



William M. Bryner

Partner

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Services

Franchising
Intellectual Property
Trademark Litigation
Trademark, Copyright &
Advertising

Industries

Apparel, Accessories & Luxury
Goods
Consumer Goods
Retail & Consumer Goods

Bill Bryner practices in the area of trademark, unfair competition, advertising, and copyright law, with an emphasis on litigating disputes in those fields. He has extensive experience litigating matters of this type in federal courts around the country, as well as before the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office, and in counseling clients regarding trademark and copyright protection and enforcement. Mr. Bryner is a North Carolina State Bar Board Certified Specialist in the area of Trademark Law.

Mr. Bryner is listed in the 2022 and the eight immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* in the area of Intellectual Property. He was named to *Business North Carolina's* 2009, 2012 and 2017 "Legal Elite" list for Intellectual Property/Trademarks Law and was listed in *The Best Lawyers in America®* in 2019 and the eight years immediately preceding in the area of Intellectual Property Litigation and Trademark Law and again in 2020, 2021 and 2022 for Franchise Law, Intellectual Property Litigation, and Trademark Law. Mr. Bryner was also recognized as a "Greensboro Lawyer of the Year" in 2014 and 2017 for Trademark Law and in 2016 for Intellectual Property Litigation by *The Best Lawyers in America®*. He was named a North Carolina "Super Lawyer" in 2022 and the ten years immediately preceding for Intellectual Property Law by *Super Lawyers* magazine. Mr. Bryner is listed in the 2022 and the ten immediately preceding editions of *World Trademark Review 1000 – The World's Leading Trademark Professionals*. He received Lexology's *Client Choice Guide - International 2013 Award* in the Intellectual Property: Trademarks category for North Carolina. Mr. Bryner was named by Legal Media Group to its *2014 Guide to the World's Leading Trademark Practitioners*. He speaks proficient Spanish.

Experience

Obtained a temporary restraining order thwarting the misuse of the client's trademark by a loan services company seeking to enter into loan transactions with, *inter alia*, a world-famous boxing champion..

Represented Universal Furniture International Inc., a home furnishings manufacturer, in a suit against Collezione



Europa USA, Inc., a furniture wholesaler, based on Collezione's infringing imitations of Universal's highly successful Grand Inheritance and English Manor furniture collections and Collezione's marketing of those imitations. The court found (1) that Collezione had infringed upon Universal's valid copyrights in Universal's Grand Inheritance collection and English Manor collection; (2) that Collezione had passed off Universal's furniture as Collezione's, in violation of the Lanham Act; and (3) that Collezione's violation of the Lanham Act also constituted an unfair and deceptive trade practice in violation of N.C. Gen. Stat. § 75-1.1. After additional hearings related to monetary remedies the court awarded Universal Furniture International Inc. an amount that represented the entirety of Collezione's gross sales of the infringing furniture, as permitted by the Copyright Act. *Universal Furniture Int'l, Inc. v. Collezione Europa USA, Inc.*, No. 1:04CV00977, 2007 U.S. Dist. LEXIS 31026, *aff'd*, 2009 U.S. Dist. LEXIS 10880 (M.D.N.C. Feb. 12, 2009).

We provide extensive trademark counseling to a large non-profit humanitarian organization. We also manage the organization's domestic and international trademark portfolio, and represent the organization in domestic oppositions at the Trademark Trial and Appeal Board, as well as in international oppositions and enforcement matters in numerous countries.

Represented a major tobacco company in opposition proceedings regarding the use of the word "pleasure" in connection with cigarette advertising and promotion.

Represented the owner of the GLASS DOCTOR mark in a trademark infringement suit against a company that had used the mark WINDSHIELD DOCTOR for 17 years in a specific geographic territory. The defendant had prior actual use of its mark in that geographic area, but such use was junior to the client's federal registration. The defendant had also begun using GLASS DOCTOR interchangeably with its own mark. Obtained summary judgment enjoining the defendant's use of both marks. On a trial on the appropriate quantum of monetary relief, we secured and then successfully defended on appeal an order requiring the defendant's disgorgement of its profits. *Synergistic Int'l, LLC v. Korman*, 402 F. Supp. 2d 651 (E.D. Va. 2005), *aff'd in part and rev'd in part*, 470 F.3d 162 (4th Cir. 2006).

Represented Harley-Davidson Motor Company in winning a reversal in the United States Court of Appeals, Seventh Circuit. The Court held that Harley-Davidson's lawsuit against use of HOGS ON THE HIGH SEAS was not barred by previous rulings finding HOG generic for large motorcycles, and remanded the case for trial. The case was later settled favorably for our client. *H-D Michigan, Inc. v. Top Quality Service, Inc.*, No. 04-C-0533, 2006 WL 2547083 (E.D. Wis. Aug. 31, 2006), *rev'd*, 496 F.3d 755 (7th Cir. 2007).

Represented the manufacturer of Leggs® pantyhose in action to enjoin use of LEG LOOKS® mark on re-designed packaging. The Fourth Circuit reversed the judge of the District Court and remanded the case with instructions to enter an order permanently enjoining defendant from affixing its LEG LOOKS® trademark to any



of its products placed in the same channels of distribution as those in which Leggs® products are sold. *Sara Lee Corp. v. Kayser-Roth Corp.*, 81 F.3d 455 (4th Cir. 1996).

Represented Dan River Inc. in declaratory judgment action against ALS arising out of alleged false advertising claims. After extensive discovery, ALS agreed to dismiss their counterclaim and agreed not to challenge Dan River's right to manufacture and market its product. *Dan River, Inc. v. ALS Enterprises, Inc.*, Case No. 4:06 CV 00002, (W.D. Va. 2006).

Education

Duke University J.D. (1996) *with honors*

Brigham Young University B.A. (1993) Political Science, *summa cum laude*

College of Eastern Utah A.S. (1991) *with high honors*

Admissions

North Carolina (1996)

Court Admissions

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Eastern District of Wisconsin

U.S. District Court for the Eastern, Middle and Western Districts of North Carolina

Professional & Community Activities

NC LEAP Steering Committee, Member

Insights

[News Releases](#)

Kilpatrick Townsend Attorneys Claim 80 Individual Rankings in 2022 Chambers USA

June 2, 2022

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Kilpatrick Townsend Earns Gold-Level Ranking from World Trademark Review

March 8, 2022

[Publication](#)



The Sleeping Giant Awakens: Three 2020 Trademark Decisions from the United States Supreme Court, and How They May Affect Franchising

December 28, 2021

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Kilpatrick Townsend Attorneys Honored in the 2022 Edition of The Best Lawyers in America

August 19, 2021

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Kilpatrick Townsend Achieves Record-Breaking Recognition from Chambers USA 2021

May 24, 2021