social media marketing and compliance with FTC regulations.
- ▶ Prepublication review of content to minimize liability and litigation risk.
- ▶ Representation of both plaintiffs and defendants in disputes between religious organizations over ecclesiastical authority and ownership of real property, including in *Chabad-Lubavitch of Mich. v. Schuchman* (Mich. App. 2014).
- ▶ Long-term representation of companies across the AR/VR/XR industry, including DAQRI, Meta, Geo AR Games, AR.Org, and Grisly Studios.

Right of Publicity

- ▶ *Eagle Rock Entm’t v. Armstrong*, 655 F. Supp.2d 779 (E.D. Mich. Nov. 17, 2009). Defeated publicity rights claim by band member against publisher of concert video.
- ▶ *Romantics v. Activision*, 532 F. Supp.2d 884 (E.D. Mich. 2008); 574 F. Supp.2d 758 (E.D. Mich. 2008). Part of a team that defeated right of publicity claims by band against publisher of the Guitar Hero video game.
- ▶ *Arnold v. Treadwell* (Oakland Co. 2006). Defeated publicity rights claims by model against photographer.
- ▶ *Neal v. EA*, 374 F.Supp.2d 574 (W.D. Mich. 2005). Helped win summary judgment against claims involving use of a plaintiff’s image in a video game.
- ▶ Ongoing consultation of global toy manufacturer on publicity rights issues.

Business Litigation

- ▶ *BorgWarner PDS (Anderson) LLC v. Industrial Molding Corp.* (E.D. Mich. 2020). Obtained preliminary

injunction against supplier prohibiting disruption of just-in-time supply chain.

- ▶ *BorgWarner Thermal Systems, Inc. v. Carlisle Brake & Friction, Inc.* (E.D. Mich. 2020). Obtained summary judgment against supplier for breach of supply contract.
- ▶ *Iafrate v. Angelo Iafrate, Inc.* (Wayne Co. 2020). Defeated contract and tort claims by sellers of company against ESOP purchasers.
- ▶ *BorgWarner Ithaca LLC v. Principal Manufacturing Corp.* (ED Mich. 2019). Defeated supplier's motion to dismiss breach of contract lawsuit.
- ▶ *SmithCNC v. BorgWarner Turbo Systems, Inc.* (Wayne Co. 2019). Defeated breach of contract allegation.
- ▶ *Iafrate v. Angelo Iafrate, Inc.* (E.D. Mich. 2019). Defeated securities claims by sellers of company against ESOP purchasers.
- ▶ *Metro Motor Coach Transportation Group, LLC v. Ponder* (Macomb Co. 2017). Prevailed in contract claims between business associates and obtained transfer of domain name.
- ▶ *Davis v. Vapor Bus Int'l* (Oakland Co. 2015); *Krzeminski v. Vapor Bus Int'l* (Macomb Co. 2011). Defended manufacturer of components for party buses against wrongful death and product liability claims.
- ▶ *Weinstein v. UGS Corp.* (E.D. Mich. 2011). Help defend employer against liability for employee's negligent homicide.
- ▶ *Raytheon Aircraft Co. v. United States* (10th Cir. 2009). Assisted in appeal of liability for groundwater contamination.
- ▶ *JV Masonry Inc v. Mt. Clemens Community Schools* (Macomb Co. 2004). Construction litigation.
- ▶ *LaSalle Bank Nat'l Assn. v. Middlebelt Plymouth Venture* (E.D. Mich. 2002). Helped defend shopping mall owners against claims related to loan default.
- ▶ *Martin v. Transamerica Occ. Life Ins. Co.* (E.D. Mich. 2002). Defeated life insurance claim.
- ▶ Defended a parts manufacturer against product liability claims in fatal accidents.
- ▶ Defended manufacturer of roofing tiles against products liability claim in Menominee County.
- ▶ Defended a high-tech manufacturer in partnership dispute valued at \$300 million.

