



Tamany Vinson Bentz

Partner

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Tamany has over 15 years of experience representing companies in disputes related to their advertising and intellectual property. Tamany has developed a practice representing clients facing novel disputes relating to digital media and consumer products. Her practice includes representing major international brands facing litigation throughout the United States and some of the world's most trafficked websites.

- Intellectual Property and Technology
- Trademark and Copyright
- Advertising, Litigation and Disputes

Tamany recently secured dismissal for a client whose new product line was being challenged for its allegedly misleading labelling statements. The case set a new standard for such claims and helped the client secure its freedom to operate in the new product sector. Tamany also represented a major digital media company in the first trial considering ownership over viral videos and one of the few cases concerning copyright fair use to go to trial.

Tamany regularly speaks and writes on novel issues facing clients, including publications on the value of hashtags and influencer liability.

Tamany is highly committed to representing children facing detention and deportation and recently secured residence for a 15 year old boy fleeing gang violence in El Salvador.

- Defended a national food company in litigation concerning its coconutmilk product and related claims regarding the product. Tamany secured dismissal of the case at the pleading stage based on the fact that none of the statements were false and it was not reasonable to conclude consumers had been misled
- Defended a national food case in a novel litigation attempting to enforce California's Proposition 65 outside of the regular Proposition 65 procedural requirements. The case concerned whether alleged violations of Proposition 65 could be enforced under California's other consumer protection statutes
- Secured summary judgment for a national retailer facing copyright and trade dress claims. The decision was a rare application of basic contract principles to find that the plaintiff lacked any ownership interest in the asserted intellectual property because the assignments in its chain of title lacked consideration.

- Defended several stock photography companies in litigation before the Eastern District of Texas involving methods for managing intellectual property over a network
 - Litigation counsel for several digital media companies, including those that operate the most visited websites in the world. She handles several patent litigation matters for these companies involving the technology behind the distribution of media over the internet and mobile based platforms
 - Litigation counsel for a large digital media company in Los Angeles, including enforcement of its copyrights on digital content it distributes on its highly trafficked YouTube network
 - Litigation counsel for a major movie studio in several jurisdictions in cases concerning the technologies used to compress data and author DVDs and Blu-ray discs
 - Litigation counsel for several nutritional supplement companies facing several cases across multiple districts, including cases filed by competitors and patent trolls
 - Defended a well-known artist in a series of cases involving the use of iconic photographs as the basis for his artwork. The case focused on the bounds of the fair use doctrine in copyright law and what limitations it places on the creation of art
 - Intellectual property counsel for a celebrity embroiled in a trademark dispute in the Central District of California involving the sale of a holiday themed t-shirt and online sweepstakes
 - Secured summary judgment for a biopharmaceutical company in the District of Delaware and defeated unfair competition claims based on its usage of a virus for a vaccine
 - Represented the heirs of an iconic artist in a dispute in the District of Arizona concerning whether sculpture molds that were created in 1919 were subject to copyright protection and who was the appropriate owner of any copyrights
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Admissions

- California
- District of Columbia
- Maryland

Prior Experience

- Law clerk to the Honorable Sue L. Robinson, US District Court for the District of Delaware

Recognitions

Tamany has been recognized by *The Legal 500 United States*.

Education

- J.D., University of Pennsylvania Law School
 - M.B.E., University of Pennsylvania
 - B.S., Arizona State University
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Publications

- Embedding content: uncertainty about the Copyright Statute undermines digital media, 27 Sep 2018
- With Great Influence Comes Great Responsibility? What You Should Know about Potential Liability in the Growing Influencer Marketplace

- Managing Copyrights on a Blockchain: How Close Are We and What Does It Mean? 26 Feb 2018
- Content is King, but How Will You Protect It? 22 May 2017
- Hashtag with Caution – Or You May Get #Sued 26 Jan 2017

NEWS

MEDIA MENTIONS

- "IP and Licensing Law Roundtable," *Los Angeles Business Journal*, October 20, 2020