



Celeste Butera | Partner

Long Island

516.820.1500 x1688 | cbutera@lippes.com



Celeste Butera is a Partner in the firm's [Intellectual Property](#) and [Litigation](#) Practice Teams where she focuses her practice on litigation and appeals involving trademark infringement; copyright infringement; patent infringement; and other business torts and commercial litigation on a wide array of topics in District Courts and Federal Appellate Courts throughout the United States, including Trademark and copyright infringement litigation and appeals, internet and website related intellectual property litigation and appeals, unfair competition, Lanham Act claims, false advertising, disparagement, and contract and licensing disputes. She litigates and argues motions and appeals on behalf of companies throughout the United States.

Ms. Butera also has extensive appellate experience, having handled complex appellate matters in Appellate Courts throughout the country, including the United States Court of Appeals for the Second, Fourth, Sixth, Ninth, Eleventh and Federal Circuits. Ms. Butera's practice also includes representing clients in proceedings and appeals through trials before the Trademark Trial and Appeal Board, and the Patent and Trademark Office, including opposition and cancellation proceedings. Ms. Butera also counsels clients and provides substantive presentations on all aspects of intellectual property and Internet law, as well as business torts, breach of contract matters and related liabilities.

Ms. Butera has also represented, on a national basis, insurers with respect to a wide range of coverage issues and disputes including issues relating to patent infringement, trademark infringement, copyright infringement, unfair competition, Lanham Act claims, misappropriation of trade secrets, antitrust, as well as a wide variety of other business torts and other coverage issues.

Ms. Butera has earned a national reputation as a successful litigator and appellate lawyer and has been involved in numerous precedent setting and complex legal actions and appeals in Courts throughout the Country.

CAPABILITIES

Litigation

- Appellate
- Intellectual Property

Intellectual Property

- Copyrights
- Patents
- Trademarks

REPRESENTATIVE MATTERS

- P.C. Richard & Son v. Samsung Electronics, Co. 22-1337, United States Court of Appeals for the Federal Circuit (trademark infringement and unfair competition).
- Jon Bargains Inc. v. P.C. Richard & Son, 2020-1013 United States Court of Appeals for the Federal Circuit (trademark infringement)
- Archforensic LLC v. Arch Engineering, LLC, 21-16022 (WJM) United States District Court for the District of New Jersey (trademark infringement and cybersquatting).
- Ferring v. Fera Pharmaceuticals, LLC 13-CV-4640 United States District Court for the Eastern District of New York (trademark infringement and unfair competition).
- Fit N Fun Playscapes, LLC v. Sensory Path Inc. 19-CV-11697 United States District Court for the Southern District of New York (trademark infringement and copyright infringement).
- Carson Optical v. Carson Industries, 10 CV00867 (ADS), United States District Court for the Eastern District of New York (trademark infringement).
- Kwik Goal, Ltd. v. Youth Sports Publishing Inc., 06 Civ. 395 (HB), United States District Court for the Southern District of New York (copyright infringement).
- Kenny v. Ryan Web Solution, LLC, 05 Civ.0727 (DAB), United States District Court for the Southern District of New York (copyright and trademark infringement).
- Gemmy Indus. Corp. v. Chrisha Creations Ltd., 04 Civ. 1074 (RWS), United States District Court for the Southern District of New York (trademark, copyright and patent infringement).
- Sports Franchise trademark case: prevailed at trial against a major sport franchise in trademark litigation involving a trademark license valued at \$16 million. *Confidentiality Agreement in place prevents full disclosure of litigants' identities.
- Microsoft Corp. v. Am. Nat'l Fire Ins. Co., Docket No. 01-35721, United States Court of Appeals for the Ninth Circuit. (As lead counsel, obtained summary judgment and affirmance on appeal that the insurers were not obligated to defend and indemnify Microsoft under the personal and advertising injury provisions of the insurance contracts for class action anti-trust lawsuits filed nationally against Microsoft). 2003 U.S. App. LEXIS 5597.
- Chosun Intl v. Chrisha Creations, Ltd., Docket No. 04-1975-cv, United States Court of Appeals for the Second Circuit. (Copyright infringement and invalidity). 413 F.3d 324.
- Royal Indemn. Co. v. Terra Firma, Inc., Docket Nos. SC17873, 17874,

Supreme Court of Connecticut. (Insurance coverage action regarding additional insured provisions). 287 Conn. 183.