Honors and Awards

- ▶ *Best Lawyers in America*, Intellectual Property Litigation and Advertising Law (2011-Present)
- ▶ Named to Michigan Super Lawyers, 2013-Present
- ▶ Named as a Michigan Super Lawyer Rising Star, 2009, 2011 and 2012
- ▶ Named a Top Lawyer in Intellectual Property Law by *DBusiness*, 2013-17, 2019-20
- ▶ Named as one of the top 15 Augmented Reality Thought Leaders On Twitter
- ▶ Recognized with the 2014-15 "Special Service Award" for work with Business Court, Macomb County Bar Association
- ▶ "Certificate of Appreciation" recognizing pro bono services, 2013, U.S. District Court for the Eastern District of Michigan

Publications

Alerts

- ▶ Supreme Court Redraws the Boundaries of Copyright Law for State Governments and Agencies, 4/30/2020
- ▶ Infringers Beware – Supreme Court Holds Willfulness Not a Precondition for Awarding Lost Profit Damages in Trademark Infringement Actions, 4/29/2020
- ▶ Beware of COVID-19 Scams and Phishing Attacks, 4/13/2020
- ▶ Dirty Words® May Now Be Registered Trademarks, 7/8/2019
- ▶ Supreme Court Limits Public Access to Commercial Data Under Federal FOIA, 7/8/2019
- ▶ Update Your Contact Person Designation Under the DMCA by December 31, 2017, 12/27/2017
- ▶ Website Owners Beware — Ignoring This Rule Could Leave You on the Hook for Someone Else's Copyright Infringement, 11/10/2016

Books

- ▶ *Research Handbook on the Law of Virtual and Augmented Reality*, Edward Elgar Publishing 2019 (contributor)
- ▶ *Augmented Reality Law, Privacy, and Ethics*, Elsevier (2015)

Treatise Chapters

- ▶ *Immersive Technology Standards for Accessibility, Inclusion, Ethics, and Safety*, Cyber XR Coalition (2020) (contributor)
- ▶ *Trademark Laws: Michigan* (Practical Law) (2014-2017)
- ▶ *Right of Publicity Laws: Michigan* (Practical Law) (2014-2017)
- ▶ *Open Government Guide: Open Records and Meetings Laws in Michigan*, Reporters Committee for Freedom of the Press (with H. Fink and K. Araya) (2006-present)
- ▶ *Employment Libel and Privacy Law: Michigan*, *Media Law Resource Center* (2011-present) (with C. Evans)
- ▶ *Identity and its Consequences: The Importance of Self-Image, Social Media, and the Right of Publicity to IP Litigators*, *Litigation Strategies for Intellectual Property Cases* (Aspatore) (2012)

Law Review Scholarship

- ▶ "Uncertainty Squared: the Right of Publicity and Social Media," *Syracuse Law Review* (2013)
- ▶ "Unforced Rhythms of Grace: Freeing Houses of Worship from the Specter of Copyright Infringement Liability," *Fordham Intellectual Property & Media & Entertainment Law Journal* (2005)
- ▶ "Copyright Infringement in Worship Services: Problems and Potential Solutions," *Journal of Arts Management, Law & Society* (2006)
- ▶ "The Exception That Swallowed the Rule? Women's Medical Professional Corporation v. Voinovich and the Mental Health Exception to Post-Viability Abortion Bans," *Case Western Reserve Law Review* (1999)
- ▶ "Copyright Implications Of Unconventional Linking on the World Wide Web: Framing, Deep Linking and Inlining," *Case Western Reserve Law Review* (1998)

Periodical Articles

- ▶ "Beware of coronavirus scams and phishing attacks," *Midland Daily News* (May 5, 2020)
- ▶ "The IP power pause: Finding opportunities among the chaos," *Grand Rapids Business Journal* (April 13, 2020)
- ▶ "Supreme Court Gives a Pass to State-Sanctioned Piracy of Media Copyrights," *Forum on Communication Laws*, American Bar Association (April 9, 2020)

