John Rosenthal

Partner
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PRACTICE AREAS

Appellate
Business Litigation + Counseling
General Liability

EDUCATION

Notre Dame Law School, JD, *cum laude*, 1999
University of California, Berkeley, BA, Economics, 1987

BAR ADMISSIONS

California
New York
US Court of Appeals for the Second Circuit
US Court of Appeals for the Ninth Circuit
US District Court for the Central District of California
US District Court, Western District of Michigan
US District Court, Eastern District of New York
US District Court, Southern District of New York

Overview

John Rosenthal is a seasoned litigator defending clients in personal injury and business litigation in trial and appellate courts, as well as in mediation. He has significant experience across a wide variety of practice areas and has represented clients before state and federal courts and other tribunals throughout the country, including the US Patent and Trademark Office and the Trademark Trial and Appeal Board.

John's litigation and appellate work includes personal injury defense, general business disputes, issues relating to internet marketing under federal and state law, intellectual property matters (trademarks, trade dress, copyrights, trade secrets), ADA issues, employment matters (discrimination, wrongful termination, sexual harassment, retaliation) and insurance coverage disputes. He has also represented several famous artists in the protection of their artwork, and the licensing of such art.

Prior to joining MG+M, John worked at a boutique insurance defense firm in California and as a commercial litigator at several prominent law firms in California and New York. John clerked for two federal judges, the Honorable Richard Enslen and the Honorable Robert Bell, as well as California Superior Court Judge Peggy Hora.

During law school, John was the practice and procedure editor of the *Notre Dame Law Review*. After earning his undergraduate degree, John served as an officer in the US Marine Corps in aviation-related specialties until 1995.

Experience

+ Defended personal injury lawsuits for public entities including discovery, motion practice, experts, depositions and trial
+ Prevailed on motion for undertaking in personal injury lawsuit, resulting in nuisance value settlement for client
+ Prevailed in opposing demurrer as to claims of public entity client
+ Prevailed in forcing multiple vendors/insurance carriers to accept tenders of numerous personal injury matters for clients
+ Assisted large public entities in resolving lawsuits through mediation, resulting in favorable settlements
+ Obtained demurrer in favor of public entity client in ADA lawsuit
+ Negotiated and resolved email marketing, copyright and DMCA

disputes on behalf of clients
+ Advised clients on legal implications of various advertising disputes
+ Obtained dismissal of e-mail marketing lawsuits against clients due to lack of personal jurisdiction, or failure to state claim
+ Researched, applied for, and defended trademark applications filed with USPTO and TTAB on behalf clients
+ Prevailed on summary judgment motions on behalf of national retailer and manufacturer in contract dispute
+ Prevailed on anti-SLAPP motion, and obtained order awarding $7,400 in legal fees to client
+ Prevailed on motion to dismiss on behalf of national manufacturer under Florida's e-mail marketing law
+ Negotiated and resolved trademark, copyright and DMCA disputes on behalf of clients
+ Negotiated resolution of ADA disputes on behalf of clients involving access to websites and physical locations
+ Prevailed on motion to dismiss claims for negligence and breach of fiduciary duty in favor of accounting firm
+ Prevailed on motion to stay action pending arbitration in trade secrets dispute
+ Prevailed in Federal Action against insurance carrier securing obligation to defend client in underlying trademark litigation
+ Prevailed on motion to dismiss retaliation/discrimination claims; Pierce v. Fordham,692 Fed. Appx. 644 (2d Cir. 2017)
+ Second chair in successful defense of client in Lanham Act litigation resulting in jury verdict
+ Second chair in successful trade secrets litigation, resulting in jury verdict, and award of $8 million and legal fees to clients
+ Prevailed on motion to dismiss $120 million class action, Rosolowski v. Guthy Renker LLC, 230 Cal.App.4th 1403 (2014)
+ Second chair in arbitration against managing partner of investment fund involving fraud
+ Assisted in successful arbitration against insurance carrier relating to recoupment of defense costs
+ Assisted in successful defense of Lanham Act claims against client brought by international car manufacturer
+ Assisted in defending against copyright and trademark infringement claims brought against clients

Recognition

+ Thomson Reuters, Super Lawyers, 2014–2018, 2023–2027

Involvement

+ California Internet and Privacy Commission
+ DRI Cyber Law Committee
+ New York Bar Intellectual Property Section
+ MG+M Trial Academy, 2025–2026 Participant

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