HUSCH BLACKWELL

J. Aron Carnahan

PARTNER

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OVERVIEW

Aron works extensively with intellectual property.

A patent attorney, he counsels energy clients and others – from Internet startups to multibillion-dollar entities – on a variety of intellectual property matters. His education in mechanical engineering affords a first-hand awareness of renewable energy operations and other technical industry matters.

Aron's practice has a heavy litigation component. He litigates trademark, copyright and patent cases for clients with diverse products such as noise canceling headphones, designs for tequila bottles and plush toys.

In the international arena, Aron has prosecuted foreign applications for U.S. companies, enforced foreign copyrights against domestic corporations and helped protect entities against gray market imports into the United States.

Industry

Energy & Natural Resources

Services

Advertising & Marketing
Aviation
Copyrights
Intellectual Property
Intellectual Property Counseling
Intellectual Property Litigation
Internet of Things
Patent Preparation & Prosecution
Post-Issuance Proceedings
Section 337
Trademarks

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Experience

- Served as lead counsel for Ty Inc., one of the world's largest plush toy companies, in the enforcement of copyrights and trademarks, as well as in the defense of infringement claims. Led a team handling Ty's global enforcement, defense of claims, and false advertising matters.
- Represented Ty Inc. in litigation in China against a former manufacturer that registered copyrights in Ty's plush toys and blocked exports through administrative seizure actions at Shenzhen Customs. Filed suit in the People's Republic Court of Dongguan (case no. (2016) Y 0308 M C No. 234), resulting in the Chinese court awarding copyrights to Ty in October 2017. Defended Ty and its principal in related litigation in Circuit Court of Cook County, Illinois, and enforced Ty's copyrights against infringing companies in Hong Kong and China.
- Led the defense of Ty Inc. in response to a 2019 RAPEX notification issued by the Lithuanian State Consumer Rights Protection Authority, which threatened to ban sales of a Ty product line across the European Union due to alleged noncompliance with EU safety regulations. Coordinated with EU and Lithuanian counsel, presented expert reports and testimony, and directed litigation in the Vilnius Regional Administrative Court, which ruled in Ty's favor, preserving EU market access for Ty's products.
- Defended Ty Inc. in a trade dress infringement suit brought by Kellytoy US, Inc. in 2020 regarding Ty's Squish-a-Boos product line. Opposed a preliminary injunction that would have halted sales of the product line, submitting expert reports and prevailing when the court denied the injunction, allowing Ty to expand the product line and achieve significant sales.
- Served as lead counsel in a patent litigation matter for a French client, successfully negotiating a post-trial settlement.
- Represented a Big Ten university in ongoing litigation involving allegations of copyright infringement and trade secret violations by a staff member. Advised the university in the indemnity suit against the staff member and on the underlying intellectual property claims.

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Experience

- Challenged the validity of U.S. Patent 6,195,831 asserted against Ty Inc. by Softbelly's, Inc. in the Northern District of Illinois, resulting in the USPTO invalidating all claims of the patent. The Federal Circuit affirmed the invalidation, and the district court case was dismissed with no liability to Ty.
- Advised Ty Inc. on the launch of Beanie Bouncers in July 2024, assisting with intellectual property protection and compliance with safety standards. Led the termination of two foreign distributors for infringement and unpaid inventory, and instituted litigation in the United States, Australia, and Estonia to seize inventory and assets of a distributor selling competing products. Secured asset seizures and initiated enforcement actions globally, including in the UK and EU.
- Served as outside copyright, trademark, and false advertising counsel to a major consumer products company in a dispute involving advertising claims for motorized kitchen appliances. worked with in-house engineers and external consultants to develop testing protocols and data, successfully preventing the grant of injunctive relief sought by a competitor.
- Acted as local counsel, advising clients on litigation matters in the Northern District of Illinois.
- Represented a professional services continuing education entity in patent litigation involving allegations of infringement related to adaptive bitrate streaming technology.
- Advised leading food service equipment manufacturer on patentability of new commercial oven technology.
- Represented designer/manufacturer of audio equipment in an International Trade Commission investigation brought by Bose Corp. At issue was the alleged infringement of two patents covering noise-canceling headphones that client imports from a supplier in New Zealand. Matter settled on terms favorable to client.
- Successfully defended pharmaceutical manufacturer in U.S. International Trade Commission (ITC) against competitor's claim that generic drug was marketed unfairly.

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Experience

- Secured victory for pharmaceutical manufacturer in federal court litigation brought by a competitor alleging false advertising and unjust enrichment, among other counts, in connection with the manufacture and sale of a medical cream. Complaint dismissed without prejudice.

Recognition

- *The Best Lawyers in America®*
    - Litigation - Intellectual Property, 2023-2027

Education

- J.D., University of Illinois College of Law
    - *magna cum laude*
- M.B.A., University of Illinois
- B.S., University of Illinois at Urbana-Champaign
    - Mechanical Engineering

Admissions

- Illinois
- U.S. District Court, Northern District of Illinois
- U.S. Patent and Trademark Office

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