



MELINDA S. GIFTOS
Intellectual Property

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EXPERIENCE PROFILE

Mindi Giftos is an attorney in the Madison office of Whyte Hirschboeck Dudek S.C. Her practice encompasses intellectual property, intellectual property litigation and commercial litigation. Ms. Giftos specializes in trademarks, unfair competition, copyrights, domain names, trade secrets, anti-counterfeiting, defamation, publicity rights, and non-competition. In addition to her intellectual property expertise, Ms. Giftos is also involved in a broad range of commercial litigation matters. Her experience includes:

- Advising businesses on effective branding, including the adoption and use of trademarks and domain names.
- Assisting businesses with identifying key intellectual property assets and advising them on how to most effectively leverage those assets.
- Advising clients on comprehensive intellectual property protection, infringement, ownership and licensing.
- Advising companies on how to implement social media strategies and policies.
- Preparing and negotiating a broad range of commercial agreements, such as intellectual property licenses and assignments, confidentiality agreements, entertainment agreements, advertising agreements, production agreements, promotion agreements, sponsorship agreements, agency agreements, software development agreements, software licensing agreements, software as a service agreements, non-compete agreements, and joint venture agreements.
- Advising businesses on use of open source software in commercial applications, and how to internally manage open source software usage.
- Preparing international licensing and distribution agreements.

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- Conducting comprehensive intellectual property due diligence and preparing related reports in connection with large and small mergers and acquisitions.
- Advising businesses on how to effectively comply with consumer product safety laws both domestically and abroad, including compliance with the complex and ever-changing Consumer Product Safety Improvement Act and related laws under development internationally.
- Litigating trademark, unfair competition, copyright and patent matters before federal courts and the Trademark Trial and Appeal Board.
- Assisting in a broad range of commercial litigation matters, including contract claims, non-competition claims, defamation claims, products liability claims and public utility disputes.

PROFESSIONAL PROFILE***Education***

- University of Florida Levin College of Law, J.D., 2000, with honors; Editor in Chief, Journal of Technology Law & Policy, 1999; Book Awards (highest grade) in Intellectual Property Litigation and in Techniques of Growth Management
- Florida State University, B.S., 1996

Admissions

- Wisconsin, 2005
- Florida, 2000
- United States District Court Western District of Wisconsin
- United States Court of Appeals for the Federal Circuit

Professional Associations

- UW E-Business Consortium - Marketing Steering Committee
- Wisconsin Intellectual Property Law Association (WIPLA)
- International Trademark Association (INTA)

Community Involvement

- Girls on the Run Dane County - Board of Directors (Mindi is also the founder of a Girls on the Run program in her community, Cottage Grove, and is an active coach in the program).
- Avenues to Community - President of the Board of Directors

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Articles and Presentations, continued

Articles and Presentations

- *The False Patent Marking “Goldrush,” and How to Steer Clear of Prospectors*, Webinar presenter, Technology Transfer Tactics, March 8, 2011.
- *Customers and Privacy*, presenter, UW E-Business Consortium Web & Multichannel Marketing Peer Group Meeting, March 3, 2011.
- *Marketing With Social Media*, presenter, Social Media & The Law, February 22, 2011.
- *Strategic Planning for Marketing in the Social Media Age*, WHD Forethought, 2011.
- *Patent Marking Litigation Continues to Move Full Steam Ahead*, co-author, DRI's The Business Suit, Volume 13, Issue 9.
- *Facebook & Social Media Legal Considerations*, presenter, Shoutlet, July 29, 2010.
- *Keyword Advertising: An Important Marketing Tool or a Potential Minefield?*, Wisconsin Technology Network, June 16, 2010.
- *The Legal Side of Social Media*, presenter, mca-i Madison Spring Seminar, April 22, 2010.
- *Managing the Legal Aspects of Social Media and Internet Marketing*, presenter, Forrester Research Interactive Marketing Council Teleconference, March 10, 2010.
- *Top Legal Updates E-Commerce Companies Need to Know*, presenter, UW E-Business Consortium Peer Group Spring E-Merchant Retreat, March 5, 2010.
- *Are You Aware of the New FTC Advertising Guidelines?*, WHD Special Report, March 2010.
- *Staying Ahead of the Legal Curve When Creating & Building an Internet Presence*, presenter, WHD Breakfast Seminar, February 16, 2010.
- *Tips for Successfully Using Open Source Software*, WHD's Spotlight: Intellectual Property Law Newsletter, Winter 2010.
- *Exceed at Interactive Social Media While Avoiding, or at Least Mitigating, the Legal Pitfalls*, presenter, UW E-Business Consortium Web & Multichannel Marketing Peer Group, December 17, 2009.
- *Beware of Trademark Registry Scams*, Wisconsin Technology Network, December 24, 2009.
- *Tips for Effectively Using Your Trademarks - Build value in your marks by using them properly*, Credit Union Management Magazine (CUES), July 2009.
- *How proprietary is your confidential information*, Wisconsin Technology Network, December 9, 2008.
- *Protect Your Products Against Counterfeiting*, Capital Region Business Journal, October 2008, Vol. 4, Issue 7.
- *Protecting Your Brand: What Elements of Your Message and Look Are ‘Sufficiently Distinctive’?*, Credit Union Management, October 2008.

MELINDA S. GIFTOS, *continued*

Articles and Presentations, continued

- *Protecting Your Brand's Rights*, bonus coverage from "Protecting Your Brand," which appeared in the October 2008 issue of Credit Union Management Magazine (CUES).
- *Effective Branding with Color*, WHD's Spotlight: Intellectual Property Law Newsletter, Summer 2008.
- *A little due diligence can protect your trademark rights*, Wisconsin Technology Network, May 14, 2008.
- *Registering, Maintaining, Enforcing Trademark Rights*, ipFrontline.com, May 18, 2008.
- *Reinventing a Sensible View of Trademark Law in the Information Age*, 2 CHI.-KENT J. INTELL. PROP. 2, Spring 2000.
- *Recent Developments in the Protection of Intellectual Property Rights in Cyberspace*, Orange County Bar Association, WWW.BUSINESS.COM: What Every Business Lawyer Should Know About the Internet Seminar, November 2000.
- *Panel Discussion*, Draughon Professional Association, Achieving Dot.Com Status Seminar, Florida Coastal School of Law, November 2000.
- *Preparing for the Millennium Bug's Bite: Legislators, Lawyers and Potential Litigants Race to Define Duty and Limit Liability*, UCLA BULL. L. & TECH., FALL 1999, Nov. 16, 1999.