



BRENDAN R. ZEE-CHENG

ASSOCIATE

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A member of the firm's Intellectual Property group and a registered patent attorney, Brendan Zee-Cheng represents clients of all sizes, from individuals to Fortune 500 companies, in management, protection and enforcement of intellectual property.

Brendan litigates disputes related to infringement and misappropriation of patents, trademarks, copyrights, and trade secrets in a wide range of technologies before trial and appellate courts throughout the United States and before the U.S. Patent and Trademark Office. In addition to handling all phases of litigation, he prepares noninfringement and invalidity opinions and patentability, due diligence, and patent landscape analyses. Brendan also assists clients in pre-litigation protection and enforcement of their intellectual property by performing infringement analyses, providing enforcement strategies, preparing cease and desist letters, and negotiating licensing agreements.

In addition, Brendan regularly represents clients before the U.S. Patent and Trademark Office in connection with *inter partes* review proceedings, trademark oppositions and trademark cancellations.

EDUCATION

- Saint Louis University School of Law (J.D., 2014)
 - Intellectual Property and Business Transactional Law
 - Saint Louis University Law Journal
- Truman State University (B.S., *summa cum laude*, 2010)
 - Exercise Science

PROFESSIONAL ACTIVITIES

- Missouri Asian American Bar Association

BACKGROUND

Prior to attending law school, Brendan worked for a biotech startup and authored two published articles from his research at a local university. Prior to joining the firm, Brendan clerked for another St. Louis firm within its intellectual property litigation group.

SERVICES AND INDUSTRIES

Intellectual Property
Intellectual Property Litigation
Emerging Companies
Post Grant Proceedings
Trademark
Copyright

ADMISSIONS

Missouri
U.S. Patent and Trademark Office
U.S. District Court, Eastern District of Missouri

EXPERIENCE

Summary Judgment for Health Care Client in Federal Trademark Infringement Suit

Secured summary judgment on behalf of the defendant, one of the largest non-profit hospital systems in the country, in a trademark infringement suit in federal court. The successful defense ensured the continued use of a naming convention impacting more than 25 health care delivery locations across the Midwest.

Successfully Opposed Competitor's Trademarks

Successfully petitioned the Trademark Trial and Appeal Board at the U.S. Patent and Trademark Office on behalf of a client to cancel a competitor's trademark and sustained its opposition to three other trademark filings filed by the same competitor. Our client alleged that the competitor's four marks related to feminine hygiene products were merely descriptive, lacked acquired distinctiveness and were generic.

Trademark Enforcement for Multinational Consumer Products Company

Successfully opposed a trademark application for a Fortune 500 multinational consumer products company involving a competitor's mark used to market toilet paper, which bore confusing similarities to the client's mark. The Trademark Trial and Appeal Board found that the identical nature of the goods in question and the similarities between the two marks would likely result in confusion, and refused the competitor's application.

Successful Trademark Opposition for Multinational Personal Care Company

Successfully opposed trademark registration for our client, a multinational personal care company, regarding a competing mark through trial and decision before the Trademark Trial and Appeal Board at the U.S. Patent and Trademark Office.

Summary Judgment in Copyright Infringement Lawsuit

Obtained summary judgment in a copyright infringement lawsuit brought by a client's former vendor in the Western District of Missouri. The plaintiffs claimed an online system developed by one of the client's vendors infringed its copyrights and sought damages potentially in the hundreds of millions of dollars from the client and other users of the platform. After two and a half years of litigation, the district court granted the defendants' motion for summary judgment, holding that the defendants had not copied any protectable elements of the plaintiffs' platform and thus did not infringe the plaintiffs' copyrights.

THOUGHT LEADERSHIP

May 27, 2015

Commil USA, LLC v. Cisco Systems, Inc.: A Good-Faith Belief of Patent Invalidity is Not a Defense to Induced Infringement

January 1, 2012

The endogenous bacteria alter gut epithelial apoptosis and decrease mortality following *Pseudomonas aeruginosa* pneumonia

Shock, vol. 38

January 1, 2011

Prevention of lymphocyte apoptosis in septic mice with cancer increases mortality

J. Immunol., vol. 187