

Jill Riola Authors Article in DRI on Trademarks During Bankruptcy

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Carlton Fields intellectual property attorney Jill Riola authored a DRI article titled, “Supreme Court: Trademark Owner in Bankruptcy Can’t Cancel Its Trademark Licenses,” regarding a recent Supreme Court decision that resolved uncertainty surrounding what happens to the business of a trademark licensee when the licensor goes bankrupt. The Bankruptcy Code has traditionally addressed patent and copyright licenses, but neglected to specifically include any provisions about trademarks. A case involving two companies and a non-exclusive license determined that the trademark licenses are indeed executory contracts, and should be treated as any other valuable company asset that is leased or licensed. Riola shares that while there are few safeguards for non-debtor licensees, the licensee's best protection is to know its licensor, do its due diligence, and assure itself to the extent that it can of the licensor's financial stability. [Read the article.](#)

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