



Partner

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**Haddonfield, NJ**

**Practice Areas**

Business Counseling  
Cannabis Law  
Corporate Department  
Data Privacy and Cybersecurity  
Intellectual Property  
International Law  
Sports Law

**Admitted**

New Jersey  
Pennsylvania  
United States Court of Appeals for the Third  
Circuit

**Education**

University of Michigan, B.A., Economics, 1991  
Rutgers Law School, J.D., 1994

Mark Sever is a member of Archer's Corporate Department and Co-Chair of the Firm's Intellectual Property Practice Group. Mark specializes in the practice of corporate law with an emphasis on intellectual property (i.e., patents, copyrights, trademarks and trade secrets) and technology-related matters. He represents a wide range of clients including closely held and emerging growth companies, institutions of higher education, governmental and quasi-governmental entities, and large national and international privately and publicly held companies.

Mark provides general corporate representation and day-to-day business advice to a broad array of companies, addressing issues including entity formation and restructuring, corporate governance, and dissolution. Mark also has considerable experience representing both buyers and sellers in mergers and acquisitions (including both asset sales and stock sales). He has negotiated and drafted many varied and complex business agreements including original equipment manufacturing (OEM), joint venture, sales, manufacturing, purchase, distribution, consulting and employment agreements. Mark has further assisted clients in expanding their reach internationally, through the creation of overseas affiliates, and the establishment of outsourcing, distribution, license, franchise and other relationships. Mark also regularly counsels business owners involved in partner or shareholder disputes and buy-outs.

Mark's intellectual property practice is equally diverse, and encompasses intellectual property-driven business transactions, as well as protection and litigation matters. His intellectual property protection practice often involves advising inventors on the most efficient and cost effective ways to secure protection for their inventions. He also frequently assists clients with corporate and product name and logo selection, and the filing and prosecution of associated trademark applications both in the U.S. and worldwide. Mark counsels clients on "work for hire" and other copyright ownership issues, and has applied for and obtained copyright registrations on works including software, website content, marketing materials and architectural designs. He also routinely prepares, reviews and negotiates non-disclosure and confidentiality agreements (NDAs), and instructs clients on the steps necessary to secure trade secret protection for their proprietary information such as business plans, customer and vendor information, and product cost and pricing data.

Mark's experience with intellectual property-driven business transactions is also broad ranging. He has considerable experience drafting, reviewing and negotiating patent, copyright, trademark and know-how licenses on

behalf of both licensors and licensees. In the software and information technology context, he frequently prepares and negotiates development, license, and maintenance and service agreements. That work increasingly involves analysis of open-source software issues and review of applicable forms of open-source licenses. Since software is now often provided as a hosted solution via the Internet, Mark's experience extends to the drafting and negotiation of hosted service and service level agreements. It also frequently includes the preparation of website privacy policies, terms of service and use, and e-mail and Internet usage policies, as well as the drafting and negotiation of linking and framing agreements, and domain name transfer agreements.

Mark is well-versed in intellectual property-related disputes and litigation. He routinely prepares and responds to demand letters addressing alleged infringements of patents, copyrights and trademarks, and the misappropriation of trade secrets. He has litigated opposition and cancellation proceedings before the Trademark Trial and Appeal Board, and has represented both plaintiffs and defendants in state and federal courts in litigation involving claims of intellectual property infringement. Mark has also counseled clients on, and litigated matters involving, false advertising, trade dress infringement, and federal and state unfair competition claims, as well as domain name disputes including claims arising under the federal Anti-Cybersquatting Act.

Mark received his B.A. in 1991 from the University of Michigan, where he majored in Economics. In 1994, he received his J.D. from Rutgers University School of Law in Newark, where he was a Managing Editor of the Computer and Technology Law Journal. Mark was previously associated with Morgan, Lewis & Bockius, LLP in its Philadelphia, Pennsylvania office.

## **Representative Experience**

Examples of matters Mark has handled on behalf of clients include:

- An international laboratory know-how license on behalf of an institute for medical research.
- A video production agreement on behalf of a multimedia design and production firm.
- A joint venture and product development agreement on behalf of a manufacturer of optics technology.
- A product development and license agreement on behalf of an international household cleaning products manufacturer.
- A software development agreement for use in life-sustaining medical equipment on behalf of a medical device design and development firm.
- A fiber optic network services agreement on behalf of a consortium of state institutions for higher education.
- A hosted services agreement on behalf of a developer of financial intelligence software for use in connection with the health care industry.
- An international development and licensing agreement on behalf of an international manufacturer of automotive components.

- A bio-bank repository services agreement on behalf of a genetic research institution.
- An intellectual property ownership, protection and commercialization policy on behalf of an institution of higher education.
- A market data license and services agreement on behalf of a market research organization.

## **Professional And Community Involvement**

- Committee Member for the Calling All Angels Gala in support of the CARES Institute for the treatment of child abuse (2011-present)
- Rowan University Entrepreneurship Advisory Board Member (2011-present)
- Previously served on the Board of Directors of the Chamber of Commerce of Southern New Jersey
- Previously served on the South Jersey Board of Directors of Junior Achievement
- Previously served on the Board of Trustees of the Moorestown (N.J.) Youth Baseball Federation
- Previously served on the Board of Directors of the Bridge Academy (Princeton, N.J.), a private school for children with learning disabilities
- Previously served on the Board of Directors of Ballet NJ (formerly, the Children's Ballet Theater) (Voorhees, N.J.)
- Previously served on the Board of Directors of YMCA of Camden County (N.J.).

## **Awards And Recognition**

- Mark has been named as a "Top Attorney" by SJ Magazine for Computer Law (2007, 2019), Internet Law (2009), Intellectual Property Law (2007, 2008, 2012, 2013, 2014).
- He has also been recognized by South Jersey Magazine in its "Perfect Practice" edition (2011) and its "Awesome Attorneys" edition for Intellectual Property Law (2008, 2009, 2012, 2013).
- Named an "Awesome Attorney" by South Jersey Magazine (2019).

## **Articles**

Mark has written and spoken on a broad range of topics including computer crime, intellectual property protection, intellectual property enforcement, and Internet-related law.