SHULMAN ROGERS

Business and Corporate Litigation

Clients rely on and benefit from the business experience we bring to the litigation process. We frequently act as outside general counsel providing proactive advice and guidance as primary or lead counsel for litigation, and routinely provide advice on avoidance and containment strategies. We understand the art of creating exactly the approach needed in a contentious situation to secure, preserve or recover the most business value.

Our depth of experience in both commercial litigation and transactional work also allows us to preempt or curtail many disputes with effective upfront contract drafting. Because "winning" the peace in commercial disputes often requires creative and complex resolution documents, preparing these documents has always been and remains a primary focus of our practice and one of our fundamental strengths.

The Firm's commercial litigators also regularly handle a broad array of other matters, including banking disputes, corporate control actions, officer and director liability issues, federal and state securities claims and antitrust actions.

Investor Disputes

We represent individual and institutional investors to help them recover losses due to poor investment advice, breach of fiduciary duty, negligence or other misconduct. Whether through arbitration, litigation or mediation, we have successfully recovered millions of dollars on behalf of our clients.

Shareholder Disputes

Our team has significant experience representing minority owners, majority owners and companies – in a wide range of disputes – providing us with the diverse set of perspectives needed to develop creative strategies and deliver successful outcomes. We understand that, when disputes arise between partners and shareholders after years of working together, things can escalate quickly – and legal and financial concerns become blurred with personal feelings.

These disputes occasionally require immediate action to prevent irreparable damages. When necessary, we work with clients to secure a temporary restraining order (TRO) or a preliminary injunction to help prevent these damages.

Recognizing the stressful nature of these disputes, we focus on our clients' priorities – and negotiate settlements whenever possible – but are prepared to litigate aggressively when the need arises. Some of our recent successes include:

- Represented the 50% owner of a limited liability company owning $50,000,000 worth of commercial property in Washington, D.C. in a dispute concerning the sale of the property.
- Obtained summary judgment for national and regional builders in several land dispute cases in Maryland invoking and enforcing rule against perpetuities.

Intellectual Property

In the area of intellectual property law, we understand the vital importance of protecting, defending, commercializing and licensing proprietary rights, including patents, copyrights, trademarks, trade dress, images, brands, services and domain names of our clients. We represent individual entrepreneurs and startup companies to well-known and established corporations and trade associations in a variety of industries such as information technology, computers, e-commerce, consumer products, telecommunications, entertainment, publishing and manufacturing.

We develop pre-litigation strategies for dispute resolution based on our clients' objectives and resolve most matters efficiently and cost-effectively. Some recent representative matters include:

- Successfully defended service mark infringement litigation brought by international entertainment consortium against our local Maryland client.
- Settled copyright infringement dispute over unauthorized use of our client's publications by global investment banking and securities firm. The settlement included a payment of over $100,000 to our client as compensation.
- Successfully recovered several domain names from cyber squatters through the Uniform Dispute Resolution Process (UDRP) on behalf of clients with registered trademarks.

In addition, our Intellectual Property lawyers have an extensive, well-established network of relationships with foreign law firms and legal experts around the world and are able to address Intellectual Property concerns wherever they arise.

Employment and Labor

Attorneys in our Employment and Labor Practice Group work closely with firm clients to identify and solve their workplace concerns and issues before they become contentious. Unfortunately, disputes do occasionally arise, and our team is prepared to vigorously represent our client's interests and resolve those disputes, including in proceedings before local, state and federal administrative agencies and courts.

We advise and defend employers of all types and sizes, from large publicly-held companies to family-owned businesses, and from the well-established to early-stage and growing entrepreneurial companies. We are experienced in handling the specific and unique concerns and issues that each of these businesses face. Our attorneys make the effort to understand a client's objectives, and work directly and collaboratively with the client to achieve successful outcomes. Many of our clients have come to us as referrals from existing clients, a testament to the exceptional results we provide.

Government Contracts

We routinely help government contractors navigate disputes surrounding prime and subcontract negotiations, joint ventures, teaming agreements, recapitalizations, real estate, labor and bid protests.

Our team brings substantial boots-on-the-ground operational experience, current TS/SCI security clearances and the legal know-how to increase contract awards, modify contracts and settle disputes.