

Snell & Wilmer



Deborah A. Gubernick

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Main Bio

Deborah Gubernick is a partner in the firm's intellectual property and commercial litigation groups. She helps small and large clients protect and defend their brands and business in the U.S. and abroad. She has litigated cases in state and federal courts and has handled at least 220 matters before the Trademark Trial and Appeal Board. Debbie routinely advises clients on brand selection, clearance and global protection. She has handled multiple online disputes, DMCA take-downs, and has counseled clients in the NIL space as well. She handles UDRP domain name disputes, online infringement and branding issues, cease and desist demands and more. She litigates trademark, copyright and trade secret cases, as well as cases involving false advertising, breach of contract, unfair competition and related claims. Debbie routinely litigates trademark, copyright and trade secret cases, as well as cases involving false advertising, breach of contract, unfair competition and more. She has negotiated assignments, settlements, trademark co-existence agreements and licenses involving household brand names, high-end retailers, famous clothing brands, national sports leagues and more. Debbie has provided IP diligence support on multi-million dollar and billion-dollar transactions and routinely provides strategic counseling and assistance for her clients' global trademark portfolios.

Representative Experience

- Represented multiple nationally recognized brand-owners in over 200 opposition/cancellation matter before the Trademark Trial and Appeal Board (TTAB)
- Represented multiple high-end retail store Defendants and brand owner in trademark infringement case
- Represented Plaintiff, a family-owned addiction recovery, behavioral health, and therapeutic transitional living business in protecting its key trademark and trade name
- Represented Plaintiff Company in trademark litigation against former founder and co-owner
- Defended specialty grocery store chain in infringement action
- Represented Plaintiff in highly contested and emotional trademark, copyright infringement and trade secrets misappropriation case
- Represented nationally recognized gas service station company in branding dispute with franchisee
- Defended well-known apparel and accessories brand licensee in breach of contract dispute involving its worldwide licensor
- Represented Plaintiff in trade secret misappropriation case

- Litigated breach of contract case related to highly technical software license on behalf of Plaintiff before the American Arbitration Association
- Represented privately held, well known hotel chain in IP diligence aspects of multi-billion dollar leveraged buy-out and assumed debt transaction
- Represented purchaser in trademark assignment aspects of multi-million-dollar transaction and asset purchase
- Represented seller in multi-million-dollar sale of luxury golf apparel brand
- Assisted multiple companies in the worldwide assignment/recordal of assignment of intellectual property rights
- Represented multiple clients in DMCA take-down notices in various online and social media platforms
- Represented multiple clients in UDRP domain name disputes, involving transfer of infringing domains to client control
- Represented national bakery chain in trademark infringement dispute
- Represented moving company in significant trademark infringement dispute involving multi-million dollar judgment and injunction
- Represented health and nutraceutical company in trademark infringement dispute involving protection of rights and change of infringer's mark
- Represented international toy company in trademark protection efforts
- Provided advice and counsel on first of its kind NIL agreement
- Provided copyright, trademark and litigation advice to multiple known brands
- Provided licensing advice to high end brands, active wear brands, consumable brands, and more
- Provided trademark management and oversight for tech brands, toy brands, security companies, clothing companies and more in the U.S. and abroad

Education

- University of San Diego School of Law (J.D.)
 - Research Editor - San Diego Law Review; Member - San Diego Law Review
 - Externship - Hon. Judge Gary L. Taylor (Ret.) - United States District Court - Central District
- Brigham Young University (B.A., English)
 - Language Lab Assistant - Spanish emphasis

Professional Memberships & Activities

- International Trademark Association, Member
- Orange County Bar Association - Intellectual Property Section, Member
- J. Reuben Clark Law Society

Representative Presentations & Publications

- "Intellectual Property," Panelist, University Lab Partners - Women Talk Tech Bio (October 26, 2022)
- "[Dean Austen Parrish: Continuing UCI's Trajectory of Excellence](#)," Co-Author, Orange County Lawyer (August 2022)