- ▶ "U.S.: Sovereign Pirates: Copyright Owners Lose Their Remedies Against State Governments," *MediaLawLetter* (Media Law Resource Center) (April 2020)
- ▶ "Supreme Court Expands and Clarifies Copyright Law's Government Edicts Doctrine," *MediaLawLetter* (Media Law Resource Center) (April 2020)
- ▶ "Our Take: Supreme Court limits public access to commercial data under federal FOIA," *Holland Sentinel.com* (July 14, 2019)
- ▶ "DSRC vs. SGLTE: Which Will It Be for Connected Vehicles?," *Wards Auto* (July 23, 2018)
- ▶ "Restrictions on location based augmented reality games likely to be unconstitutional," *Cyber Security Practitioner*, <http://www.e-comlaw.com/cyber-security-practitioner/>, August 25, 2017
- ▶ "How Pokémon GO Players Could Run Into Real-Life Legal Problems," *The Hollywood Reporter*, July 11, 2016
- ▶ "Emerging Legal Issues in the Internet of Things," *Legal Frontiers in Digital Media* (Media Law Resource Center) (May 2015)
- ▶ "Navigating the Rights and Risks in Social Reading," *Publishing Research Quarterly* (Sep. 2015)
- ▶ "Protecting and Exploiting Rights of Publicity," *The Licensing Journal* (2014)
- ▶ "Body Cameras For Police Officers: What About For Ordinary Citizens?," *Forbes* (Dec. 23, 2014) (with Dr. Steve Mann)
- ▶ "Book Review: Year Zero by Rob Reid," *Landslide* (ABA Section on IP) (2013)
- ▶ "IP in an Augmented Reality," *Landslide* (ABA Section on IP) (2014)
- ▶ "Augmenting Perceptions of Society and Self," *CyberTherapy & Rehabilitation* (2012)
- ▶ "The Coming Conundra: Real Laws in an Augmented Reality," *SideBar* (FBA Federal Litigation Section) (2011)
- ▶ "Is 'Google Scholar' the Lexis/Westlaw-Killer?," *The Litigation Newsletter* (Mich. Bar Litigation Section) (2010)
- ▶ "Rule 12(b)(6) Motions: Not Just for 'Little Green Men' Anymore," *SideBar* (FBA Federal Litigation Section) (2010)

