

SHEEHAN PHINNEY

Brian D. Thomas

Shareholder | Manchester, NH

As an intellectual property attorney with a business litigation background, Brian helps individuals and organizations of all sizes establish, protect and enforce their intellectual property in the United States and abroad. Brian also drafts and negotiates a variety of intellectual property, technology and sales agreements. Brian favors a practical approach to legal services, balancing goals, strategy and budget. Among other things, Brian assists clients with:

- Trademark protection and enforcement, including selection and clearance of new marks, trademark registration in the United States and abroad, trademark portfolio strategy, licensing, dispute resolution and litigation;
- Copyright protection and enforcement, including registration, takedown of online infringement, licensing, dispute resolution and litigation;
- Creating brand protection strategies for clients in variety of industries, including software and technology, health, educational services, professional services, consumer goods, food and beverage, fashion, jewelry, natural products and dietary supplements;
- Drafting and negotiating a variety of intellectual property and technology agreements, including trademark and copyright assignment and license agreements, software license agreements, and website and mobile application terms of use;
- Drafting and negotiating standard terms and conditions of sale, including master services agreements, distributor and reseller agreements, and independent contractor agreements; and
- Working with foreign counsel to protect clients' intellectual property rights abroad.

Having practiced with Sheehan Phinney since 2006, Brian has served as the firm's hiring partner and on multiple nonprofit and professional boards.

Representative Matters

- Manages trademark portfolios for a variety of organizations with domestic and international presences, including an advanced cyber security research and development organization, a soft drink company with a historic brand, a leading online university, a national security solutions provider, an authentic Italian gelato producer, a top manufacturer of die attach and epoxy dispensing systems, and many others
- Provides counsel on trademark and other intellectual property matters to a leading online university



Contact Information

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SHEEHAN PHINNEY

- Stopped dozens of instances of online copyright and trademark infringement occurring both domestically and internationally
- Represented a variety of businesses in intellectual property infringement lawsuits, including a sensor manufacturer and a producer of expansion joints
- Successfully enforced restrictive covenants against former employees of a technology company
- Together with shareholder Rob Miller obtained a federal district court judgment of \$12,176,735 on RICO claims filed by an investor group against real estate developers, arising out of investment in, construction of, and operation of a hotel

Practice Areas

- Business Litigation
- Intellectual Property
- Startups/BOOST

Admissions

- State of New Hampshire
- Commonwealth of Massachusetts
- U.S. District Courts for the District of New Hampshire
- United States Court of Appeals for the First Circuit
- Supreme Court of the United States
- American Bar Association
- New Hampshire Bar Association
- Massachusetts Bar Association
- Manchester Bar Association

Education

- J.D., Suffolk University Law School, *magna cum laude*
- B.A., Boston College, *magna cum laude*, (Phi Beta Kappa)

Civic Involvement

SHEEHAN PHINNEY

- Past President, Manchester Bar Association
- Founder and past Secretary, Manchester Moves, Inc., rail trail not-for-profit
- Graduate of Leadership Greater Manchester
- Past Member of Leadership Greater Manchester Steering Committee
- Past Member of New Hampshire Catholic Charities Finance Committee
- Past Member of State Administrative Board
- Past Member New Hampshire Bar Association Legislative Committee

Awards

- Rising Star by New England Super Lawyers®, Business Litigation
- New Hampshire Union Leader's 40 Under Forty
- Leadership Greater Manchester graduate
- Note Editor for the Suffolk Journal of Trial and Appellate Advocacy
- Member of the Suffolk University Moot Court Honor Board
- Suffolk Law's Best Oral Advocate Award
- Suffolk Law's Best Oral Advocate Award Suffolk Law's Best Appellate Brief Award

Publications

- Protect Your Brand by Registering Your Trademark
- Protecting your supplement brand by registering your trademark
- Understanding the basics can reap your business rewards
- Bankrupt Hotel Developer Must Face Bid For \$15M Payout
- NH Legal Perspective: Understanding the mechanics of the mechanic's lien
- We have to produce what? To whom? Where?
- Protect Your License, Protect Your Livelihood
- Long-Term Care Facilities Rejoice, Resident Fiduciaries Beware