



→ Tyler E. Baker

Associate

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Tyler Baker is a senior associate in the Intellectual Property Practice Group in the firm's New York office and Century City office in Los Angeles, and most recently recognized among the "*Best Lawyers: Ones to Watch*" in Intellectual Property for 2026.

Areas of Practice

Tyler is an experienced intellectual property practitioner and litigator, who represents clients in complex commercial disputes, particularly in the areas of false advertising and intellectual property infringement (e.g., trademark, trade dress, counterfeiting, trade secrets, copyright, data privacy, patent, art ownership and acquisition, and right of publicity/privacy claims). He has substantial experience representing renowned luxury and fashion brands in prosecuting and protecting their intellectual property rights. Additionally, he regularly represents clients in the retail, food and beverage, financial, and OTC pharmaceutical industries in courts across the country based on large-scale false advertising and consumer protection statute claims, with substantial experience defending national and multi-state class action lawsuits brought against such clients.

Tyler also counsels both startup and established clients on matters of brand development and trademark clearance to grow and protect their brands and related intellectual property assets. He handles registration of client trademarks before the U.S. Patent and Trademark Office (USPTO) and has prosecuted and defended proceedings before the Trademark Trial and Appeal Board (TTAB).

His transactional work includes advertising and product sale/distribution agreements, data and technology transactions focusing on licensing and distribution arrangements, music licensing/performance agreements, modeling and rights of publicity deals, fashion, trademark, trade dress, and copyright licensing deals, as well as assets transactions and product development collaborations. He has experience with confidentiality agreements, master service agreements, research arrangements and other similar agreements.

While in law school, Tyler served as an intern to Justice Sonia Sotomayor at the U.S. Court of Appeals for the Second Circuit during her nomination and confirmation process to the U.S. Supreme Court.

Honors

Best Lawyers: Ones to Watch, *Best Lawyers*, 2026

Experience

Representative Experience:

Rolex Watch U.S.A., Inc. v. Jewelry Unlimited, Inc. (N.D. Ga. 2025)

Secured summary judgment for luxury watch client Rolex on claims for trademark infringement, trademark counterfeiting, and false designation of origin arising from the marketing and sale of materially-altered ROLEX-branded watches. Consent judgment and permanent injunction entered against defendants.

Published decision at: *Rolex Watch U.S.A., Inc. v. Jewelry Unlimited, Inc.*, 757 F. Supp. 3d 1342 (N.D. Ga. 2024)

Chanel, Inc. v. What Comes Around Goes Around LLC (2d Cir. 2025)

Representing luxury fashion house Chanel in appeal brought by defendants of unanimous jury verdict in favor of Chanel based on claims of, *inter alia*, trademark infringement and counterfeiting based on second-hand reseller defendants' advertising and sales of infringing CHANEL-branded items.

Chanel, Inc. v. What Comes Around Goes Around LLC (S.D.N.Y. 2024)

Represented Chanel in connection with summary judgment and post-trial motions in case brought against second-hand reseller for willful trademark infringement, counterfeiting, false association, and false advertising. Following unanimous jury verdict awarding maximum statutory damages to Chanel, the defendants' post-trial motions seeking a directed verdict and new trial were denied.

Rolex Watch USA, Inc. v. BeckerTime, L.L.C. (5th Cir. 2024)

Member of appellate team representing Rolex in trademark infringement action brought against seller of materially-altered ROLEX-branded watches. Federal appellate court upheld ruling of infringement of Rolex's trademarks.

Published decision at: *Rolex Watch USA, Inc. v. BeckerTime, L.L.C.*, 96 F.4th 715 (5th Cir. 2024)

Chanel v. The RealReal, Inc. (S.D.N.Y.)

Represent Chanel in pending action against second-hand reseller for trademark infringement, counterfeiting, and false advertising based defendant's alleged advertising and sales of infringing non-genuine CHANEL-branded items.

Rolex Watch U.S.A., Inc. v. Watchstyler Inc. (E.D.N.Y. 2024)

Obtained consent judgment and permanent injunction against seller of materially-altered ROLEX-branded watches.

Girls Who Invest, Inc. v. Girls That Invest Limited (S.D.N.Y. 2024)

Lead counsel for plaintiff Girls Who Invest in trademark infringement action against company using "Girls That Invest" name. Settlement followed shortly following initiation of action.

Stoney Clover Lane, LLC v. Smith (E.D.N.Y. 2023)

Obtained consent judgment and permanent injunction against seller of infringing STONEY CLOVER LANE-branded products in trademark infringement action.

