



## Ronald A. Giller

### PARTNER

Livingston

973.549.2501

rgiller@grsm.com

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### RELATED SERVICES

- Commercial Litigation
- Intellectual Property Litigation
- Professional Liability Defense
- Product Liability
- Franchise
- Class Action Defense
- Advertising & E-Commerce

### OFFICES

- Livingston
- Philadelphia
- New York

### OVERVIEW

Ronald A. Giller is the Managing Partner of the New Jersey office and also practices in the firm's New York and Philadelphia offices. Ronald has comprehensive litigation experience, both in the state and federal district courts throughout New York, New Jersey and Pennsylvania, handling cases from initial client consultation through trial and appeal. He also has extensive experience handling commercial/international arbitrations.

Additionally, Ronald's practice includes the handling of litigation involving ADA website compliance, contract disputes, real estate disputes, professional liability, lender liability, bankruptcy, enforcement of non-competition agreements, mortgage foreclosure, collection recovery, equipment financing and leasing issues and product liability cases. Ronald has represented a number of clients in the restaurant and hotel industries as well as insurance agents, brokers and other professionals.

Ronald devotes a significant portion of his practice to intellectual property and franchise litigation. He has handled copyright and trademark infringement cases, including a number of counterfeit litigations, as well as privacy rights and defamation actions. In the franchise spectrum, Ronald represents a number of franchisors, both small and large, and has litigated all types of franchise disputes around the country. He is also co-chair of the Commercial Litigation Group as well as the firm's Franchise Law Group. For four consecutive years, *Franchise Times* selected Ronald as one of only two New Jersey attorneys to be included in their annual "Legal Eagles" list of attorneys who exclusively represent franchisors. Among the two, Ronald is recognized as the "litigation specialty" attorney. Nationwide, Ronald is among a select group of only 31 "litigation specialty" attorneys who represent franchisors exclusively.

Ronald is also involved in class action litigation and has defended claims arising under consumer protection and false advertising statutes, including under the FDCPA and TCPA.

Prior to joining GRSM, Ronald practiced in a large, well-respected firm in New York City. He also previously served as the Vice President of Litigation & Regulatory Affairs for a public franchise company (Realogy Corporation) where he oversaw a large number of litigations and regulatory issues. In that position, Ronald also oversaw the company's compliance with state and federal franchise disclosure requirements, as well as working closely with Realogy's title insurance subsidiary, Title Resource Group, on litigation concerning coverage and compliance issues. He continues to represent Realogy and Title Resource Group at GRSM.

## REPRESENTATIVE EXPERIENCE

### Representative Experience

Examples of Mr. Giller's experience includes the following:

- GRSM New Jersey Team Secures Preliminary Injunction for National Franchise Client
- Obtained dismissal of a class action complaint filed against Century 21 Real Estate LLC in the District of South Carolina.
- Won a motion to dismiss a declaratory action seeking the early termination of a franchise in the United States District Court for the District of Utah.
- Obtained dismissal of a putative class action against a franchisor client, alleging violations of the Real Estate Settlement Practices Act, 12 U.S.C. sec. 2607(b) ("RESPA"), as well as claims under the New Jersey Consumer Fraud Act. The Court held that there was no basis for the claims against the franchisor given the lack of specificity of the allegations in the complaint. Further, the Court determined that RESPA's "safe harbor" provision, contained in Section 8(c), applied and precluded the claims against the franchisor.

- Representing clients in intellectual property disputes, including trademark and copyright infringement, counterfeiting, trade dress and misappropriation of trade secrets, defamation, rights of privacy and publicity.
- Representing individual entrepreneurs, and small and large companies in numerous industries, including hospitality, media, real estate, construction, entertainment, fashion and franchising in a variety of complex civil litigation matters.
- Representing corporations, officers and directors in litigation arising from breach of fiduciary duty claims and shareholder lawsuits under federal securities laws (Securities Act of 1933, Securities Exchange Act of 1934, etc.) and state “Blue Sky” laws.
- Litigating all types of claims against or asserted by franchisees, including breach of contract, false representation, fraud, and wrongful termination and resolved numerous claims for vicarious liability against franchisors.
- Won an appeal in a copyright infringement action involving an alleged misappropriation of source code.
- As outside counsel, oversaw intellectual property protection and policing program for a major film studio, including numerous claims of copyright and trademark infringement.
- Defended numerous litigations and government investigations arising out of large fire at apartment complex on behalf of publically traded company.
- Handled numerous class actions involving consumer protection statutes such as FDCPA and TCPA as well as the New Jersey Consumer Fraud Act.
- Successfully conducted a two-week breach of contract arbitration on behalf of the claimant in an advertising industry dispute that led to an arbitration award in excess of \$2.8 million, which was fully confirmed after motions before the U.S. District Court for the Southern District of New York.
- Won a summary judgment motion dismissing a \$5 million claim for breach of contract and fraud brought by a promoter against the management company for an international hip-hop artist in New York State Supreme Court.
- Won a summary judgment motion on \$1 million breach of contract claim related to discount drug cards and then successfully defended the appeal.
- Handling contract disputes, partnership and joint venture issues, real property litigation, shareholder disputes, and unfair competition matters.
- Represented Crisp LLC, a franchisor of quick service specialty vegetarian cuisine in action to enforce franchise agreement’s post-termination covenants. Obtained injunction against former franchisee requiring him to cease use of trademarks and copyrights in connection with mobile restaurant and internet. (New Jersey Superior Court).
- Represented landlords and tenants in real estate disputes in New York and New Jersey, including successfully seeking Yellowstone injunctions.

## PUBLICATIONS

- Enforcing Arbitration Awards in International Franchising, *Franchise Law Journal* (Winter 2015)

## PRESENTATIONS

- ADA Website Compliance, GRSM, October 2019

## CREDENTIALS

### Admissions

- New Jersey
- New York
- Pennsylvania
- U.S. District Courts, New Jersey
- U.S. District Courts, New York (Southern, Eastern and Western Districts)
- U.S. District Courts, Pennsylvania (Eastern and Middle Districts)
- U.S. Court of Appeals, Third Circuit

### Memberships

- American Bar Association (Forum on Franchising)
- New York State Bar Association
- International Franchise Association

### Community Involvement

Mr. Giller is actively working with the Runway of Dreams Foundation, whose mission is to bring adaptive clothing design and innovation to the differently-abled community.

### Education

- J.D., St. John's University  
- *Journal of Legal Commentary*
- B.A., Tufts University

### Honors

- *Super Lawyers*® distinction in Business Litigation and Franchise/Dealership (2020-2022)\*
- “Legal Eagles” in the category of “Litigation – Franchisors,” *Franchise Times* (2011 – 2014)\*

\*No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

The *Super Lawyers*® list is issued by Thomson Reuters. A description of the selection methodologies can be found at:

[https://www.superlawyers.com/about/selection\\_process.html](https://www.superlawyers.com/about/selection_process.html).

The Legal Eagles list is issued by *Franchise Times*. A description of the selection methodologies can be found at:

<https://www.franchisetimes.com/>.