- ▶ “The Right of Publicity: Why the Red-Headed Stepchild of the IP World Deserves a Second Look,” *IPLS Proceedings* (Mich. Bar IP Section) (2009)
- ▶ “The Right of Publicity, Bar Briefs” (Macomb County Bar Association) (2009)
- ▶ “The Basics of Protecting Your Client’s Intellectual Property,” *Bar Briefs* (Macomb County Bar Association) (2008)
- ▶ “Utah Federal Court Rejects Copyright Lawsuit Challenging Advertisers’ Right to Freely Use “Digitized” Vehicle Images,” *IPLS Proceedings* (Mich. Bar IP Section) (2007)
- ▶ “Practice Tips: Cyber Court,” *Michigan Bar Journal* (2003)
- ▶ “Removing an Ethical Barrier to Serving the Poor,” *Michigan Bar Journal* (2002)
- ▶ “Learning to Sweat the Small Stuff in Life Insurance Litigation,” *Bar Briefs* (Macomb County Bar Association) (2002)
- ▶ “A Reasonable Expectation of Privacy: Can Michigan Attorneys Safely Use Unencrypted Internet E-Mail for Confidential Communications?,” *Michigan Bar Journal* (1999)
- ▶ “Your quick guide to student’s First Amendment rights on social media,” *School Law Briefings* (Aug. 2019)
- ▶ “15 Augmented Reality Thought Leaders on Twitter,” *Digital Transformation Insight and Analysis* (June 7, 2019)
- ▶ “Rights Management in Augmented Reality,” *Medium* (July 30, 2018)
- ▶ “What Are Your Augmented Reality Property Rights?,” *Slate.com* (June 4, 2018)
- ▶ “Augmented Reality Incitement: How the Creator of Pokémon GO, and Those Who Follow, are Open to Tortious Liability,” *Nat. Law Review* (Apr. 29, 2018)
- ▶ “Facebook’s privacy problem in the era of self-driving cars,” *Rubber & Plastic News* (Apr. 13, 2018)
- ▶ “6th Circ. Revives TM Suit Over Gun Scope Grip,” *Law360* (Jan. 10, 2018)
- ▶ “Project Mapping and the Law: What Advertisers Should Know,” *business.com*, <https://www.business.com/> (Jan. 31, 2018)
- ▶ “Pokémon, Go Get a Permit: Free-Speech Suit Ropes in Reactionary County Ordinance,” *Washington Legal Foundation* (Aug. 11, 2017)
- ▶ “Take that Milwaukee. Pokemon Go is protected free speech,” *CNET* (July 21, 2017)
- ▶ “Judge Rules Milwaukee Flouted U.S. Constitution in Response to ‘Pokemon Go’ Craze,” *Hollywood Reporter* (July 20, 2017)
- ▶ “Augmented reality wins big in 1st Amendment legal flap,” *Ars Technica* (July 20, 2017)
- ▶ “Regulators should think twice before cracking down on ‘augmented reality,’” *The Hill* (June 18, 2017)
- ▶ “When can real-world laws invade augmented reality fantasies? A trial in Milwaukee will decide,” *The Register* (June 7, 2017)
- ▶ “Milwaukee’s War on ‘Pokémon GO’ Could Change Tech Forever,” *Inverse* (May 4, 2017)
- ▶ “Milwaukee, Wisconsin, Sued for Requiring Permits on Augmented Reality Games,” *Hollywood Reporter* (Apr. 21, 2017)
- ▶ “Game company sues Milwaukee over permit requirement for developing Pokemon Go-type games,” *Associated Press* (Apr. 21, 2017)
- ▶ “After Request by Police, Pokémon Go developer makes changes at Ballast Point,” *TBO.com* (Nov. 4, 2016)

Ebooks

- ▶ *Social Media & School Discipline* (2013)
- ▶ *Augmented Legality 1.0* (2012)
- ▶ *Michigan and 6th Circuit Case Law on the Right of Publicity* (2012)

Blogs

- ▶ *Augmented Legality®*: Covering the law of augmented reality and emerging media since 2011
- ▶ Ahead of the Curve: Virtual Reality Could Expose Automotive Companies to New Claims of False Advertising (11/3/16)
- ▶ Wassom.com: Discussion on the Law of Social and Emerging Media (2011-present)

Media Mentions

- ▶ “Instagram #copycat? Frisco diner makes changes after claims that it imitated Detroit restaurant,” *Dallas News* (Feb. 24, 2020)
- ▶ “Petoskey developer threatens legal action over election-season comments,” *Petoskeynews.com* (Oct. 22, 2019)

