



# Edward M. Weisz

## Co-Chair, Patent Prosecution

### New York

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Edward practices in all areas of intellectual property law, most recently focusing his work on U.S. patent and trademark prosecution, counseling, and licensing.

Edward prosecutes patent applications and renders legal opinions and advises clients on infringement, freedom to operate, and validity issues in the electrical, mechanical, consumer products, product packaging, and business method arts concerning the following technologies: medical devices, communications systems, home furnishings, plumbing, table top goods, packaging, and telephony (optical and mobile communications) systems, analog and digital circuitry, microelectronics and semiconductor device design, optic and laser technologies (including amplification and optical routing), teleconferencing systems, RF amplification, spectroscopy, thermal dissipation devices, and manufacturing processes.

A substantial portion of Edward's practice is devoted to trademark and copyright matters. He represents and assists clients in all aspects of securing trademark and copyright protection, in litigation, and in the enforcement and licensing of trademarks and copyrights. He has represented clients in pretrial proceedings and in oral and written arguments before federal courts and before examiners and various tribunals of the U.S. Patent and Trademark Office and other U.S. government agencies.

Edward earned his electrical engineering undergraduate degree from Rutgers University, College of Engineering in 1987 and his law degree from New York Law School in 1991.

## Experience

Successfully represented Marquee Brands, LLC in connection with its multi-million dollar acquisition of Martha Stewart Omnimedia's intellectual property rights -- including patent, trademark and copyrights pertaining to Martha Stewart and Emeril Lagasse. The project involved data privacy issues and investigating extensive worldwide intellectual property rights and employee and contractor rights.

Successfully represented Marquee Brands, LLC in connection with a substantial due diligence project culminating in its multi-million dollar acquisition of the outdoor sports and lifestyle brand Dakine, and all related intellectual property. The project involved investigating Dakine's extensive worldwide trademark and patent portfolio, third-party rights in Europe, employee and contractor intellectual property rights concerning copyright and patent issues in the United States and Europe, as well as data privacy issues.

Advise 25/7 Productions, LLC on copyright and trademark matters.

Advise The Tennis Channel on copyright and trademark matters.

Served as counsel to a well-known manufacturer of tabletop goods in connection with copyright assertion and defense.

Prosecution of U.S. and foreign patents on food packaging technology; counseling on patentability and freedom to operate issues.

## Practice Areas

- Intellectual Property
- Patents
- Trademark & Brand
- Copyright & Content

## Industry Sectors

- Aviation
- Cannabis
- Retail

## Education

- New York Law School, J.D., 1991
- Rutgers University, B.S.E.E., 1987

## Bar Admissions

- New Jersey
- New York
- United States Patent and Trademark Office

## Court Admissions

- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court -- Eastern District of New York
- U.S. District Court -- New Jersey
- U.S. District Court -- Southern District of New York

## Affiliations

- American Bar Association
- New Jersey State Bar Association
- New York State Bar Association

## Awards & Honors

- *IAM Patent 1000*, 2022-2024
- *World Trademark Review 1000*, 2023-2025

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Prosecution of U.S. and foreign patents on printer cartridge technology; counseling on patentability and freedom to operate issues regarding same.

Prosecution of U.S. and foreign patents on integrated circuits technology; counseling on patentability and freedom to operate issues regarding same.

Prosecution of U.S. and foreign patents on LCD panels technology; counseling on patentability and freedom to operate issues regarding same.

Prosecution of U.S. and foreign patents on point-of-purchase display technology; counseling on patentability and freedom to operate issues regarding same.

Successfully defended Radiant Yoga, LLC (dba YogaSpark) before the Trademark Trial and Appeal Board (TTAB) in a long-running trademark cancellation dispute. The plaintiff, Spark Yoga, sought to cancel the client's registration for YOGASPARK on grounds of likelihood of confusion. In an effort to leap frog behind Radiant Yoga's priority date, Spark Yoga paid a common law user of the SPARK YOGA mark to assign her rights. When the assignor testified at deposition that she had not used the SPARK YOGA mark for several years, the TTAB dismissed that action. Spark Yoga then found another common law user, this time of the mark YOGASPARK in California, who appeared to have priority over Radiant Yoga, and who, having been paid by Spark Yoga, began another cancellation proceeding against the client. After navigating a long and labyrinthine procedural history, including successfully striking nearly all of the plaintiffs' trial evidence and making the strategic decision to forego introducing evidence at trial and instead to argue that the plaintiffs had not met their burden of proof, we prevailed on the merits.

Represented Solenis, LLC, a specialty chemical company, in its acquisition of all the outstanding membership interests of AquaChemPacs, LLC, a soluble cleaning pod manufacturer. This transaction drew on the experience of the firm's corporate, tax, real estate, employee benefits and executive compensation, labor and employment, and intellectual property attorneys.