

## Justin P. Bagdady

Member

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Mr. Bagdady advocates on behalf of clients faced with high stakes disputes. Clients entrust him with their most critical contested matters. He has a focus on intellectual property litigation and has also litigated cases in a wide range of substantive areas of law including commercial and securities litigation. Mr. Bagdady Co-Chairs Bodman's Intellectual Property Group.

As a leading member of Bodman's Intellectual Property and Brand Protection team, Mr. Bagdady advocates for clients in the courtroom, proactively monitors for infringing activity, and helps clients take down infringing or harmful content. Mr. Bagdady has also litigated intellectual property cases including trademark, trade dress, copyright, trade secret, unfair competition, patent ownership disputes, and anti-cybersquatting cases in federal courts throughout the country. This has included both enforcing intellectual property rights, defending against claims of infringement, as well as helping companies enforce their rights against infringers, cybersquatters, and competitors engaging in unfair business practices.

### practices & industries

Emerging Companies and  
Venture Capital  
Litigation and Alternative  
Dispute Resolution  
Intellectual Property

### education

University of Pennsylvania  
Law School, J.D.  
University of Michigan, B.A.

### admissions

Michigan

Mr. Bagdady also represents clients faced with high stakes commercial, corporate governance, or securities related disputes. He has experience representing early-stage companies in business disputes including litigation with founders or other equity holders. Mr. Bagdady helps clients enforce contractual rights and, when possible, successfully resolve contractual disputes prior to litigation.

U.S. District Ct., E.D. Mich.  
U.S. District Ct., D. Colo.  
U.S. Ct. of Appeals, 3rd Cir.  
U.S. Ct. of Appeals, Fed. Cir.

Prior to joining Bodman, Mr. Bagdady practiced for several years in the Washington, D.C. office of a large international law firm where he conducted internal corporate investigations and represented companies and executives in securities litigation matters including Securities and Exchange Commission investigations and enforcement proceedings.

## HONORS, AWARDS, AND RECOGNITION

- *DBusiness Magazine "Top Lawyers" 2021-2025, Litigation-Intellectual Property*
- *Benchmark Litigation 2017-2025, "40 & Under Hot List"*
- *Benchmark Litigation 2017-2020, "Litigation Star"*
- *Michigan Rising Stars 2018-2024, Business Litigation*

## CIVIC, CULTURAL AND COMMUNITY ACTIVITIES

- United Way of Washtenaw County
  - Past Member, Board of Directors

## PROFESSIONAL AFFILIATIONS

- Washtenaw County Bar Association
  - Past Chair, Federal Practice Section

## PUBLICATIONS

- Co-author, "Who Owns Knowledge?" Bodman Intellectual Property Law Update (July 28, 2023)
- Co-author, "First-of-Its-Kind Lawsuit Pitting Claims of Artistic Expression Involving NFTs Against Trademark Rights Should Have All Mark Owners Considering New

Trademark Applications,” Bodman Intellectual Property Law Update (February 15, 2023)

- Co-author, “The Dangers of Texting for Business Communications,” Bodman Business Law Update (February 3, 2023)
- Author, “The SEC is Cracking Down on. . . Severance Agreements,” *Res Ipsa Loquitur* (Washtenaw County Bar Association) (2016)
- Author, “Administrative Creep – How the SEC is Taking its Act In-House,” *Res Ipsa Loquitur* (Washtenaw County Bar Association) (2015)
- Co-author, “Corporate Whistleblowing—Key Issues in Responding to Possible Violations,” *The Review of Securities and Commodities Regulation* (2014)
- Co-author, “Gabelli and for Whom the Clock Tolls,” *Law360* (2013)

## PRO BONO

- State Bar of Michigan 2023 A Lawyer Helps Pro Bono Honor Roll
- Mr. Bagdady has an active pro bono practice which has included representing an individual “juvenile lifer” client in his resentencing proceeding, working on briefs submitted to the United States Supreme Court and Michigan Supreme Court on behalf of clients, and serving as co-counsel to the ACLU to protect the constitutional rights of underserved communities.

## REPRESENTATIVE MATTERS

- Worked on domestic and overseas internal corporate investigations involving suspected financial manipulation and potential violations of the FCPA’s internal controls provisions.
- Represented large health care company in litigation alleging fraud and breach of contract in connection with purchase of a business and defective software.
- Represent chain of international restaurants in trademark litigation against common law trademark holder.

- Represented national advertising firm in litigation alleging misappropriation of trade secrets, tortious interference with contractual relations, and breach of contract.
- Defeated, at the motion to dismiss stage, a large class action for medical monitoring brought against a manufacturer of PVC piping and other PVC products.
- Represented former officer of a large software company in an SEC enforcement action alleging improper stock option backdating.
- Represented Silicon Valley startup in action brought by its founder alleging breach of a stock repurchase agreement. Obtained a complete victory after arbitration, including award of attorney's fees.
  
- Represented former officer of large, national mortgage lender in SEC enforcement action and in private securities class actions alleging fraud.
  
- Represented former CFO of a financial media company in SEC enforcement action alleging improper revenue recognition and failure to maintain appropriate internal controls.
  
- Represented former executive of large, public software company in SEC enforcement action alleging improper revenue recognition through barter transactions and undisclosed side letters.
  
- Represented financial analyst in FINRA enforcement proceeding.
  
- Represented individual defendant in copyright infringement case focused on popular television series allegedly based on the plaintiff's manuscript.
  
- Worked on amicus brief submitted to the United States Supreme Court in cases focused on appropriate test for "exceptional case" fee awards in patent litigation.

- Represented several companies and executives in connection with SEC investigations, inquiries, and enforcement proceedings brought either administratively or in federal court.