- ▶ “Get off my lawn! Pokemon Go tests global property laws,” *Daily Mail* (Sept. 22, 2016)
- ▶ “The things you cannot copy in VR,” *Versions* (Aug. 11, 2016)
- ▶ “The Internet of Medical Things, Part 3: Safety First,” *TechNewsWorld* (July 20, 2016)
- ▶ “Pokémon Go away: Who owns the augmented reality we play in?” *New Scientist* (July 14, 2016)
- ▶ “Pokemon Go shines new attention on trespass laws,” *Constitution Daily* (July 13, 2016)
- ▶ “3 Big TTAB Rule Changes You Need To Know,” *Law360* (June 6, 2016)
- ▶ “5 Tips To Avoid Stepping On TTAB Landmines,” *Law360* (May 23, 2016)
- ▶ “5 Advertising Mistakes Small Businesses Make,” *NFIB* (Sept. 23, 2013)
- ▶ “When advertising your business, tell the truth, be wary of ‘free,’ and follow the law,” *NFIB* (Aug. 14, 2013)
- ▶ “Macomb Business Court gains national recognition,” *Macomb Daily* (June 17, 2013)
- ▶ “5 Predictions for Social Media Law in 2020,” *Mashable* (Jan. 5, 2012)
- ▶ “Citizens’ videos of police stir concerns,” *tuscon.com* (Oct. 30, 2011)
- ▶ “NLRB: Some Employees’ Online Rants Cross the Line,” *Adweek* (Aug, 9, 2011)
- ▶ “Feds Raise Questions About Employee Social Media Rights,” *Adweek* (July 19, 2011)

Professional Affiliations

- ▶ American Intellectual Property Law Association Copyright Law Committee Chair (2019-), Vice-Chair (2017-19), Journal Editorial Board (2016-19)
- ▶ IAAP Detroit KnowledgeNet Chapter Co-Chair (2017-18)
- ▶ Michigan Intellectual Property Law Association
- ▶ Media Law Resource Center (MLRC)
- ▶ Christian Legal Society (1996-Present) Chapter President (1996-98)
- ▶ Macomb County Bar Foundation Board of Directors (2010-11), Trustee (2000-Present)
- ▶ AugmentedReality.Org Secretary (2012-Present)

Community Affiliations

- ▶ Christian Legal Aid of Southeast Michigan Director and Officer (2001-05)
- ▶ Board member of local church and ministry organizations

Bar Associations

- ▶ Federal Bar Association Co-Chair, Intellectual Property Committee (2015-Present) Co-Chair, Social Media Committee (2012-15)
- ▶ American Bar Association *Landslide*, published by the ABA Intellectual Property Section; Trademark and Copyright Review Editor (2010-15) Copyright Litigation Committee, Co-Chair, Hot Topics Subcommittee (2012-15) ABA Forum on Communication Law
- ▶ American Intellectual Property Law Association (2014-Present) Chair of Copyright Law Committee (2019-21); Vice-Chair of Copyright Law Committee (2017-19); Chair of Copyright Office Modernization Subcommittee (2017-18); Member of AIPLA Quarterly Journal Editorial Board (2016-19); Member of Trademark Litigation Committee
- ▶ State Bar of Michigan Business Courts Committee (2015-Present), Business Law Section
- ▶ Macomb County Bar Association Business Court Advisory Committee (2011-Present)

Speaking Engagements

In 2020:

- ▶ “Law and Ethics in XR” (Discussion Leader), Augmented World Expo Online (5/26-29/20)
- ▶ “Gaining Access to Government Data During COVID-19 with FOIA and OMA,” Warner Webinar (5/12/20)
- ▶ Copyright Update: *Allen v. Cooper*, MLRC Entertainment Committee (4/1/20)
- ▶ Copyright Update: *Oracle v. Google*, MLRC Entertainment Committee (3/4/20)
- ▶ Hot Topics in IP – Right of Publicity, ABA Forum on Communication Law (2/7/20)

In 2019:

- ▶ Copyright Update: Oracle v. Google, AIPLA Antitrust Committee (12/16/19)
- ▶ “IP Rights in Augmented Reality,” Strafford Webinar (10/30/19)
- ▶ Panelist, “Actual Reality vs. Augmented Reality: At the Crossroads,” IEEE TechEthics (8/20/19)
- ▶ Panelist, 2019 Oakland University Criminal Justice Camp, Mt. Clemens, MI (7/24/19)
- ▶ “IP in Games,” ICLE Annual IP Institute (7/20/19)
- ▶ “Owning Augmented Space,” AWE Expo, Santa Clara, CA (5/30/19)
- ▶ “Privacy & Security Panel,” 2019 State of the AR Cloud Symposium, Santa Clara, CA (5/28/19)
- ▶ “The Future of AR Panel,” Spatial Computing Workshop: Inspiring an Ecosystem Across the Full Stack, Santa Clara, CA (5/28/19)
- ▶ “Rapid Response: Copyright Clarified: Recent Supreme Court and Legislative Developments,” AIPLA Online CLE & Programs (4/11/19)
- ▶ “The Freedom of Information Act (FOIA): Tips, Tricks and Recent Developments,” Warner Webinar (2/18/19)

