

## Meryl Rosen Bernstein

Partner

Washington, D.C.

New York

### Biography

Whether it's the next large commercial transaction or strategic transaction, reshaping supply or distribution relationships, or executing new technology and distribution platforms, Meryl Bernstein partners with clients to bring practical solutions in real time. Meryl is the co-head of the firm's global Retail, Consumer Products, and Fashion group and the co-head of the Transactional group within the Intellectual Property, Media, and Technology practice group.

Meryl brings her extensive skills in e-commerce and technology transactions to help internet, fashion, and software firms with a range of technology, trademark, copyright, marketing, and complex commercial matters. Meryl also helps her clients with cutting-edge issues relating to their social media presence and online marketing.

Meryl has significant experience advising companies on IP aspects of corporate transactions. She handles the IP components of M&A and asset deals and other commercial arrangements in the M&A context.

Meryl's prior role as assistant General Counsel at Gilt Groupe taught her the importance of practical legal advice with a quick turnaround. Meryl oversaw all IP matters and advised on a range of commercial



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### Practices

IP and Technology Transactions

Complex Contracting

Copyright

Domain Names

Intellectual Property

Trademarks and Brands

Trade Secrets and Confidential  
Know-how

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### Industries

Consumer

agreements. Previously with another international law firm, Meryl advised on intellectual property issues in the largest, most high-profile mergers and acquisitions, securities offerings, and financing transactions in the world.

A recognized leader in her field, she served as guest lecturer on fashion and design protection at American University Washington College of Law. She recently edited the firm's popular Consumer Horizons publication, and spoke at the Fashion Law Institute's Annual Symposium on a panel covering "virtual retail." She is currently editing a treatise on fashion law for Lexology.

Meryl is the immediate past president of the Washington, D.C. chapter of Ellevest Network. She is also active with the firm's ongoing initiatives for the advancement of women and girls.

## Representative experience

Counseled Girl Scouts of the USA on all aspects of its Digital Cookie program, making cookies available for purchase online.

Continued representation of firm client Red Bull in a number of successful trademark enforcement matters.

Managed large-scale intellectual property due diligence project and provided counsel to Novartis in connection with US\$16bn acquisition.

Closed significant cross-border supply and services agreements for Octo Telematics, a leading provider of telematics services to insurance companies.

Instructed J Brand regarding long-term distribution agreement in Europe.

Led Gilt Groupe on fashion law matters relating to the launch of private label brands and the negotiation of large-scale supply agreements.

Life Sciences and Health Care

TMT

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## Areas of focus

Broadband, Internet, and E-commerce

IP Licensing, Commercialization, and Technology Transfer

IP Rights in Transactions

Technology Contracts

Strategic Counseling and Portfolio Development

Manufacturing

Procurement

Fashion and Luxury Brands

Retail and Consumer Goods

Medical Devices

Pharmaceuticals and Biotechnology

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## Education and admissions

### Education

J.D., Fordham University School of Law, cum laude, 2006

B.A., Wellesley College, summa cum laude, Phi Beta Kappa, Trustee Scholar for Outstanding Academic Achievement, 2003

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## Memberships

Member, ChIPs (organization for Women in IP), 2013-Present

Ongoing representation of Time Warner Cable in connection with software licenses and commercial services transactions.

Ongoing representation of women's fashion company MM. LaFleur on intellectual property matters, including global trademark prosecution.

Represented celebrity jeweler Neil Lane on intellectual property matters in connection with sale of Neil Lane brand to Authentic Brands Group.

Conducted e-commerce review for large fashion house's U.S. e-commerce operations for brands' online sales and social media channels.

Provided IP counsel to Synopsys in its US\$565m purchase of Black Duck Software, a venture-backed software security company.

Acquisition by KBR, Inc., of SGT, Inc., a provider of award-winning, high-value engineering, mission operations, scientific, and IT service solutions to federal government agencies.

Handled key relationships with fashion brands and advised on legal issues relating to supply agreements, supply chains, logistics, and sourcing.\*

Managed the development, implementation, and administration of sweepstakes, contests, and promotions companywide, including on social media platforms.\*

Helps internet, fashion, software, pharmaceutical, and financial companies with technology, trademark, copyright, and general commercial issues.

Advises clients on issues relating to their social media presence, online marketing, and business initiatives.

Advised DLH Holdings, a health care services contractor, on its US\$70m acquisition of Social & Scientific Systems, a public health research organization.

Member, Fashion Law Committee, New York Bar Association, 2012-Present

Member, Intellectual Property Law Section, American Bar Association, 2007-Present

President of the Board, Ellevate, Washington, D.C. chapter

Member, Internet Committee, International Trademark Association

Member, Women in Technology

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## Bar admissions and qualifications

Virginia

District of Columbia

New York

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## Court admissions

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

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

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\*Matter handled prior to joining Hogan Lovells.

## Awards and rankings

- Legal Elite, Young Lawyers, *Virginia Business magazine*, 2016
- National Association of Women Lawyer's Award, 2006
- Archibald R. Murray Award for Public Service, 2006
- Media, Technology and Telecoms: Technology Transactions, *Legal 500 US*, 2019

## Latest thinking and events

- Hogan Lovells Publications
  - Trending topics in retail and fashion
- News
  - Getting a handle on social media influencers
- Hogan Lovells Publications
  - The holiday shopping rush is here – Eight things retailers need to know this season *Consumer Alert*
- Hogan Lovells Publications
  - Influencer Snapshot: Getting a handle on social media influencers
- Press Releases
  - Hogan Lovells represents DLH in \$70 million Social & Scientific Systems acquisition
- Sponsorships and Speaking Engagements
  - Fashion and Design Protection