



Miles J. Alexander

Retired

1100 Peachtree Street NE
Suite 2800 , Atlanta , GA USA 30309
t 404.815.6410 | f 404.541.3105
malexander@kilpatricktownsend.com

Miles Alexander re-joined the firm in 1958 after teaching at Harvard Law School and serving two years as a U.S.A.F. Judge Advocate. Mr. Alexander was admitted to partnership in 1963. Mr. Alexander counsels clients in the trademark and unfair competition areas and other intellectual property fields and is a frequently selected party and court appointed mediator in alternative dispute resolution matters. He has also specialized in the field of antitrust law.

Mr. Alexander has also served as arbitrator and expert witness. He has served as lead counsel on litigation, selection and clearance of trademarks, and settlement of trademark disputes. A widely published author and sought after speaker, he served for many years as a member of the CPR/INTA panel of "Distinguished Neutrals."

In the 2007 *Chambers USA: America's Leading Lawyers for Business*, Mr. Alexander was one of the few attorneys across the nation to receive a "Star" ranking for exceptional recommendations in Intellectual Property. He was characterized as: "incredible - he is an elder statesman of the US IP Bar, yet he is always available and is extremely responsive.' He is called upon for his confidential opinions in cutting-edge matters, advising *Fortune* 500 companies on what to do in trademark related matters. Sources agree: 'He is the one person who stands out from the rest,' because he is 'not only technically skilled, but he is also business-savvy.'"

Mr. Alexander was recipient of INTA's 2002 President's Award. He was the first recipient of the Georgia Bar Intellectual Property Section's Lifetime Achievement Award in 2006. The State Bar of Georgia's Selection Committee for the Commitment to Equality Awards selected Mr. Alexander as the 2021 Randolph Throver Lifetime Achievement Award recipient and Mr. Alexander, who has dedicated his career to the cause of increasing opportunities in the legal profession for members of traditionally underrepresented groups, was honored for the years of work he has done to champion diversity in the Georgia legal community. In the 2005 and 2006 polling of the Georgia Bar, Mr. Alexander was chosen by his peers as one of the top ten lawyers in the state. In 2009, he was honored with a Leadership Award by the Atlanta Bar Association for his service and dedication to the community and the legal profession. Mr. Alexander received the Selig Distinguished Service

Award in 2010 from the American Jewish Committee. He is a 2012 recipient of the Emory Medal, the highest University honor presented exclusively to alumni by the Emory Alumni Association, "for his passionate leadership, impartial and objective wisdom in legal matters and continued commitment to serving the greater good of his community." Mr. Alexander was inducted into the 2012 Gate City Bar Association's Hall of Fame. In 2014, he received the Ben F. Johnson Jr. Public Service Award from Georgia State University College of Law for his prestigious career of more than 55 years, which has earned him an international reputation as one of the world's leading trademark lawyers. In 2014, Mr. Alexander received a Lifetime Achievement Award from *World Trademark Review*.

Mr. Alexander was listed for Intellectual Property in the 2021 and the 12 years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business*, he was listed as #1 in the 2015 and the four years immediately preceding editions, and he was listed as a "Senior Statesperson" in the 2022 and the three immediately preceding editions. Mr. Alexander was recognized in 2022 and all prior editions of *The Best Lawyers in America*® for Intellectual Property Litigation, Corporate Law, Mediation, Trademark Law, Arbitration, and Antitrust Law. He was recognized by his peers as one of Atlanta's "Legal Elite" in 2008 and 2012 by *Georgia Trend* magazine and as one of Top 10 Lawyers in Georgia in *Atlanta* magazine. *The International Who's Who of Trademark Lawyers* recognized Mr. Alexander in 2015 as one of only six trademark attorneys named "Most Highly Regarded" in North America. *The World Trademark Review* ranked Mr. Alexander among the top 20 trademark attorneys nationwide and in 2016 he was again recognized as a leading national trademark practitioner. He was also recognized as a top practitioner in Trademark, Copyright and Trade Secrets by *Chambers Global 2013, 2014, 2015 and 2016*. In 2013, Mr. Alexander was named a "Shining Star of IP" and selected as one of five individuals to the 2013 IP Hall of Fame by *Intellectual Asset* magazine. He is AV® rated by Martindale-Hubbell.*

Experience

Represented Houghton Mifflin in a copyright infringement suit prohibiting the publication of the book "The Wind Done Gone" because of alleged infringement of the copyright in the novel and motion picture "Gone With the Wind." The Estate of Margaret Mitchell, through SunTrust Bank as Trustee, brought a copyright infringement suit against Houghton Mifflin and obtained a preliminary injunction. On May 25, 2001, and immediately upon conclusion of oral argument by the firm, a unanimous panel of the Eleventh Circuit, U.S. Court of Appeals, vacated the injunction as an abuse of discretion and unconstitutional prior restraint of speech. On October 10, 2001, the Eleventh Circuit issued a full opinion rejecting the district court's conclusion that the plaintiff was likely to succeed and finding, on the record before the court, that "The Wind Done Gone" likely made fair use of "Gone With the Wind." *SunTrust Bank v. Houghton Mifflin*, 252 F.3d 1166 (11th Cir. 2001), and 268 F.3d 1257 (11th Cir. 2001).

