

## Isabel Torres-Sastre

Counsel, Litigation Practice Group

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Member, Pro Bono Committee

### PRACTICES

Data Privacy & Cybersecurity

Distribution & Franchising

Health Care

Intellectual Property

Litigation

Retail

Securities Litigation & Arbitration

### BAR ADMISSIONS

- Commonwealth of Puerto Rico
- U.S. District Court District of Puerto Rico
- U.S. Court of Appeals First Circuit
- Court of Appeals for the Federal Circuit

### EDUCATION

B.S., Georgetown University's School of Foreign Service

- Major: Foreign Service
- Major: Culture and Politics

J.D., *Cum Laude*, University of Puerto Rico Law School

She concentrates her litigation practice on intellectual property, securities arbitrations, data privacy, media and entertainment, and healthcare facility liability. Within these areas, she counsels clients on trademark, copyright, unfair competition, false advertising, right of publicity, and other related commercial matters. Her securities practice, which includes arbitrations before the Financial Industry Regulatory Authority, has allowed her to develop unique skills within this particular litigation niche in Puerto Rico.

Mrs. Torres-Sastre was part of the litigation team in a ground breaking case, *González-Oyarzún v. Caribbean City Builders*, where the U.S. Court of Appeals for the First Circuit issued a *per curiam* opinion holding that the Commonwealth of Puerto Rico is “not constitutionally required to provide a jury trial in civil cases” under the Seventh Amendment of the U.S. Constitution.

She is ranked as a leading attorney in the Intellectual Property field by both *Chambers Latin America* and *Best Lawyers in Puerto Rico* guides.

### REPRESENTATIVE CASES

Some of her representative cases include:

- Successful representation of cable news network CNN in a *mandamus* against the Puerto Rico Department of Health for its refusal to provide access to public records regarding the death toll associated with the passage of Hurricane Maria through Puerto Rico.
- *Romero Britto et al. v. Hector Figueroa Khury, et al.*, Civil No. 11-1856 and *S. Tous S.L. v. Dionisio Acosta, et al.*, Civil No. 13-1383 where she was part of the team that represented Romero Britto and Tous in the two largest trademark, copyright and civil counterfeiting cases filed in the U.S. District Court for the District of Puerto Rico, successfully obtaining ex-parte temporary restraining orders, seizure orders, and, eventually, judgment for plaintiffs.

- *Colón-Lorenzana v. South American Restaurants Corp.*, where Ms. Torres-Sastre was part of the litigation team in a precedent-setting case in which the U.S. Court of Appeals for the First Circuit confirmed the District Court's dismissal on all grounds of a complaint alleging copyright infringement of a recipe and fraudulent registration of a trademark and claiming damages in excess of \$40 million. This was the first time that the First Circuit ruled that recipes are not afforded copyright protection.
- *García-Fraga v. Best Buy Stores Puerto Rico*, a case in which the court dismissed a complaint for discrimination based on race and national origin premised on Best Buy's policy not to offer shipping of online purchases to postal addresses in Puerto Rico.
- *Santiago Montañez v. Bio-Medical Applications of Caguas, Inc.*, 2016 TSPR 76, a healthcare facility tort action where Ms. Torres-Sastre was part of trial team in a case in which the Puerto Rico Supreme Court set precedent regarding the computation of damages in tort cases.
- *Luar Music Corp. v. Universal Music Group, Inc.*, 847 F.Supp.2d 299 (D.P.R. 2012), a case granting summary judgment as to time-barred copyright claims; rejecting plaintiff's arguments under equitable estoppel doctrine.
- *Luar Music Corp. v. Universal Music Group, Inc.*, 861 F.Supp.2d 30 (D.P.R. 2012), a case granting summary judgment as to claim seeking extraterritorial application of U.S. Copyright Act.
- *González-Oyarzún v. Caribbean City Builders, Inc. et al*, 798 F.3d 26 (1st Cir. 2015) a case where the U.S. Court of Appeals for the First Circuit issued a *per curiam* opinion holding that the Commonwealth of Puerto Rico is "not constitutionally required to provide a jury trial in civil cases" under the Seventh Amendment of the U.S. Constitution and vacating the District Court's declaratory judgment.
- *Paula Del Toro Menegatto v. Hear This Music LLC et al*, representing defendants Universal Music Group, Inc. and Lion Fish Music LLC in a copyright infringement action which was voluntarily dismissed by plaintiff with no settlement payment by defendants.
- *Wanda Rolón et al v. Univision* and *Jehad Saleh et al v. Univisión*, successfully obtaining summary judgments dismissing defamation actions against Univisión.