- Great Northern Ins. Co. v. Kobrand Corp., Docket No. 8980, Supreme Court of New York, Appellate Division, First Department. (Obtained summary judgment and affirmance on appeal that the insurers were not obligated to defend and indemnify under the personal and advertising injury provisions for class action lawsuits filed nationally against the insured for false and misleading marketing of alcohol to minors). 280 A.D.2d 501.
- Am. & Foreign Ins. Co. v. Jerry's Sport Center, Inc., Docket No. 88 MAP 2008, Supreme Court of Pennsylvania. (Whether insurer could obtain reimbursement from the insured for defense fees paid by the insurer where court found the insurer did not have a duty to defend the underlying action against the insured). 606 Pa. 584.
- Connecticut Indem. Co. v. Schindler, Docket No. 2005-06627, Supreme Court of New York, Appellate Division, Second Department. (The appropriate limits of liability available under the dental incident limits provisions of the insurance contract for underlying claims of dental malpractice). 35 A.D.3d 784.
- American Mfrs. Mut. Ins. Co. v. Quality King Distributors, Docket No. 2000-03695, Supreme Court of the State of New York, Appellate Division, Second Department. (Whether insurer was obligated to defend underlying trademark infringement action against the insured under the advertising injury provisions of the insurance contract). 280 A.D.2d 501.
- Lebas Fashion Importers of United States v. ITT Hartford Ins. Group, Docket No. B083983, California Court of Appeal, Second District. (Whether insurer was obligated to defend underlying trademark infringement action against the insured under the advertising injury provisions of the insurance contract). 50 Cal. App. 4th 548.

EDUCATION

- Hofstra University School of Law, J.D., *with distinction*
- Old Dominion University, B.A.

PROFESSIONAL ASSOCIATIONS

- American Intellectual Property Lawyers Association
- New York Intellectual Property Lawyers Association
- American Bar Association

HONORS & AWARDS

- Who's Who in Intellectual Property, Long Island Business News

SPEAKING ENGAGEMENTS

- "Legal Issues and Public Relations – Walking a Tight Rope," Hofstra

University Seminar, February 27, 2012

- “Mealey’s New Insurance Issues in the Northeast,” Lexis/Nexis Conference, New York, New York, June 6-7, 2002
- “Advanced Trademark Strategies,” Lexis/Nexis Conference, Chicago, Illinois, April 2002
- “Insurance Coverage and Cyber-torts,” Mealey’s Insurance 101 Conference, Philadelphia, Pennsylvania, November 2001
- “Other Business Torts and Insurance Coverage,” Mealey’s Insurance Coverage for Cyber-Torts and Intellectual Property Conference, San Francisco, California, January 2001
- “Emerging Insurance Battles Conference,” Mealey’s Publications Conference, Jacksonville, Florida, March 1999
- “Emerging Insurance Issues – Intellectual Property and Business Tort Liabilities,” The 1998 Conference for Women Insurance Professionals, New York, November 1998
- “Advertising Liability/Intellectual Property Liabilities,” Excess/Surplus Lines Claims Association, Inc., Twenty-Ninth Annual Conference, Florida, September 1998
- “Year 2000 Liabilities and Computer Malpractice,” International Platform Association, Washington, D.C., August 1998
- “Intellectual Property Liability Insurance Coverage Update,” New York Marriott Financial Center Hotel, November 1997.
- “Intellectual Property and Advertising Injury,” Bermuda Insurance Institute, September 1997.
- “Insurance Law: What Every Lawyer and Business Person Needs to Know,” Practising Law Institute, New York City, May 1997.
- “Intellectual property and Business Torts Insurance Workshop,” Huntington Hilton, May 1997.
- “Emerging Issues in Intellectual Property Coverage,” Mealey’s Publications Conference, February 1997.
- “Developments In Insurance Coverage for Patent, Copyright and Trademark Infringement,” Summer 1994.
- “Insurance Claims and Litigation for Intellectual Property Disputes,” American Bar Association’s Tort and Insurance Section’s Committee on Intellectual Property, June 1994.
- “Insurance Coverage and Patent Infringement: Beyond Insureds’ Reasonable Expectations,” Mealey’s Intellectual Property Reports, April 1993.
- “Tenth Annual Insurance, Excess and Reinsurance Coverage Dispute Seminar,” Practising Law Institute, February 1993.
- “The Advertising Injury Endorsement After Bank of the West ,” Mealey’s Litigation Reports, September 1992.
- “The Advertising Injury Endorsement in Insurance Disputes: Its Scope and Application,” Mealey’s Insurance Litigation Reports, December

1991.

- “The Advertising Injury Endorsement in Insurance Disputes: Its Scope, Application, and Coverage,” New York Law Journal, December 1991.

ADMITTED TO PRACTICE

- New York
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of Michigan