Successfully represented the heirs of Dr. Martin Luther King, Jr. against CBS Broadcasting Inc. in a highly

publicized case before the Eleventh Circuit. The decision upheld the validity of the copyright of the famous “I Have A Dream” speech against a challenge that it had entered the public domain. Following the firm's briefing and oral argument, the Eleventh Circuit reversed a district court's finding that Dr. King's copyright in the speech “I Have A Dream” was forfeited when delivered in 1963 at the March on Washington and remanded the case for trial. CBS thereafter agreed to a settlement of the Dr. Martin Luther King, Jr. Estate's claim that CBS infringed copyrights when it used portions of the speech in a documentary by Mike Wallace. *Estate of Martin Luther King, Jr., Inc. v. CBS, Inc.*, 194 F.3d 1211 (11th Cir. 1999), *reh. denied*, 207 F.3d 666 (11th Cir. 2000).

Represents with his firm Flowers Foods Inc., a leading producer of baked goods, and its subsidiaries in various trademark, unfair competition, false advertising, and copyright matters, including litigation before federal district courts and the Trademark Trial and Appeal Board, as well as trademark clearance and registration projects.

Served as a consultant and special counsel to Blue Cross/Blue Shield Association, the leading association of independent health insurance companies, in revising their diverse license agreements into an uniform national license for all of its plans to protect its famous marks and create a mandatory ADR system for all disputes.

Represented Domino's Pizza in the reversal of a Federal District Court decision enjoining the chain from using their primary trademark.

Served as counsel for Frito-Lay, a global snack food company, in the protection of its trademark from a generic challenge and from various antitrust claims.

Acted on behalf of small and *Fortune* 500 companies in selection and protection of their trademarks.

Education

Harvard Law School J.D. (1955) *cum laude*

Emory University B.A. (1952) *with honors*, Phi Beta Kappa

Admissions

Georgia (1955)

Court Admissions

Georgia Court of Appeals

Supreme Court of Georgia

U.S. Court of Appeals for the Eighth Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Appeals for the Fifth Circuit



U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Customs and Patent Appeals

U.S. District Court for the Western District of North Carolina

U.S. Supreme Court

Professional & Community Activities

Professional Activities:

American College of Trial Lawyers, Member and Co-Author of a chapter on Creative Settlement of Intellectual Property Litigation for a major Clark Boardman treatise

International Trademark Association, Member of Trademark Review Commission, which drafted the landmark 1989 Lanham Act revisions; American Law Institute; Member of Advisory Committee which drafted the 1995 Restatement of Unfair Competition; and served on the INTA Board of Directors and selected to serve as its General Legal Counsel (1997-2000)

University of San Francisco, J. Thomas McCarthy Institute for Intellectual Property and Technology Law, Charter Member and Advisory Council

State Bar of Georgia, Antitrust Law Section, Past Chairman

Bar Associations and Other Law Related Activities:

