



Danielle W. Bulger

ASSOCIATE

Danielle practices in the Intellectual Property department, focusing on trademark and copyright clearance, protection, enforcement, and licensing.



Industries

[AI, Metaverse & Blockchain](#)
[Fashion & Retail Law](#)
[Media & Entertainment](#)
[Sports](#)
[Transportation & Mobility](#)

Practices

[Copyright](#)
[Trademark](#)

Education

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University of Michigan, BA

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Danielle counsels clients on a variety of complex business and intellectual property matters, including the selection, registration, maintenance, portfolio management, and enforcement of trademarks and copyrights throughout the United States and abroad, as well as the implications of unfair competition and advertising laws, and the First Amendment. She is responsible for spearheading and managing a high volume of disputes and agreements. She often advises clients with respect to issues of first impression and e-commerce, music-related rights, licensing, and media and internet law, frequently helping to analyze and synthesize detailed statutes, cases, and contract provisions. As a brand counselor, Danielle enjoys helping clients navigate new technologies, grow and maintain their brand assets, and develop creative solutions.

Danielle has extensive experience representing major national and international corporations and frequently participates in litigations before the federal district courts and the Trial Appeal Board (TTAB) of the US Patent and Trademark Office. Her practice expands across multiple sectors, thus allowing her to service clients in the fashion, media and technology, food, drug, and beverage, and automotive industries.

Client Work

Danielle's experience includes:

- Successfully resolving numerous copyright and trademark claims against multiple major national and international clothing and consumer packaged goods retailers, including claims involving apparel, footwear, toys, product packaging, prints and designs, photographs, mobile applications, and online postings
- Litigating copyright disputes and providing IP counseling on piracy, ownership rights in programming, the First Amendment, artificial intelligence, and fair use, among other issues, for multiple, leading media companies
- Opining on and/or negotiating copyright music licensing matters with various Performance Rights Organizations (PROs)

- Opining on copyright issues concerning music use, web scraping, thumbnails, typeface designs, software, and sculptural works
- Successfully resolving multiple trademark and trade dress disputes for a large foreign automobile manufacturer
- Successfully negotiating trademark settlement terms for a global healthcare company
- Counseling a large retailer in a contentious contractual, trademark licensing dispute, resulting in a favorable outcome
- Producing a high volume of trademark search opinions for new product launches

Previous Work

Prior to coming to ArentFox Schiff, Danielle worked at a large intellectual property firm. There, she advised on the management and enforcement of trademarks, the implications of false advertising, and compliance with the Digital Millennium Copyright Act (DMCA). During her tenure, she and her team prevailed in a large fashion litigation trial. She has also had success before the TTAB, including on summary judgment.

Danielle previously worked in the news and documentary unit of Black Entertainment Television (BET), publishing online daily and covering legal and business issues facing minority-owned companies. While earning her Bachelor's degree, Danielle gained valuable media and marketing experience through positions at the NBC TODAY Show, CBS Evening News, WNBA, and Verizon Wireless.

Danielle served as an ArentFox Schiff summer associate and diversity scholar.

Professional Activities

- Member, Women's Bar Association, 2016 – Present
- Executive Board Member, IP Section, National Bar Association, 2017 – 2022
- Chair and Chair-Elect, IP Section, National Bar Association, 2019 - 2021
- Co-Chair, Diversity In Tech and IP Awards, 2020 - 2021

Publications, Presentations & Recognitions

- Moderator, Exploring the Impact on Copyrightability When Creating New Works Through AI, March 2023
- Recognized by peers and selected to *Super Lawyer's* Rising Stars for 2022 - 2023 in the areas of intellectual property counseling, intellectual property litigation, and technology transactions
- Author, To Infinity and Beyond: California Court Grants Motion to Dismiss Trademark Complaint Against Meta Logo, World Trademark Review Daily, December 2022
- Speaker, Continuing Legal Education, "Implications of the Trademark Modernization Act and Recent Trade Dress Law Developments," October 2021
- Moderator, Tech and IP Summit, February 2021
- Speaker, American Bar Association Fashion Committee Meeting, "Whose Design is it Anyway: A Discussion Concerning the Protectability of Fashion Designs by Copyright Law," December 2020.
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Speaker, Continuing Legal Education, Demystifying Scenarios Where Common IP Issues May Arise, October 2020

— Speaker, Continuing Legal Education, Marketing to Minors, September 2020

— Speaker, Continuing Legal Education, Updates in IP Protection for Color and Design, August 2020

— Moderator, National Bar Association 95th Annual Convention, "Everything Content Creators Need to Know About US Copyright Law," July 2020

— Speaker, National Bar Association 94th Annual Convention, "Best Practices in Brand Protection, Online Video & Social Media," July 2019

— Speaker, National Bar Association Convention 94th Annual Convention, "Best Practices in Brand Protection, Online Video & Social Media," July 2019

— Presenter, National Bar Association CLE Webinar, "Navigating Brand Protection in an E-Commerce Driven Marketplace," June 2019

— Panelist, 22nd Annual Sports & Entertainment Law *Center Court Conference*, Howard University School of Law, March 2019

— Speaker, Continuing Legal Education, "Protecting Brand Value and Identity in the E-Commerce Space," April 2018

— Speaker, National Bar Association - 92nd Annual Convention, Branding and IP Rights in Online Video and on Social Media, August 2017

— Co-Author, Bloomberg BNA Trademark Infringement Remedies (Treatise), Third Edition, 2017

— Co-Author, Bloomberg BNA Trademark Infringement Remedies Cumulative Supplement, 2016; 2015

— What Prince Can Teach All Companies About Rebranding, *Entrepreneur.com*, May 2016

— How POM Wonderful Could Change the Landscape of False-Advertising Lawsuits, *Westlaw Journal Intellectual Property*, April 2014

— Leadership Institute for Women of Color Attorneys Scholar, 2015

— Federal Communications Bar Association Scholar, 2014

Life Beyond the Law

As a former resident of Manhattan's Hell's Kitchen, Danielle enjoys exploring Washington, D.C.'s emerging food scene, ranging from pop-up restaurants to Michelin-starred establishments.

Bar Admissions

Maryland
District of Columbia

Court Admissions

US Court of Appeals, 9th Circuit