



**John W. Scruton**

Title: Counsel

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John Scruton is Counsel to the firm and based in its Louisville office. He has practiced intellectual property law for over 25 years. John's practice includes all phases of the trademark registration process, including clearing marks, prosecuting applications, and proceedings before the Trademark Trial and Appeal Board such as oppositions to pending trademark applications and actions to cancel existing registrations. He is also active in litigating trademark, copyright, patent, unfair competition and trade secret cases; negotiating and drafting licenses, assignments and other transactions involving trademark and copyrights; and counseling clients concerning intellectual property strategies.

## CAPABILITIES

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### Practice Areas

- Advertising & Marketing Law
- Copyrights
- Entrepreneurial Services
- Intellectual Property & Technology
- Intellectual Property Litigation
- Licensing
- Trademarks

## RECENT ASSIGNMENTS

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- Part of a team defending a reseller of craft vinyl products against trademark infringement claims.
- Part of a trial team that won a multimillion-dollar patent infringement verdict, including a finding of willful infringement, in a case involving simulated neon sign technology
- Defended local healthcare facility against trademark infringement claims raised by out-of-state health insurance company
- Assisted manufacturer of commercial beverage equipment with selection and protection of trademarks in the U.S. and internationally under the Madrid Protocol

## BAR ADMISSIONS

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- California
- Kentucky
- U.S. District Court for the Central District of California
- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Northern District of California
- U.S. District Court for the Western District of Kentucky
- U.S. Supreme Court

## RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

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- The Supreme Court Helps Copyright Owners by Limiting Fair Use in Warhol Foundation v. Goldsmith Stites & Harbison Client Alert, October 4, 2023

- Supreme Court Rules Proof of Willfulness Not a Precondition to Profits in Trademark Infringement Actions Stites & Harbison Client Alert, April 29, 2020
- Spring Cleaning for Your Intellectual Property  
Stites & Harbison Thirsty Thursday Networking event, March 5, 2020
- The Trouble with THE  
Trademarkology blog, September 5, 2019
- The College Admissions Scandal Crosses into Trademark Territory  
Trademarkology blog, May 6, 2019
- Ethical Issues in IP Matters: The Trademark Company, Matt Swyers, and the Office of Enrollment and Discipline  
American Bar Association Section of Intellectual Property Law, June 20, 2017
- Mr. Met Regrets His Error, But Will Survive  
Trademarkology blog, June 2, 2017
- Supreme Court makes it harder to overturn patent cases on appeal Stites & Harbison Client Alert, January 21, 2015
- Supreme Court rules deceptive labeling claim may proceed *with Amy Sullivan Cahill and John W. Scruton* Stites & Harbison Client Alert, June 12, 2014
- Raging Bull and Unintended Consequences of the CTEA? *with Amy Sullivan Cahill and John W. Scruton* Stites & Harbison Client Alert, May 19, 2014
- Recent Developments in Intellectual Property Law—Trademark Law Update  
Louisville Bar Association, June 2008
- Recent Developments in Intellectual Property Law—Trademark Law Update  
Louisville Bar Association, June 2006
- Supreme Court decides eBay Inc. v. MercExchange *with John W. Scruton* Stites & Harbison, PLLC, Client Alert, May 15, 2006
- Basics of Trademark Licensing  
Louisville Bar Association, April 2006
- Regulation of False Advertising by the Federal Trade Commission  
Louisville Bar Association, September 2004

## MEMBERSHIPS

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- Kentucky Bar Association
- Louisville Bar Association , Intellectual Property Section, Chair (1998), Vice Chair (1997)
- State Bar of California

## COMMUNITY INVOLVEMENT

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- The Fabulous Leopard Percussionists, Inc., Board Member
- Yale in Kentucky, Board Member
- First Unitarian Church of Louisville, Member

## EDUCATION

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UCLA School of Law J.D. 1986

- John M. Olin fellow for the study of law and economics
- Order of the Coif
- Graduated fifth in his class

Yale University B.A., History 1981

## MORE THAN STITES & HARBISON

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From 1986 to 1995, Mr. Scruton was an associate in the Los Angeles office of Sidley & Austin, an international law firm based in Chicago. He was a member of the firm's litigation group and worked on a wide variety of matters, including a series of condominium construction defect/land subsidence cases, partnership disputes, environmental and toxic tort matters, Drexel Burnham Lambert litigation, and a series of cases involving the Americans with Disabilities Act.

John is a member of the board of The Fabulous Leopard Percussionists, Inc. (a non-profit children's music group), Teach Kentucky (a charitable organization that recruits new teachers) and Yale in Kentucky (the local alumni association). He is on the Steering Committee for Highland Youth Recreation, a non-profit recreational sports league operated by Highlands Community Ministries. He is also active in leadership positions at First Unitarian Church of Louisville.

John plays traditional music on the guitar and banjo, and enjoys photography.