- "The Trademark Modernization Act," Co-Presenter, Snell & Wilmer's Intellectual Property Litigation Meeting (June 20, 2022)
- "Intellectual Property Pre-Litigation Tips," Co-Presenter, Snell & Wilmer Virtual CLE Series (June 9, 2022)
- "[Irreparable Harm, I Presume? The Trademark Modernization Act and Other Changes in Trademark Law](#)," Co-Author, Orange County Lawyer (May 2, 2022)
- "Hollywood moving company ordered to pay \$13 million for misleading customers," Quoted, South Florida Sun Sentinel Online (January 4, 2022)
- "[Judge Awards \\$13M in Moving Co. TM, Cybersquatting Fight](#)," Quoted, Law360 (December 22, 2021)
- "[NCAA Name, Image and Likeness Roll-out: Avoiding Landmines Before Entering NIL Agreements](#)," Episode Host, CalCurrent Podcast (August 12, 2021)
- "[Avoiding Landmines in the Collegiate Name, Image and Likeness Roll-Out](#)," Author, Snell & Wilmer Legal Alert (July 28, 2021)
- "Affiliates, Influencers and Infringers: Trends to Watch in 2021," Co-Presenter, Snell & Wilmer Virtual CLE Series (June 15, 2021)
- "[NCAA Publicity Rule Raises Labor, Antitrust, Policy Issues](#)," Co-Author, Law360 (September 9, 2020)
- "[Unintended Sublicenses Through Social Media: 'Embedding' and the Pitfalls of Public Posts](#)," Co-Author, SWIPLit Blog (April 23, 2020)
- "[Phoning It In for Booking.com: The United States Supreme Court to Hear Trademark Case Telephonically](#)," Co-Author, Snell & Wilmer Legal Alert (April 21, 2020)
- "Privacy Primer: Evolving Concepts, the GDPR and Data Breaches CLE," Presenter (July 2018)
- "Diligence in Building or Buying a Brand," Author, Orange County Business Journal (October 16, 2017)
- "Gender Bias: What Can Be Done to Overcome It?" Presenter, JRCLS WIL Conference (September 2015)
- "Decisions You Need to Know: Key Trademark Cases from 2014," Presenter, INTA (January 2015)
- "New Business Issues for Retailers," Author, California Fashion Association (Summer 2012)
- "Apparel Legal Basics," Presenter, Fashion Business Incorporated (FBA) Webinar (Summer 2011)
- "Intellectual Property," Presenter, Volcom's Annual MBA Academy (2011)
- "When Consumers Get Confused," Author, Trademark World (April 1, 2010)
- "UCLA IP Fiat Lux Seminar," Guest Lecturer (Fall 2009, Fall 2010)
- "The United States Patent and Trademark Office Amends Rules Governing Inter Partes Proceedings Before the Trademark Trial and Appeal Board," Author, Client Alert (February 6, 2008)
- "Post-Trial Motions," "Trademarks 101," "Elimination of Bias," CLE Presenter

Professional Recognition & Awards

- Women in Business Awards Nominee, Orange County Business Journal (2023)
- Orange County Inspirational Women Awards Nominee, Los Angeles Times B2B Publishing (2023)
- [2022 Inspirational Women Leadership Awards Nominee](#), Los Angeles Times B2B Publishing (2022)
- World Trademark Review 1000 (2022-2024)

- Southern California Super Lawyers, Rising Stars Edition - Top Women Attorneys of Southern California, Business Litigation (2014, 2016)
- Southern California Super Lawyers, Rising Stars Edition, Intellectual Property and Technology (2013-2015)
- Women of Outstanding Leadership, The International Women's Leadership Association (2014)

Previous Professional Experience

- Call & Jensen, Shareholder, Associate (2011-2019)
- Latham & Watkins, Litigation Associate (2006-2011)

Bar Admissions

- California

Court Admissions

- United States Court of Appeals, Ninth Circuit
- United States District Court, Central District of California
- United States District Court, Northern District of California
- United States District Court, Southern District of California

Client News

- Snell & Wilmer Advises Fintech Platform Greenwood in Two-Year NIL Deal with the Black-Owned Digital Bank's Newest Brand Ambassador