



## Patrick J. Mulkern

### PARTNER

Hartford

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### RELATED SERVICES

- Intellectual Property Litigation
- Commercial Litigation
- Class Action Defense

### OFFICES

- Hartford
- San Diego

### OVERVIEW

Patrick J. Mulkern is a Partner in the Hartford office of GRSM and is a member of the Intellectual Property and Commercial Litigation practice groups.

#### **Intellectual Property**

As a member of the Intellectual Property practice group, Patrick focuses on trademark, patent, copyright, and trade secret litigation involving various business sectors. He has experience in all phases of litigation, in both state and federal courts around the country, as well as at the appellate level. Patrick also has significant experience with trademark prosecution and proceedings before the Trademark Trial and Appeal Board (“TTAB”).

#### **Commercial Litigation and Class Actions**

As a member of the Commercial Litigation practice group, Patrick defends corporate clients against high stakes class action cases and complex business disputes. Representative experience includes false advertising, breach of contract, fraud, and privacy-based cyber claims. Patrick’s experience includes all

aspects of defending clients in class action and putative class actions—including defeating class certification and coordinating associated large scale e-discovery efforts. He has also represented clients before AAA and JAMS in both commercial and consumer arbitrations.

Patrick received his Juris Doctor from the University of San Diego School of Law, where he was an Editor for the San Diego Law Review. He was also on the Appellate Moot Court Executive Board. During law school, Patrick was an extern for the U.S. Department of Veterans Affairs, the United States Attorney's Office for the Southern District of California (Civil Division), and the Chambers of the Hon. Dominic J. Squatrito in the District of Connecticut.

### **Reported Experience**

*AIRS Aromatics, LLC v. CBL Data Recovery Techs., Inc.*, 23 Cal. App. 5th 1013 (2018) (successfully vacated \$3 million judgment against client)

### **PUBLICATIONS**

- "Second COVID Relief Bill Brings Relief to Trademark Plaintiffs, Expressly Restoring Presumption of Irreparable Harm to Trademark Cases," grsm's *IP Blitz*, (February 11, 2021).
- "SCOTUS: Willfulness Not Required for Trademark Infringement Plaintiff to Recover Defendant's Profits," grsm's *IP Blitz*, (April 29, 2020).
- "Damages in Trademark Infringement: Is Willfulness Required for Defendant's Profits?," grsm's *IP Blitz*, (July 25, 2019).
- "SCOTUS: AIA Does Not Limit Long-Standing 'On Sale' Bar Precedent," grsm's *IP Blitz*, (February 6, 2019).
- "Protecting 'The Thought That We Hate'," grsm's *IP Blitz*, (July 25, 2017).
- "National Marks: Who Owns the Trademarks to America's Famous Landmarks," grsm's *IP Blitz*, (October 12, 2016).
- "A Lasting Impression: Federal Circuit Credits Own Precedent More Than Recent Supreme Court Authority," grsm's *IP Blitz*, (April 1, 2016).

### **CREDENTIALS**

#### **Admissions**

- California
- Connecticut
- Massachusetts
- United States Patent and Trademark Office
- U.S. District Court, Northern, Southern, Central and Eastern Districts of California
- U.S. District Court, District of Connecticut

- U.S. District Court, District of Massachusetts
- U.S. Court of Appeals, Ninth Circuit

#### **Community Involvement**

- Former Adjunct Professor, University of San Diego School of Law

#### **Education**

- J.D., *cum laude*, University of San Diego School of Law
  - Articles Research Editor, *San Diego Law Review*
  - Appellate Moot Court Executive Board & National Team Member
- B.S., Physiology and Neurobiology, University of Connecticut
- B.A., Political Science, University of Connecticut

#### **Externships**

- United States Attorney's Office – Civil Division, Southern District of California
- Honorable Dominic J. Squatrito, United States District Court for the District of Connecticut

#### **Honors**

- *Best Lawyers in America*® Ones to Watch distinction in Intellectual Property Law (2023-2025)
- *Super Lawyers*® Rising Star distinction in Intellectual Property (2018, 2024)