



Sarah Fink

Of Counsel

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Sarah Fink is a strategic intellectual property (IP), technology and internet attorney who partners with clients to protect and defend their business and IP. She gets to know each client's business and provides advice and services that are specifically tailored to their needs. Sarah approaches each matter, whether a transaction, dispute or active litigation, as a high-stakes engagement, understanding that getting and implementing appropriate legal advice that respects intellectual property is necessary for the viability and profitability of clients' businesses.

Sarah's experience includes litigation and transactional work in patent, copyright, trademark, trade secret and rights of publicity, with an emphasis on applying those foundational IP disciplines to the internet, social media and emerging technologies such as artificial intelligence (AI). Her internet practice encompasses privacy and online free speech issues, including managing "fake news" and defamation.

The Creator Economy

Sarah has a deep understanding of the social media and creator economies, gained from years as Head of Legal at a creator monetization company and from her experience representing creators in licensing, marketing and other monetization deals. Sarah provides sound, actionable advice to creators and negotiates deals that are favorable to and protect her clients using her knowledge of the intricacies of the social media ecosystem, copyright and trademark fair use, Digital Millennium Copyright Act (DMCA) takedown procedures, open-source content licenses, automated music fingerprinting and countless other online IP issues. She also represents creators when disputes concerning their content or contracts inevitably arise.

Online IP Management & Litigation

The internet and the world of social media are full of legal pitfalls, and people and companies that operate online may fall prey to these dangers. Sarah is experienced at

Services

- Intellectual Property & Technology
- Commercial Contracts & Agreements
- Commercial Litigation
- Data Use & AI Governance

managing and limiting online risks, both defensively and offensively.

Defensively, Sarah develops compliance programs to prevent and limit online infringements, including those related to a company's own website and ones that may arise from activity elsewhere on the web. She also helps those accused of online infringements minimize or eliminate their exposure in litigation. Offensively, Sarah develops and drafts clients' online Terms of Use and structures their deals to best protect their intellectual property.

Intellectual Property & Technology

Sarah has deep experience representing accused IP infringers in highly contentious and high-stakes "bet the company" litigation. She leverages her background as an engineer to successfully represent clients in industries as diverse as pharmaceuticals and photography, communications and computer software. On the transactional side, Sarah regularly negotiates licensing deals for all forms of IP. She stays on top of technology-related legal developments in the United States and abroad to provide strategic, up-to-date counsel to her clients on their technology endeavors.

Education

- St. John's University School of Law (J.D., *summa cum laude*, 2012)
- The Cooper Union for the Advancement of Science and Art (B.S.E., 2002)

Bar Admissions

- New York
- U.S. Patent & Trademark Office

Languages

- Hebrew – Israel

Publications

April 21, 2026

Westlaw Today Features Fink Article on Shifting Landscape of Internet Liability & Safe Harbor Protections

Westlaw Today

March 18, 2026

Westlaw Today Features Fink Article Examining Why Social Media Addiction Claims Are Unlikely to Undermine Section 230 Immunity

Westlaw Today

September 19, 2025

Westlaw Today Features Fink on Copyright Infringement in Influencer Posts

Westlaw Today

September 11, 2025

Bloomberg Law Publishes Fink on \$1.5 Billion Settlement in AI Copyright Case

Bloomberg Law | Legal Exchange: Insights & Commentary

September 9, 2025

Copyright Infringement Litigations Based on Influencer Posts – How to Protect Your Business

December 16, 2024

A New Frontier in Social Media Copyright Protection or a False Alarm?

September 3, 2024

Legal and Privacy Considerations When Using Internet Tools for Targeted Marketing

August 6, 2024

Practical Considerations in Choosing Open-Source or Closed-Source AI for Business Workflows

July 26, 2024

Relying on Noncompete Clauses May Not Be the Best Defense of Proprietary Data When Employees Depart

The National Law Forum

July 25, 2024

A Practical Approach to Preserving Proprietary Competitive Data Before and After a Hack

July 19, 2024

Relying on Noncompete Clauses May Not Be the Best Defense of Proprietary Data When Employees Depart

Client Wins

Fink and Jahangir Secure Favorable Settlement in Federal Copyright Infringement Case

Sarah Fink (Of Counsel-Long Island, NY) and Wisaal Jahangir (Associate-New York, NY) secured a favorable resolution in the U.S. District Court, Eastern District of New York, successfully settling a federal copyright infringement action against their high-end luxury hotel client that had gone bankrupt since the alleged violation. The plaintiff, a photographer, sought relief under the U.S. Copyright Act, including actual damages and disgorgement of profits (or, in the alternative, statutory damages per alleged infringement), injunctive relief, litigation costs and attorneys' fees, and pre-judgment interest. Statutory damages under the Act can reach up to \$30,000 per work for non-willful infringement and up to \$150,000 per work for willful infringement. Sarah and Wisaal's primary argument

was that the plaintiff could not show any profits from the violation, given that the hotel went out of business, leveraging the fact that statutory damages generally approximate actual damages, and that damages in copyright cases include profits to the defendant. Arguing that the plaintiff's initial demand of \$40,000 was therefore unreasonable, Wilson Elser resolved the matter for \$10,000, closing the case on terms advantageous to the client.