

DESCRIPTION OF PRACTICE

Kelly McCarthy represents business entities in commercial, corporate and intellectual property transactions, with a focus on brand protection issues and trademark and copyright portfolio management. Her clients include public and private domestic and international companies, from emerging regional companies to global industry leaders.

Ms. McCarthy advises clients on a variety of trademark and brand protection issues, including product and corporate name selection; trademark availability and clearance; worldwide branding strategies; trademark assignments, sales, co-existence agreements and license agreements; management and prosecution of worldwide and domestic trademark portfolios; prosecution of U.S. trademark applications; trademark litigation matters before the U.S. Trademark Trial and Appeal Board and state and federal courts; foreign and domestic intellectual property anti-counterfeiting protection measures, enforcement of trademark rights and negotiation of trademark disputes and settlements, advertising and promotions, and social media marketing issues.

Ms. McCarthy also advises clients in intellectual property and commercial transactions, including software, copyright and patent licensing; technology development and professional services arrangements; distribution and reselling of products and services; transactions supporting web business and e-commerce relationships; technology transfer transactions; mergers and acquisitions and systems procurement and integration transactions.

Prior to joining Sideman & Bancroft LLP, Ms. McCarthy was Of Counsel at Tomlinson Zisko LLP.

PROFESSIONAL & COMMUNITY INVOLVEMENT

Ms. McCarthy belongs to the International Trademark Association (INTA), where she is the chair of the Academic Committee. She also sits on the board of the San Francisco Intellectual Property Association, where she is the Trademark Chair. Ms. McCarthy is the author of "Enabling American High-Tech Companies to Protect Their Secrets Abroad: A Comparative Analysis of Irish and American Trade Secret Regulation," 24 *Hastings International and Comparative Law Review* 507 (2000-2001) and speaks and writes frequently on intellectual property issues.

Ms. McCarthy is an active volunteer and fundraiser for the Peninsula Humane Society/SPCA in San Mateo, California and is a member of the Animal Legal Defense Fund (ALDF). She also is a member of the West Coast Board of Directors for buildOn, a national charitable organization focused on volunteer service opportunities for at-risk youth and ending the cycle of poverty in developing nations.

EDUCATION

B.A., Loyola Marymount University, 1998, cum laude

University College Dublin, Ireland 1996-1997

J.D., University of California, Hastings College of the Law, 2001