The following is a representative list of topics and over 100 audiences Brian addressed between 2009-2018:

- ▶ **Augmented Reality** (including IP, automotive, health care, public policy, social change, and other legal issues)
 - *Government:*
 - Legal staff of the U.S. Senate Committee on Commerce, Science and Transportation
 - WIPO Summer School, US Patent & Trademark Office
 - *Professional Seminars:*
 - DETRealities Conference, Grand Circus, Detroit
 - TIECon, Detroit
 - Detroit Startup Week
 - CPCU Society and the Information Technology Interest Groups
 - “AR in Automotive,” Euroforum, Cologne, Germany
 - IEEE webinar
 - Quicken Loans Technology Conference, Detroit, Michigan
 - AHLA Telemedicine Bootcamp Series
 - AdCraft Detroit, Royal Oak, Michigan
 - ArtServe Michigan, Grand Rapids

- Augmented World Expo, Santa Clara, California
- VOX: The 4D Summit, Long Beach, California
- MBA Media and Entertainment Conference, NYU Kimmel Center, New York
- Mobile AR for Smartphones & Tablets Conference, CTIA, San Diego, California
- *Legal Associations:*
 - ABA Forum on Communications Law Annual Meeting (Keynote)
 - AIPLA Spring Meeting
 - ABA Section on Intellectual Property Law
 - State Bar of Georgia
 - Michigan IP Law Association
 - Dayton IP Law Association
 - IT Section of the Michigan State Bar
- *Meetups:*
 - AR Barcelona
 - AR New York
 - AR Chicago
 - AR Detroit
 - Tech248
 - Interact: Augmented Reality and Perfect Vision by 2020, Seattle, Washington
 - Mobile Monday Detroit
- *School Lectures:*
 - CWRU Law School
 - NYU Polytechnic (guest lecturer)
 - Thomas Cooley Law School;
 - Michigan State University College of Law, International Law Journal Symposium, “Modern Global Revolution”
 - University of Michigan Law School
- *Media Interviews:*
 - WISN-TV ABC (Milwaukee, WI)
 - MITechNews
 - Lawyer2Lawyer Podcast
 - Barely Legal Radio, The Patriot, AM1150
 - KNX 1070 NewsRadio, Los Angeles, California
- ▶ **Social & Digital Media** (including IP, evidence, litigation, marketing, FTC regulation, legal ethics, student safety, policies, and other legal issues)
 - *Professional Seminars:*
 - Coverys Midwest Claims Legal Retreat
 - IDPF Digital Book, New York, New York
 - University of Texas Tech Law Conference, Austin, Texas
 - The Mobile Host Show
 - American Marketing Association of Southwest Michigan
 - Media Profs Enterprise Series
 - Strafford CLE Seminar