Absorption Pharmaceuticals LLC v. Reckitt Benckiser LLC (D.N.J. 2022)

Defended Reckitt against trade secret misappropriation and fraud claims relating to an OTC pharmaceutical product. Competitor claimed over \$450 million dollars in damages. Following a four-week trial, the jury unanimously returned a verdict in favor of Reckitt on all claims asserted by Absorption.

Moog Inc. v. Skyryse, Inc. (C.D. Cal. 2022)

Represented manufacturer of aviation motion controls and systems in action against competitor for misappropriation of trade secrets and unfair competition based on alleged theft of confidential information and unfair recruitment of plaintiff's employees to improperly shortcut defendant's own research and development

costs and timeline. Following preliminary injunction, settlement obtained.

PetIQ v. Merial (N.D. Ga. 2019)

Counsel to pet medicines company asserting breach of contract claims under a patent license agreement. Multimillion dollar verdict at jury trial.

Belcastro v. Burberry Ltd (S.D.N.Y.)

Represented luxury brand Burberry in putative class action alleging deceptive reference price advertising under New York and Florida consumer protection statutes. Motion to dismiss granted on all claims. Settlement followed.

Court decisions at: *Belcastro v. Burberry Ltd.*, No. 16 Civ. 1080 (VEC), 2017 WL 744596 (S.D.N.Y. Feb. 13, 2017) and *Belcastro v. Burberry Ltd.*, No. 16 Civ. 1080 (VEC), 2017 WL 5991782 (S.D.N.Y. Dec. 1, 2017)

First Manhattan Consulting Group v. Novantas (N.Y. Supreme 2017)

Member of trial team defending Novantas and its executives in competitor litigation seeking nearly \$12 million in damages. Following a four day jury trial, secured verdict finding no liability on contract and tortious interference claims sent to the jury, completed by a ruling from the court on claims for unfair competition and misappropriation of trade secrets.

Nelson v. MillerCoors, LLC (E.D.N.Y. 2017)

Defended MillerCoors in putative class action alleging deceptive trade practices involving geographic designations used in labeling of Foster's Beer. Motion to Dismiss granted, with the court ruling that a reasonable consumer would not have been misled into believing that Foster's Beer was produced in Australia. Published decision at: *Nelson v. MillerCoors, LLC*, 246 F. Supp. 3d 666 (E.D.N.Y. 2017)

American Well v. Teladoc (D Mass. 2016; PTAB)

Successful defense of Teladoc, first and largest telehealth platform in the U.S., in computer systems patent litigation. Motion to dismiss granted invalidating asserted patent.

Merial v. FidoPharm (N.D. Ga. 2015)

Represented FidoPharm in false advertising litigation brought by Merial in connection with FRONTLINE pet care product. Defense of preliminary injunction motion allowed comparative claims to remain in the market.

Avalos v. IAC/Interactive Corp. et al. (S.D.N.Y. 2014)

Obtained dismissal of all claims alleging violations of federal and state laws arising out of defendants' alleged unauthorized publication of photographs of adult entertainment model in profiles posted on dating websites such as Match.com and OkCupid. Motion to dismiss granted.

Court decision at: *Avalos v. IAC/Interactivecorp.*, No. 13-CV-8351, 2014 WL 5493242 (S.D.N.Y. Oct. 30, 2014)

Pohl-Boskamp v. Perrigo (D. Mass. 2013)

Counsel for Perrigo in trademark and trade dress litigation regarding NITROLINGUAL (nitroglycerin). Successful defense of preliminary injunction motion.

Articles

- Implications of the 2015 Amendments to the Federal Rules on Patent Cases
Federal Bar Council Quarterly
- *Pom v. Coke* At The Supreme Court: FDA Approval May Not Preempt False Advertising Challenges To Labels
The Metropolitan Corporate Counsel, 06.2014
- Fashion Designers: Legally Naked?
Law360, 02.21.2012

Art Law Gallery Blog Posts

- "Mum's the Word: New York's Highest Court Maintains Anonymity in Auction Sales," January 24, 2014
- "Appropriate Appropriation: Second Circuit Holds That Commentary on Original Work Unnecessary for Fair Use Defense, Only Transformative Quality Required," April 29, 2013
- "Cherchez les Catalogues Raisonné," December 15, 2011
- "Artist Resale Royalties--New Cases under California Law," October 26, 2011

