



Michelle Gallagher

Partner

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Michelle Gallagher focuses her practice on strategic global brand protection for clients ranging from multinational corporations and universities to entrepreneurial startups. Michelle counsels clients on every phase of intellectual property portfolio development to enhance growth and contain risk on a global basis. As a former Trademark Examining Attorney at the United States Patent and Trademark Office (USPTO), Michelle strives to provide nuanced guidance to clients on all procedural aspects of the registration and maintenance process, to avoid unnecessary refusals and ultimately deliver a targeted approach to brand growth and protection.

Michelle's areas of practice include consumer goods and services, food and beverage products and services, global restaurant franchises, sports goods and services, resort services, e-commerce services, electronic payment platforms, telecommunications services, musical instruments, entertainment services, insurance services, educational goods and services, apparel, fashion accessories, footwear, cosmetics, skincare products and services, medical devices, and pharmaceutical goods and services, among others. Michelle is a frequent speaker and author on topics relevant to her practice.

Brand Protection

Michelle handles all aspects of brand protection, including conducting clearance searches and advising on the availability of trademarks and service marks, preparing applications for registration in the USPTO, and working with a network of trusted foreign counsel in trademark filing and prosecution strategies worldwide. Michelle's background encompasses advising clients on protection and enforcement of nontraditional marks, including, color, sound, and trade dress.

Trademark /Copyright Law

Michelle has significant experience managing trademark enforcement strategies, including the design and implementation of worldwide watch strategies, advising on prelitigation

Services

- Asia
- Commercial Contracts & Agreements
- Intellectual Property & Technology
- Mergers & Acquisitions

risks and considerations, handling opposition and cancellation proceedings, and drafting and negotiating settlement agreements and coexistence agreements. Michelle also advises clients on domain name matters, including acquisition and enforcement strategies, and Uniform Domain Name Dispute Resolution Policy (UDRP) proceedings. She routinely advises on copyright matters, and handles registration programs in the United States Copyright Office. Michelle also works with clients to design trademark use guidelines and to conduct intellectual property audits in-house and on social media, to help ensure optimal trademark use is maintained, and to reduce potential risks associated with third party use of intellectual property assets.

Portfolio Development & Transactional Law

Intellectual property growth in a global market requires an understanding of how to expand and monetize portfolios via commercial transactions. Michelle works with clients to develop intellectual property portfolios via licensing and other transactions, including drafting and negotiating trademark and copyright licenses, handling and recording assignments, and conducting intellectual property portfolio due diligence in connection with mergers and acquisitions.

Education

- Suffolk University Law School (LL.M., 2014)
- Pennsylvania State University, The Dickinson School of Law (J.D., 1999)
- Boston College (B.A., 1991)

Bar Admissions

- Massachusetts, 1999

Professional Affiliations

- International Trademark Association (INTA)
- Copyright Society of the USA (CSUSA)
- Suffolk University Law School Alumni Association
- Pennsylvania State University/Dickinson Law Alumni Association
- Boston College Alumni Association
- Council for Women of Boston College

Awards & Honors

- 2014 Ladas Memorial Award, International Trademark Association (INTA), Second Place Recognition
- Massachusetts Super Lawyers, recognized as a "Rising Star" in Intellectual Property Law, 2005–2008

Publications

December 7, 2020

Important USPTO Trademark Fee Increases for 2021 and Key Strategies to Consider

Fall 2019

Federal Trademark Considerations for Cannabis/CBD Goods and Services

DRI: In-House Defense Quarterly