- HCCS Webinar
- New Media Expo, Las Vegas, Nevada
- Michigan Society of Association Executives
- The Hawaii Social Media Summit, Honolulu, Hawaii
- Michigan Health & Hospital Association
- *Legal Associations:*
 - Michigan Judicial Institute Spring Seminar, Michigan Hall of Justice, Lansing, Michigan
 - Annual Meeting of the Michigan District Judges Association
 - State Bar of Georgia
 - Washtenaw County Bar Association
 - State Bar of Michigan Paralegal Section
 - Institute for Continuing Legal Education
 - Technology Forum and Vendor Fair, Lake Oswego, Oregon
 - ABA TechShow
 - Interlaw
 - Michigan Poverty Law Center
 - Women’s Bar Association, Oakland County Chapter
 - Macomb County Bar Association
- *Schools:*
 - University of Michigan Ross Business School
 - Fraser Public Schools, Fraser, Michigan
 - Cooley Law School
 - Michigan State University College of Law
 - Pulliam Center for Contemporary Media, DePauw University, Greencastle, Indiana
- *Client In-House Presentations:*
 - Legal staff of a Fortune 150 company
 - Journalist staff of a statewide news organization
- *Media Interviews:*
 - IT in the D Podcast
 - Bloomberg Law Show, Bloomberg Radio
 - The Emily Rooney Show, WGBH Radio, Boston, Massachusetts
 - Channel 56’s Due Process
- ▶ **Privacy/Cybersecurity**
 - North American International CyberSummit
 - IAPP KnowledgeNet
 - Embedded Vision Alliance, San Diego, California
 - Automated Vehicle Symposium, Ann Arbor, Michigan
 - Mobile Monday Detroit, NextWave Accelerator, Troy, Michigan
 - CreativeMany, Detroit, Michigan
 - Augmented World Expo, Santa Clara, California
 - Security Symposium, Detroit Athletic Club
- Original Equipment Suppliers Association (OESA) Symposium & Legal Issues Council
- ▶ **Media Law** (including the First Amendment, free speech, press freedoms, Freedom of Information Act, Open Meetings Act, public records, defamation, public relations)
 - Journalist staff of a statewide news organization
 - PRSA APR Prep Sessions
 - Lorman Education Services, Dearborn, Michigan
 - Oakland County Circuit Court, Pontiac, Michigan
 - Warren Consolidated School District
 - Lake Shore High School
- ▶ **IP Law** (including copyrights, trademarks, and the right of publicity)
 - Strafford CLE Webinars
 - University of Dayton Law School
 - International Association of Speakers Bureaus Annual Meeting, Miami, Florida
 - Thomas M. Cooley Law School, Auburn Hills, Michigan
 - Dayton Intellectual Property Law Association
 - Michigan Intellectual Property Lawyers Association
 - State Bar of Michigan Intellectual Property Law Section Spring Seminar
 - Macomb County Bar Association
 - AIPLA Spring Meeting
- ▶ **Litigation Technology**
 - Federal Bar Association, ED Mich. Chapter, Federal Courthouse, Detroit, Michigan
 - ABA TechShow
 - State Bar of Michigan, Bar Leadership Forum
- ▶ **Business Courts**
 - “Legally Speaking,” Sterling Heights Television (guest host)
 - “Trends in Business Court Practice,” Institute for Continuing Legal Education (video)
- ▶ **Professionalism, Leadership, Critical Thinking**
 - Wayne State University, Dept. of Radiation Oncology (several guest lectures)
 - Utica Academy for International Studies, Sterling Heights, Michigan (keynote)

Courts

- ▶ U.S. Court of Appeals, Tenth Circuit
- ▶ U.S. Court of Appeals, Sixth Circuit
- ▶ U.S. District Court, Central District of Illinois
- ▶ U.S. District Court, Eastern District of Michigan

- ▶ U.S. District Court, Eastern District of Wisconsin
- ▶ U.S. District Court, Western District of Wisconsin
- ▶ U.S. District Court, Northern District of Illinois
- ▶ U.S. District Court, Northern District of Indiana
- ▶ U.S. District Court, Southern District of Indiana
- ▶ U.S. District Court, Western District of Michigan
- ▶ U.S. Supreme Court

Clerk Experience

- ▶ U.S. Court of Appeals, Sixth Circuit, Honorable Alice M. Batchelder 1999-2000

Admitted

- ▶ Michigan