Corporate & Securities Law Blog Posts

- "Second Circuit Holds That SIPA Does Not Permit an Inflation or Interest Adjustment to "Net Equity" Claims For Customer Property," February 27, 2015
- "Second Circuit Clarifies that Allegations of Direct Fraudulent Representations Are Not Necessary for Market Manipulation Claims Under Section 10(b) and Rule 10b-5," February 11, 2015
- "Second Circuit Affirms Dismissal of Suits Brought by Madoff Trustee Against Banks Accused of Aiding Madoff Fraud," July 2, 2013
- "Second Circuit Holds that Allegations of Direct Fraudulent Representations Are Necessary for Market Manipulation Claims Under Section 10(b) and Rule 10b-5," May 24, 2013
- "New York High Court Holds That State Blue Sky Law Does Not Preempt Common Law Claims Involving Securities," January 4, 2012

Covering Your Ads Blog Posts

- "FTC Cracks Down On Violations of Newly-Codified "Made in USA" Claims Rule," November 3, 2021
- "#CAUTION: FTC Ramps Up Enforcement of and Education on Social Media Influencer Disclosure Requirements," September 29, 2017
- "#ShowMeTheMoney: Sofia Vergara's Settlement of Social Media False Endorsement Lawsuit Highlights *Modern Legal Issue*," April 14, 2017
- "FTC Grants Summary Judgment Against California Naturel, Inc. Falsely Advertising "All Natural" Sunscreen Products," December 29, 2016

Fashion and Apparel Law Blog Posts

- "FTC Grants Summary Judgment Against California Naturel, Inc. Falsely Advertising 'Sun Blocked' Sunscreen Products," December 29, 2016
- "Jovani Fashion, Ltd. v. Fiesta Fashions: Second Circuit Finds Dress Designer's Copyright Claim Weak at the Seams," November 29, 2012
- "Second Circuit Digs Its Heels Into *Louboutin* Dispute; Finds "Red Sole" Trademark Protectable, But Limited in Scope," September 19, 2012
- "Louis Vuitton Achieves Genuine Victory Over Flea Market's Phony Sales," March 26, 2012
- "Valentino Receives Favorable TTAB Ruling in Sixteen-Year Trademark Dispute," August 2, 2010

Intellectual Property Law Blog Posts

- "Gucci's Attempt to Extend Trademark Infringement Liability to Credit Card Merchant Service Providers Survives Motion to Dismiss," June 30, 2010

New York Commercial Division Round-Up Blog Posts

- "Commercial Division Denies Oral Modification and Grants Summary Judgment in Lieu of Complaint," December 17, 2012
- "Looking to Plain Language of Contract, First Department Grounds Concessionaire's Hopes for Rights at JFK Airport," August 13, 2012
- "Commercial Division Rules on Enforceability of Liquidated Damages Clauses," February 13, 2012

New York Law Journal Articles

- "Is the Tide Turning Against Secured Creditors?" June 28, 2010

Trade Secrets Law Blog

- "Virginia Court of Appeals Reverses Record \$2 Billion Verdict, Emphasizing Damages Resulting from Misappropriation Must Actually Be Proved Under Virginia Trade Secrets Law," September 6, 2024
- "Employee Confidentiality Provisions: Overbreadth Can Lead to Under-Protection," April 28, 2021

Media Mentions

A Jam-Packed Week of Litigator of the Week Runners-Up and Shout Outs
ALM, 09.01.2023

Speaking Engagements

Sheppard Mullin Seminar for KOTRA New York, KOCHAM USA, "Protecting Your Business Interests: How to Successfully Operate a Business Under the Laws of the United States," June 30, 2016

September 2014 Monthly Consumer Protection Update, ABA Antitrust Section, October 14, 2014

Practices

Advertising

Intellectual Property

Copyrights

False Advertising, Lanham Act and Unfair Competition

IP Licensing, Technology and Commercial Transactions

Patent Litigation

Trade Secrets

Trademark Applications and Prosecution

Trademarks and Trade Dress

Litigation

Securities Enforcement

Telephone Consumer Protection Act (TCPA)

Industries

Advertising

Art

Entertainment, Technology and Advertising

Food and Beverage

Life Sciences

Retail, Fashion & Beauty

Education

J.D., Georgetown University Law Center, 2011, *cum laude*, CALI Award – Constitutional Law I: The Federal System

B.A., University of Virginia, 2004, Echols Scholar

Clerkships

Intern to the Honorable Sonia Sotomayor, U.S. Court of Appeals for the Second Circuit

Intern to the Honorable Robert D. Sack, U.S. Court of Appeals for the Second Circuit

Intern to the Honorable Richard J. Leon, U.S. District Court for the District of Columbia

Admissions

California

New York

New Jersey

District of Columbia

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court, Northern District of California

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

U.S. District Court, Northern District of New York

U.S. District Court, District of New Jersey

Additional Office

Century City