

Luke W. DeMarte

Partner
Sub-Practice Leader, Trademark

Overview

Luke focuses his practice on trademark, copyright, and entertainment law. Known for his close relationships with clients and the practical advice he offers on a wide range of complex matters, he assists in the acquisition, enforcement, use, and management of IP assets in the U.S. and worldwide.

Luke counsels clients in a variety of industries, including retail, sports and sporting goods, beverage alcohol, consumer products, and financial services. In this capacity, he has successfully represented clients before the U.S. Patent and Trademark Office and the Trademark Trial and Appeal Board. He also handles transactions involving the acquisition, disposition, and licensing of intellectual property and business assets.

Ranked by *Chambers USA* in Media & Entertainment Law, Luke also represents recording artists, producers, record labels, and advertisers in connection with contractual and intellectual property matters related to music.

Experience

Recent representations include:

- IP Licensing: Negotiated an agreement for a hospitality industry client to create a theme park attraction using famous third-party intellectual property
- Contracts: Negotiated a multi-tiered music distribution agreement for a chart-topping record label
- Trademarks: Manage global trademark portfolios for iconic brands, including devising cost-effective international filing and enforcement strategies
- Trademark Lawsuit: Represented financial services company in a suit over infringement of its trade dress, successfully negotiating a favorable settlement

Honors & Recognitions

- The World's Leading Trademark Professionals - Recommended Expert, *World Trademark Review 1000*, 2019-2018



lwdemarte@michaelbest.com

Chicago

T. 312.222.5795

Legal Assistant

Gina Bilotto
gabilotto@michaelbest.com
T. 312.596.5875

Industries

Higher Education

Practices

Copyright
Enforcement, Clearance & Defense
Intellectual Property
Licensing & Technology
Agreements
Trademark

- Lexology Client Choice Award, Media & Entertainment, 2016
- IP Stars, *Managing Intellectual Property* magazine, 2015-present
- Leading Media & Entertainment Lawyer, *Chambers USA*, 2005-2015
- "Illinois Super Lawyers" list, *Super Lawyers* magazine, 2009-2010, 2014-present
- *The Best Lawyers in America*®, Entertainment Law - Music, 2007-present
- "40 Illinois Attorneys under 40 to Watch," Law Bulletin Publishing, 2006
- Leading Illinois Lawyer, Entertainment Law, *The Leading Lawyers Network*

Professional Activities

- Member, International Trademark Association, Right of Publicity Committee
- Member, Co-Vice Chair 2004, Co-Chair 2005, Chicago Bar Association, Entertainment Law Committee

Education

- University of Illinois College of Law at Urbana-Champaign, Juris Doctor (J.D.), *cum laude*, 1999
- University of Missouri, Bachelor of Arts (B.A.), 1995

Admissions

- Illinois
- United States District Court, Northern District of Illinois

Related News

NEWS

August 15, 2018

88 Michael Best Attorneys Named The Best Lawyers in America© 2019

PUBLICATION

February 1, 2018

World Trademark Review

DeMarte highlighted as one of the World's Leading Trademark Professionals

EVENT

January 25, 2018

Key Considerations in Negotiating Trademark Licenses

NEWS

January 3, 2018

DeMarte quoted in "Spotify makes confidential filing for U.S. IPO: source"

NEWS

August 15, 2017

87 Michael Best Attorneys Named The Best Lawyers in America© 2018

NEWS

June 21, 2017

DeMarte quoted in "Attorneys predict outcome of Washington Redskins' trademark spat"

NEWS

June 20, 2017

Intellectual Property Magazine

DeMarte & Hull quoted in "Reaction: Matal v Tam will 'open doors' to free speech challenges"

PUBLICATION

June 19, 2017

Supreme Court Rules That Prohibition on Registration of Disparaging Trademarks is Unconstitutional

NEWS

June 19, 2017

The Washington Times

DeMarte quoted in "Supreme Court Ruling Against Censoring The Slants's Name Bolsters Washington Redskins Trademark Case"

NEWS

June 19, 2017

Law360

DeMarte quoted in "Lawyers Weigh In On High Court's Offensive-TM Ruling"

NEWS

June 19, 2017

IP Watchdog

DeMarte quoted in "Industry Reaction to SCOTUS First Amendment Decision in Matal v. Tam"

PUBLICATION

May 26, 2017

Widespread Use of GOOGLE Trademark as a Verb Does Not Render the Mark Generic