

Anthony J. Dreyer

Skadden

Partner, New York

Intellectual Property Litigation; Sports; Artificial Intelligence



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Education

J.D., Fordham University School of Law
(Managing Editor, *Fordham Law Review*)

B.A., Rutgers University

Clerkships and Professorships

Law Clerk, Hon. Reena Raggi:

U.S. Court of Appeals for the Second
Circuit (2002-2003)

U.S. District Court for the Eastern
District of New York (1998-1999)

Adjunct Professor, Cardozo School of Law

Adjunct Professor, Fordham Law School

Bar Admissions

New York

New Jersey

U.S. Court of Appeals for the Second,
Third, Seventh, Eighth, Ninth, District of
Columbia and Federal Circuits

U.S. District Courts for New Jersey and
the Eastern and Southern Districts of
New York

U.S. Supreme Court

Anthony Dreyer is a commercial litigator concentrating on intellectual property, sports, entertainment and licensing disputes. He co-chairs the firm's Sports practice and oversees its Trademark and Copyright practice.

In recognition of Mr. Dreyer's work, he has been named to *Chambers Global* in its intellectual property category and regularly honored as a top practitioner by *Chambers USA: America's Leading Lawyers for Business* in both its intellectual property and sports (Band 1) categories. In addition, he has been named an IP Star and Trade Mark Star by *Managing Intellectual Property*, as well as selected repeatedly to the WTR 1000 by *World Trademark Review* as a leading trademark practitioner nationwide and as one of the publication's Global Leaders: Private Practice. Mr. Dreyer has also been recognized by *SportsBusiness Journal* as a Sports Law Power Player, by *Benchmark Litigation* as a Litigation Star, by *The Best Lawyers in America* for his work in sports law, by *World Intellectual Property Review* for his work in contentious trademarks, and by Lawdragon as one of its 500 Leading Global Entertainment, Sports & Media Lawyers, 500 Leading Lawyers and 500 Leading Litigators in America. He has served as adjunct professor of law at Fordham University Law School, teaching courses on Advertising Law and Advanced Trademark Law, and at Cardozo Law School, teaching Sports and the Law. Mr. Dreyer currently serves as counsel to the International Trademark Association.

Intellectual Property and Related Matters

Mr. Dreyer litigates matters involving Lanham Act claims, copyright and rights of publicity. He is representing Metacapital Management in a trademark infringement suit against Meta Platforms, as well as the the National Hockey league in a trademark infringement suit over the use of league and club marks. He successfully defended Sadler's Brewing in defeating a motion for preliminary injunction over its use of the PEAKY BLINDERS mark. Mr. Dreyer also has represented the NFL and its member clubs in countless matters protecting and enforcing their intellectual property rights. He has advised numerous China-based clients on matters involving U.S. trademark and copyright law, and obtained the dismissal of copyright infringement claims against youku.com, and Lanham Act claims against Pinduoduo — a case in which he also secured an award for attorney's fees. He has represented the International Trademark Association in nearly a dozen matters, including Supreme Court *amicus* submissions involving questions of trademark tacking and the constitutionality of the Lanham Act's prohibition against federal trademark registration for disparaging marks. He represented the Fresh Del Monte Group in protecting its trademark rights in the U.S., Europe, Africa and the Middle East, and obtained numerous injunctions against the use of the Del Monte mark in those territories.

A significant part of Mr. Dreyer's IP practice involves counseling clients on the intersection of emerging technologies and IP protection and use. He routinely advises firm clients on a wide range of IP issues (including copyright, trademark and right of publicity concerns) relating to generative AI, NFTs, the metaverse, and data scraping and protection. In addition, he is a frequent lecturer on the use and protection of IP rights in the ever-evolving digital landscape.

Mr. Dreyer also has extensive experience representing clients in the areas of false advertising, deceptive trade practice and consumer class action claims. He has advised numerous clients on advertising clearance and challenges. On behalf of publisher Matthew Bender, he obtained dismissal of a putative consumer class action and successfully argued for affirmance by the New York Court of Appeals following leave to appeal. He successfully defended SiriusXM in two separate putative class action suits challenging the satellite radio provider's subscription

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Continued

practices. He also obtained dismissal of a putative consumer class action against Virgin Mobile. On behalf of the International Trademark Association, he authored a Supreme Court *amicus* brief successfully arguing for a uniform test for standing to sue for false advertising under the Lanham Act. Additionally, Mr. Dreyer obtained a favorable jury verdict on behalf of Fresh Del Monte, securing a finding of willful false advertising and a permanent injunction.

