

## Theodore R. Remaklus

Partner

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Ted Remaklus is a member of the firm's Intellectual Property Practice, with concentrations in trademark and litigation matters. He oversees more than 1,000 U.S. trademark properties and more than 4,000 foreign trademark properties for a diverse range of clients.

### Areas of Practice

- Litigation/Dispute Resolution
- Mechanical/Aerospace
- Trademarks

### Bar Admissions

- U.S. Patent and Trademark Office
- Ohio, 1993
- U.S. Court of Appeals 5th Circuit
- U.S. Court of Appeals 6th Circuit
- U.S. District Court District of Arizona
- U.S. District Court District of Colorado
- U.S. District Court Eastern District of Michigan
- U.S. District Court Northern District of Ohio
- U.S. District Court Southern District of Ohio

### Education

- **University of Cincinnati College of Law**, Cincinnati, Ohio
  - Juris Doctor - 1993
- **Polytechnic University**
  - Master of Science degree in Mechanical Engineering - 1990
- **University of Cincinnati**, Cincinnati, Ohio
  - Bachelor of Science degree in Mechanical Engineering - 1985

### Representative Cases

- Kerr Corp. v. Freemall Mfg. & Supply Co., 2009 U.S. App. LEXIS 6342 (6th Cir. March 23, 2009), obtaining a reversal on all counts of a grant



of summary judgment for defendant and remanding for trial in a breach of contract, trademark and trade dress infringement action

- DSW, Inc. v. Shoe Pavilion, Inc., 537 F.3d 1342 (Fed. Cir. 2008), obtaining a reversal of a grant of summary judgment of non-infringement of the patent in suit, construing the claims to read on the accused product, and remanding for trial
- Atlanta Attachment Co. v. Leggett & Platt, Inc., 516 F.3d 1361 (Fed. Cir. 2008), obtaining a reversal of a grant of summary judgment of infringement and obtaining a holding the asserted patent was invalid for being on-sale

### Representative Clients

- Sequential Brands Group and its AND1, avia, and Martha Stewart Brands
- American Eagle Outfitters
- DSW
- American Signature, Inc. (One of the largest privately-held furniture retailers in the country)
- Phi Delta Theta, Phi Mu, and a variety of fraternities and sororities
- Skyline Chili
- Kraco Enterprises, Auto Expressions, and other automotive aftermarket suppliers
- Roto-Rooter Corporation, Safe Auto Insurance Company, Carlisle Companies, and other major industrial and service companies
- Ted has litigated matters in federal and state courts across the country and has argued before the Court of Appeals for the Sixth and Federal Circuits.

### Classes/Seminars

- Intellectual Property and New Product/Process Development, 2004 International Nonwovens Technology Conference
- Licensing and Defending Trademarks, 2004 Fraternal Law Conference

### Honors and Awards

- Best Lawyers® Trademark Law "Lawyer of the Year" in Cincinnati, 2022
- The Best Lawyers in America®, Trademark Law, 2017 - 2022
- The Best Lawyers in America®, Copyright Law, 2015 - 2022
- The Best Lawyers in America®, Litigation – Intellectual Property, 2013 - 2022
- Ohio Super Lawyers®, 2016 - 2020
- Best Lawyers® Litigation - Intellectual Property "Lawyer of the Year" in Cincinnati, 2017
- The Best Lawyers in America®, Patent Law, 2017
- The Best Lawyers in America®, Litigation - Patent and Patent Law, 2013 - 2016
- Best Lawyers® Litigation "Lawyer of the Year" in Cincinnati, 2015



## Professional Associations and Memberships

- Ohio State Bar Association
- Cincinnati Bar Association
- International Trademark Association
- Cincinnati Intellectual Property Law Association

