

Theodore H. Davis Jr.

Partner

1100 Peachtree Street NE
Suite 2800, Atlanta, GA USA 30309
t 404.815.6534 | f 404.541.3172

The Grace Building

1114 Avenue of the Americas, New York, NY USA 10036
t 212.775.8704

tdavis@kilpatricktownsend.com



Services

Trademark Litigation
Clearance & Portfolio Management
Anti-Counterfeiting & Gray Markets
Brand Licensing & Related
Transactions
Trademark, Copyright &
Advertising

Industries

Media & Entertainment
Retail & Consumer Goods

Ted Davis divides his practice between litigation and client counseling in the fields of trademark, copyright, false advertising, and unfair competition law. He is a member of the American Bar Association's Board of Governors and a past chair of the ABA's Section of Intellectual Property Law, on behalf of which he has testified before Congress on trademark and Internet issues. He also has served on the American Intellectual Property Law Association's Board of Directors and on the Executive Committee of the International Trademark Association. He frequently serves as an expert witness in trademark-related matters, is an adjunct professor at the Emory University School of Law, and regularly authors amicus briefs to the Supreme Court of the United States and other federal courts.

Mr. Davis has been recognized as one of Atlanta's "Legal Elite" (*Georgia Trend Magazine*), a Georgia "Super Lawyer" for intellectual property (*Super Lawyers* magazine), the 2014, 2022 and 2024 "Atlanta Lawyer of the Year" in trademark law (*The Best Lawyers in America*®), an "IP Icon" (IP Law360), an "IP Star" (*Managing Intellectual Property* magazine), and a "Trademark Leader" (*World IP Review*). *World Trademark Review 1000 – The World's Leading Trademark Professionals* regularly lists him as among the top ten United States attorneys in the categories of enforcement, prosecution, and strategy, and Legal Media Group has identified him as among the top 25 practitioners for Trademark Law in the country. *Chambers USA: America's Leading Lawyers for Business* also has listed him for intellectual property since 2013. He is a frequent author on intellectual property topics, and his articles have received the Ladas Memorial Award from the International Trademark Association and the Burton Award for excellence in legal writing. He is AV® rated by Martindale-Hubbell.*

Experience



Represents Galperti, Inc., a leading manufacturer of steel flanges and related items, in litigation before federal appellate courts and the Trademark Trial and Appeal Board. *Galperti, Inc. v. Galperti S.r.l.*, 17 F.4th 1144 (Fed. Cir. 2021) (lead counsel in successful challenge to finding of no fraudulent procurement by Board).

Represents Fender Musical Instruments Corporation before trial and appellate courts and the Trademark Trial and Appeal Board. *Fender Musical Instruments Corp. v. Swade*, 772 F.App'x 282 (6th Cir. 2019) (lead counsel in successful defense of finding of contempt by district court).

Represents Scientific Games, a leader in the lottery ticket and video gaming industries, in litigation before federal trial and appellate courts and the Trademark Trial and Appeal Board. *WMS Gaming, Inc. v. WPC Prods. Ltd.*, 542 F.3d 601 (7th Cir. 2008) (lead counsel in successful challenge to accounting of profits conducted by district court).

Represented Compex International Co., a major manufacturer of outdoor patio furniture, against claims by a competitor of trade dress infringement, unfair competition and deceptive trade practices. *Meadowcraft Inc. v. Compex Int'l Co.*, 47 U.S.P.Q.2d 1665 (N.D. Ga. 1998) (co-counsel in successful defense of matter in bench trial).

Education

University of Virginia School of Law J.D. (1990)

Davidson College B.A. (1987) *cum laude*

Admissions

Georgia (1990)

District of Columbia (1992)

New York (2011)

Court Admissions

District of Columbia Court of Appeals

Georgia Court of Appeals

Supreme Court of Georgia

Supreme Court of New York, Appellate Division

U.S. Courts of Appeals for the Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Eleventh, and Federal Circuits

U.S. District Court for the District of Columbia

U.S. District Court for the Eastern District of New York

U.S. District Court for the Middle District of Georgia



U.S. District Court for the Northern District of Georgia

U.S. District Court for the Southern District of New York

U.S. Supreme Court

Professional & Community Activities

American Bar Association (Board of Governors, 2023-present; Chair, Section of Intellectual Property Law, 2015-16)

American Intellectual Property Law Association (Board of Directors, 2021-present; Chair, Trademark Law Committee, 2018-20)

International Trademark Association (Executive Committee, 2003-05; INTA PAC Board of Directors, 2014-19; recipient of Presidents Award, 2017; recipient of Volunteer Service Award, 2014; recipient of Ladas Memorial Award, 1992, 1995, and 2001)

American Bar Foundation (Life Fellow, 2007-present)

Intellectual Property Owners Association (Vice Chair of Trademark (U.S.) Committee, 2007)

Canadian Bar Association

Adjunct Professor, Emory University School of Law (1994-present)

Adjunct Professor, University of Georgia School of Law (2002, 2010)

Adjunct Professor, Atlanta's John Marshall Law School (2005)

Georgia Bar Journal (Editor-in-Chief, 1997-99)

Virginia Law Review (Notes Editor, 1989-90)

Insights

[News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in 2024 Edition of The Best Lawyers in America®
August 17, 2023

[News](#)

Ted Davis Elected to the American Bar Association's Board of Governors
August 9, 2023

[Alert](#)

Abitron Austria GmbH v. Hetronic Int'l, Inc.: The Supreme Court Restricts Extraterritorial Applications of the Lanham Act
June 29, 2023



Publication

Preliminary Predictions: 'Trump Too Small' Case Won't Upend TM Strategies

June 28, 2023

Alert

The Supreme Court Modifies the Relationship Between Free Speech and Trademark Rights in Jack Daniels Properties, Inc. v. VIP Products LLC

June 16, 2023