Member, American, Georgia and Atlanta Bar Associations; Lawyers Club of Atlanta; Former President of Harvard Law School Association of Georgia; Former Chairman Young Lawyers Section of Georgia Bar Continuing Education Committee and Appellate Admissions Program; continuous activity in ABA Subcommittees in Antitrust and Patent, Trademark and Copyright Sections; Member 1980-1982 of Board of Directors, United States Trademark Association Editorial Board, The Trademark Reporter®, Editor-in-Chief (1978-1980); President, Antitrust Section of the State Bar of Georgia, Antitrust Section, 1982-1983; U.S.T.A. Special Committee on Structure (1992-); U.S.T.A. Ladas Award Selection Committee (1993-2017); U.S.T.A. Publications Committee, Chairman (1982-1986); various legal writings in publications in the trademark field, including American Law Institute, United States Trademark Reporter and Encyclopedia of Georgia Law; Advisory Board of The Trademark Reporter®; Advisory Counsel to President of State Bar of Georgia; Advisor to ALI, Restatement of the Law of Unfair Competition (1986-1995); Member, U.S.T.A Trademark Review Commission (1986-1989); Fellow, American Bar Foundation; Fellow, American College of Trial Lawyers; Chair, Atlanta Legal Aid Drive (1990); Pro bono counsel to numerous non-profit organizations; National ADR Panel Member of Distinguished Neutrals, INTA/CRP (original Member of); Listing in all editions of Best Lawyers in America (Corporate, Antitrust, Alternative Dispute Resolution, Trademark and Intellectual Property Litigation); Master for Inns of Court; Center for Global Information Technologies (Duke University); Board of Visitors, Emory University (1997-2000); Board of Visitors, College of Law, Georgia State University (1992-2010); appointed by U.S. Secretary of Commerce as initial Chair of Trademark Public Advisory Committee (2000-2003); chosen as a Charter Member of the Advisory Council for J. Thomas McCarthy Institute for Intellectual Property and Technology Law (2001-); INTA President's Award (2002); first recipient of Georgia Bar IP Section's Lifetime Achievement Award (2006); State Bar of Georgia (Justice Robert Benham) Lifetime Achievement Award for Community Service (2007); Georgia State University IP Legends Award (2007); Atlanta Bar Leadership Award (2009); The Emory Medal (2012) (the Highest Alumni Award given by Emory University); Gate City Bar Association Hall of Fame (2012); Intellectual Asset Management (IAM) Magazine Hall of Fame (2013); World Trademark Review Lifetime Achievement Award (2014); Fulton County Daily Report Lifetime Achieve Award (2015)

Community Activities:

Chairman, City of Atlanta License Review Board (1976-1979); Chairman and Vice-Chairman, City of Atlanta



Ethics Board (1980-1992); Counsel, Pine Hills Civic Association; Board of Atlanta Metro Arts Foundation; Chairman of Emory Class Reunion Committee; Director and Vice President, Research Atlanta (1983-1987); Legal Counsel to Mayor Maynard Jackson; Legal Counsel to Congressman Elliott Levitas; Member, Friends of Morehouse College; Advisory Board, Family Outreach Center; ADL and AJC (American Jewish Committee) Board Member; National AJC Legal Committee; Chairman of Atlanta Chapter of the AJC; Resurgens Atlanta; ADL-Chairman Atlanta Civil Rights Committee (1996-2003) (2009-2015) and lifetime Board Member; Chairman of the Board, Atlanta City Club; Recipient, ADL Human Relations Award (1997); Past Chairman of Annual Legal Aid Fundraising Drive, Member of Steering Committee, and current Legal Aid Endowment Fund Drive; recipient, Annual Emory Distinguished Alumni Award (2000); ADL Lifetime Achievement Award (2006); Carter Center Board of Councilors (2008-); Board of The William Breman Jewish Heritage Museum (2008-Present); American Jewish Committee Distinguished Service Award (2010); Co-Chair, ADL S.E. Regional Board (2014-2015); Ben F. Johnson Jr. Public Service Award (2014); The American Red Cross of Atlanta's LifeBoard Chairman's Award (2017); Emory Barkley Forum's Warren Akin Award for Outstanding Alumni Contributions (2019); Carter Center, Board of Councilors Lifetime Member (2020); Board of Trustees, Carlos Foundation (2020)

Lectures:

Lecturer at numerous Georgia continuing education programs in fields of tax, corporations, trademark, antitrust and unfair competition. Chairman and lecturer at numerous International Trademark Association, PLI, American Law Institute, ABA, International Franchise Association and other seminars on trademarks and unfair competition, antitrust, franchising, dispute resolutions and litigation tactics; guest lecturer on Trademark Law at NYU and University of Georgia. Served as Adjunct Professor and guest lecturer, Georgia State Law School and Emory Law School. Invited to speak by ABA, ALI, PLI, Marques, PTMG and INTA and by other organizations, including at conferences in Amsterdam, Paris, London, Istanbul, Marrakesh, Athens, Berlin, Bangkok, Lisbon, Brussels, Geneva and Milan. "A Century of Looking Back and Looking Forward," Panelist at INTA Annual Meeting, May 17, 2011.

Insights

[News Releases](#)

Kilpatrick Townsend Attorneys Claim 79 Individual Rankings in 2022 Chambers USA

June 2, 2022

[News Releases](#)

Kilpatrick Townsend Earns Gold-Level Ranking from World Trademark Review

March 8, 2022

[News Releases](#)

Miles Alexander Recognized as the 2021 Randolph Thrower Lifetime Achievement Award Recipient

November 19, 2021

[News](#)

Kilpatrick Townsend Attorneys Garner 37 Rankings on the 2021 International Who's Who of Business Lawyers

October 29, 2021



[News Releases](#)

Kilpatrick Townsend Partners Named 2021 World Intellectual Property Review Trademark and Patent Leaders

September 15, 2021