Holland & Hart



## PRACTICES

Global Trademark Brand Management
Intellectual Property
International Services
Cross-Border Transactions

## INDUSTRIES

Fitness and Outdoor Recreation

## EDUCATION

University of Utah, J.D., 1986
William H. Leary Scholar
Journal of Contemporary Law and Policy

University of Colorado, B.A., 1981
Biology (Botany)
Phi Beta Kappa
Regent Scholar
Boulder Alumni Scholar

## BAR ADMISSIONS

Colorado

# Scott Havlick

Partner

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**Whether working with local entrepreneurs or Fortune 500 multinational companies, Scott helps his clients maximize the reach of their trademark portfolios and stretch the value received from their trademark budgets.**

He concentrates on foreign and domestic trademark portfolio management, and assists clients in developing cost-effective worldwide registration and watching strategies to optimize a trademark's scope of enforceable rights.

He helps clients build value in their brands from counseling during the brand selection process through to tactically conceptualizing and consistently enforcing the client's scope of rights. Scott is also experienced in the licensing and enforcement of trademark rights through litigation in the U.S. Patent and Trademark Office and federal courts. He uses his experience to help identify the business interests motivating his clients and their adversaries in order to explore business solutions before litigation is brought.

He consults with the leading worldwide trademark search and brand intelligence software company to develop automated intelligence for prioritizing cybersquatting enforcement and for improved trademark tools for brand owners and trademark practitioners.

Scott has worked at Holland & Hart for 30 years, and was a founding partner of the firm's Boulder office.

## EXPERIENCE

### Industry Experience

Scientific instruments, genomics, cosmetics, gaming, organic food and beverage, nutritional supplements, pharmaceuticals, computer data storage hardware and software, sports apparel, resorts and hospitality, advertising and branding companies, window coverings, architectural products and restaurants and microbreweries, electronics retailers, food and beverage and natural products, online retailers, department stores, warehouse grocers, travel agency, real estate brokerage services, diamonds, banking and financial, cartography, sports equipment, cycling, telecommunications services, cable television, lumber, cattle and livestock breeding, telecommunications and networking hardware, and medical devices.

## International Trademark Experience

- Worldwide searching projects to assess opportunities and risks associated with the adoption of new marks, including searching of social media handles, mobile device applications, and icons.
- Gap analyses and securing international trademark registrations for product names and core house marks.
- Trademark registration and enforcement in more than 160 countries.
- Strategy development for optimizing use of regional registries, such as the European Union Intellectual Property Office system, the Madrid Protocol, and national applications filed directly through a handpicked network of foreign counsel who concentrate on trademark matters in their respective countries.

Mr. Havlick pioneered Holland & Hart's use of flat fees for much of this international work, offering clients budgeting predictability and turn-key pricing that incorporates domestic and foreign lawyer time, as well as the foreign government filing fees.

## Trademark and Domain Name Enforcement

- Trademark litigation matters on behalf of both plaintiffs and defendants, involving counterfeit goods, gray market importation, passing off, reverse passing off, sponsorship confusion, dilution, the Federal Anti-Cybersquatting Act, infringement involving metatags and initial interest confusion, and fair use.
- Extensive intellectual property audit experience, as well as assisting clients to develop and implement inventory and asset protection plans.
- Trial experience across numerous trademark cases in state and federal courts, and the U.S. Court of Appeals, as well as before the U.S. Patent and Trademark Office Trademark Trial and Appeal Board.
- Numerous administrative proceedings under the Uniform Dispute Resolution rules of Network Solutions Inc., and the Internet Corporation for Assigned Names and Numbers (ICANN).
- Sought or defended the full spectrum of remedies including actual, statutory and punitive damages seizure actions, ex parte seizures, temporary restraining orders, preliminary injunctions, in rem actions involving domain names and cybersquatters, permanent injunctions, and contempt hearings. The following is a sample of the published opinions resulting from cases he has handled or co-counseled:
    - *Durango Herald, Inc. v. Riddle*, 719 F.Supp. 941 (D. Colo. 1988)
    - Metro Brokers, Inc. v. American Condo Exchange Co., Case No. 89-F-219 (D. Colo. 1989)
    - Sunward Corporation v. Henry's Safety Supply Co., 1990 WL 73388 (D. Colo. 1990)

- Birtcher Electro Medical Systems, Inc. v. Beacon Laboratories, Inc., 738 F.Supp. 447 (D. Colo. 1990)
- *Russell v. Turnbaugh*, 774 F.Supp. 597 (D. Colo. 1991)
- Rivendell Forest Products v. Georgia-Pacific Corporation, 824 F.Supp. 961 (D. Colo. 1993)
- *Metro Brokers, Inc. v. Tann*, 815 F.Supp. 377 (D. Colo. 1993)
- *King of the Mountain Sports, Inc. v. Chrysler Corp. et. al.*, 968 F.Supp. 568 (D. Colo. 1997), aff'd, 185 F.3d 1084 (10th Cir. 1998)

## PUBLICATIONS

"The Practitioner's Guide to Colorado Construction Law: Intellectual Property Law in the Construction Industry," 2006 and supplements in 2015, 2018

## SPEAKING ENGAGEMENTS

"Practical Strategies for Obtaining Trade Protection in the United States," Tokyo, Japan, November, 2007

"Practical Considerations in Relying on the Madrid Protocol for Seeking Trademark Protection in the United States," *German American Lawyers' Association*, Stuttgart, April, 2007

## RECOGNITION

- *The Best Lawyers in America*® Lawyer of the Year, Copyright Law – Boulder, 2017, 2019, 2022
- *The Best Lawyers in America*® Lawyer of the Year, Trademark Law – Boulder, 2015, 2019
- *The Best Lawyers in America*® Lawyer of the Year, Litigation – Intellectual Property – Boulder, 2016, 2018
- *The Best Lawyers in America*®, Intellectual Property Law, 2003-2011; Food and Beverage Law, 2024; Copyright Law, Litigation - Intellectual Property, Litigation – Patent, Trademark Law, 2011-2027
- *5280 Magazine* Top Lawyers, Intellectual Property: Trademark, 2017-2024
- Colorado Super Lawyers®, Intellectual Property, 2006-2026
- *Chambers USA*, Intellectual Property, 2006, 2008-2009, 2012-2026
- *Managing Intellectual Property*, IP Star, 2013, 2014, 2017-2023; Trademark Star, 2023-2026
- The International Who's Who of Trademark Lawyers, 2007-2015
- *World Trademark Review (WTR) 1000 - The World's Leading Trademark Professionals,* National, Silver Band, 2023, 2024
- *World Trademark Review (WTR) 1000 - The World's Leading*

*Trademark Professionals,* Colorado, Gold Band, 2017-2025

- *World Trademark Review (WTR) Global Leaders,* 2019-2026
- *WIPR Leaders*, Tech/Electronics and Trademark, 2017-2023
- *Who's Who Legal,* Trademark, 2018, 2019

## PROFESSIONAL AND CIVIC AFFILIATIONS

- International Trademark Association, Member
- Boulder County Bar Association, Intellectual Property Section, Former Chair