Licensing and Related Commercial Disputes

As part of his intellectual property practice, Mr. Dreyer has handled countless disputes involving IP licenses and related sponsorship, broadcast and distribution agreements. In this realm, he successfully represented Pfizer affiliate Array Biopharma in a dispute over unpaid royalties arising over a sublicensing agreement, as well as the LPGA in a dispute involving an international sponsorship and broadcast rights agreement. Additionally, Mr. Dreyer advised a major sports league on the negotiation of a group license with its players union. He has counseled numerous sports leagues and organizations on league and sponsorship issues arising out of the COVID-19 pandemic. He assisted in securing termination of a worldwide sponsorship and licensing agreement on behalf of a global entertainment company. On behalf of Fresh Del Monte, he secured a favorable jury award in a dispute over product distribution rights under a worldwide license agreement and, in a separate proceeding under a different agreement, secured the right to use the DELMONTE marks in connection with food and beverage kiosks. He also successfully represented golfer Rory McIlroy in a lawsuit asserting breach-of-contract claims under an endorsement agreement with Oakley.

Sports Litigation and Related Matters

Mr. Dreyer has extensive experience counseling clients on a wide range of sports matters. He represents the PGA TOUR in several matters involving the LIV Golf Tour, including claims by LIV and several professional golfers against the TOUR. He also has handled several player-related system arbitrations disputes for the National Football League. He also has advised the Brooklyn Nets in two separate lawsuits challenging the Nets' ticket sale practices. He successfully represented the PGA TOUR in two separate lawsuits: one brought by golfer Vijay Singh relating to discipline imposed against Mr. Singh under the TOUR's anti-doping program, and the other brought by a putative class of TOUR caddies challenging the alleged use of the caddies' names and likenesses. He also successfully represented Madison Square Garden in a challenge to its ticket sales policies.

Mr. Dreyer routinely counsels clients on gambling- and integrity-related matters. He also represented the NBA in litigation relating to the league's lockout of its players following expiration of the NBA's collective bargaining agreement with its players. He has litigated

player discipline and salary disputes on behalf of the NBA, the NHL and teams in both leagues. He also has counseled both the NBA and the NHL in connection with disability insurance coverage matters. He represented the NHL in a dispute arising out of its sponsorship agreement with daily fantasy sports site DraftKings. Mr. Dreyer also has advised the United States Tennis Association in connection with the US Open tennis tournament. He previously served a three-year term as chair of the New York City Bar Association's Sports Law Committee.

Recent Speaking Engagements

Co-Host, "This Month In Intellectual Property" Monthly Skadden webinar

Speaker, "Intellectual Property Issues in AI," Skadden webinar, April 2023

Speaker, "Diversity in Law: Sustaining Purpose-Driven DEI Initiatives," Skadden webinar, April 2022

Speaker, "Becoming an All-Star IP Practitioner," International Trademark Association "Brand & New" podcast, July 2020

Speaker, "Advertising and Promotion of Medical Devices: Company Actions in Balance with Regulatory Activities," June 2020

Speaker, "Financial Fair Play and Salary Caps," 2020 International Forum on Sports Law, January 2020

Speaker, "A Conversation with Corporate Counsel: Ninth Annual Pharmaceutical and Medical Device Seminar," Skadden webinar, October 2019

Speaker, "Integrity and Sports Gambling," 2019 International Forum on Sports Law, December 2018

Associations

Counsel, International Trademark Association

Co-Chair, International Forum on Sports Law

Director, Federal Bar Foundation (2016-19)

Selected Publications

"Video Gaming / E-Gaming Law Update," *Skadden Publication*, Recurring publication
"Tennessee Law Addresses Proliferation of Deepfakes," *Skadden Publication*, April 2, 2024

"Esports and the Law," *Holt Hackney*, Recurring publication

"Cyber Threat Outlook for the Sports Industry," *Reuters*, May 15, 2024
"FTC Enforcement Trends in Consumer Protection Under the Biden Administration," *Westlaw Today*, January 9, 2024