




## Mark J. Sever, Jr.

Partner

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Intellectual Property / Business Counseling

 856.354.3045

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### Overview

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Mark is the Chair of the firm's Intellectual Property Group. Mark specializes in corporate law with a focus on intellectual property (i.e., patents, copyrights, trademarks and trade secrets) and technology 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 represents 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 assists businesses to expand 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 encompasses a broad range of intellectual property-driven business transactions, as well as protection and litigation matters. He advises clients on intellectual property protection and the most efficient and cost effective ways to secure protection for their inventions. He also 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 has considerable experience drafting, reviewing and negotiating patent, copyright, trademark and know-how licenses on behalf of both licensors and licensees. He also prepares and negotiates software and information technology development, license, and maintenance and service agreements, including the drafting and negotiation of hosted service and service level agreements. He also handles 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 represents clients in intellectual property 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 also litigates 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.

## Representative Experience

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- International laboratory know-how license on behalf of an institute for medical research.
- Video production agreement on behalf of a multimedia design and production firm.
- Joint venture and product development agreement on behalf of a manufacturer of optics technology.
- Product development and license agreement on behalf of an international household cleaning products manufacturer.
- Software development agreement for use in life-sustaining medical equipment on behalf of a medical device design and development firm.
- Fiber optic network services agreement on behalf of a consortium of state institutions for higher education.
- Hosted services agreement on behalf of a developer of financial intelligence software for use in connection with the health care industry.
- International development and licensing agreement on behalf of an international manufacturer of automotive components.
- Bio-bank repository services agreement on behalf of a genetic research institution.



- Intellectual property ownership, protection and commercialization policy on behalf of an institution of higher education.
- 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)
- Former Member, Board of Directors of the Chamber of Commerce of Southern New Jersey
- Former Member, South Jersey Board of Directors of Junior Achievement
- Former Member, Board of Trustees of the Moorestown (N.J.) Youth Baseball Federation
- Former Member, Board of Directors of the Bridge Academy (Princeton, N.J.), a private school for children with learning disabilities
- Former Member, Board of Directors of Ballet NJ (formerly, the Children's Ballet Theater) (Voorhees, N.J.)
- Former Member, Board of Directors of YMCA of Camden County (N.J.).

## Select Articles

- "Non-Fungible Tokens: What Rights Do They Really Provide?" *Sports Business Journal* (February 2022)

## Credentials

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### Education

- Rutgers University School of Law, JD
- University of Michigan, BA

### Admissions

- New Jersey
- Pennsylvania
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of Pennsylvania



## Offices

- Voorhees, NJ

## Areas of Focus

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### Practice

- Business Counseling
- Cannabis
- Data Privacy & Cybersecurity
- Intellectual Property
- International Law
- Sports & Entertainment

### Industries

- Information Technology & Software
- Media, Internet & Advertising

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