

People



Marc A. Lieberstein

Partner, Intellectual Property
Franchise and Licensing

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vCard

With more than 30 years of experience, Marc Lieberstein focuses his practice on intellectual property licensing and franchising, including the drafting, negotiation, and enforcement of license and franchise documents and agreements, as well as the implementation of branding and commercialization objectives for clients via licensing and franchising. He serves clients in the retail/consumer goods and services, fashion/apparel and accessories, food and beverage, and commercial/industrial design industries, among others. Marc regularly counsels clients on creating effective strategies for procuring, protecting, and enforcing their global intellectual property assets.

He also has participated in and used alternative dispute resolution forums such as arbitration and mediation to enforce intellectual property rights and resolve license and franchise contractual disputes.

Consistently recognized by *Best Lawyers* and the *World Trademark Review 1000* as among the best intellectual property lawyers in New York, Marc is also a frequent author and speaker on intellectual property, licensing and franchise issues for a variety of organizations and publications, including the International Trademark Association (INTA), the New York State Bar Association Intellectual Property Section, the American Bar Association Forum on Franchising, the International Franchise Association, *The Franchise Lawyer*, *Franchise Law Journal*, *National Law Journal*, *New York Law Journal*, *Practical Law*, and *The Licensing Journal*, among others.

Notable Work

IP Licensing:

- Represented a multibillion-dollar global eyecare company in its licensing deal to acquire the exclusive rights to use, perpetually, iconic registered trademarks for products and services in connection with its business.

Areas of Experience

Intellectual Property
Franchise and Licensing
Trademarks
Copyrights
Alcohol Beverage

Education

J.D., Benjamin N. Cardozo School of Law, 1992
B.A., State University of New York at Albany, 1989,
cum laude

Admissions

Bars

New York
Connecticut

Courts

U.S. Court of Appeals, Federal Circuit
U.S. Court of Appeals, Second Circuit
U.S. District Court, Eastern District of New York
U.S. Supreme Court

Related Content

Akerman Hosts Annual Global Franchise Summer Summit
July 16, 2025

Marc Lieberstein to Speak on Revenue Generating Alternative for IP Owners
April 25, 2025

Six Akerman Lawyers Recognized as *Franchise Times* 2025 Legal Eagles
April 01, 2025

- Represented a well-known global nonprofit organization in a multimillion-dollar deal to license its brand to launch an e-commerce retailer licensee seeking to open and operate an online consumer marketplace for its members to sell goods on the branded platform.
- Represented a large, casual Tex-Mex franchisor in international franchise and licensing matters, which included the preparation of an international retail master license agreement to allow it to expand retail services outside the United States.
- Represented a large apparel manufacturer licensee in a more than \$400 million license transaction for a well-known athletic brand.

Trademark Litigation:

- Represented a world-famous entertainment brand in a lawsuit to determine trademark ownership. Judgment was awarded finding infringement, awarding the brand declaratory relief of its ownership of the trademarks, injunctive relief to prevent the defendant from infringing or interfering with the brand's ownership of the marks, statutory damages, and attorney fees.

Franchise Acquisitions:

- Represented the master franchisee in its multimillion-dollar acquisition of the master franchise rights to a popular specialty restaurant, including area development rights for Israel.

Franchise Counsel:

- Represented a Florida-based restaurant chain during its initial franchise process. Developed its multi-unit franchise disclosure document, franchise agreement, development agreement, and related documentation and state filings; client signed its first franchisee in early 2022.
- Represented a startup franchisor specialty clothing retailer brand; drafted compliant franchise disclosure document and franchise agreement documents.
- Provide franchise counsel for a leading staffing provider, including annual review of the company's current franchise disclosure document for FTC compliance issues and counsel concerning suggested updates, modifications, and other compliance matters.
- Provide franchise counsel to a large contract food service company in connection with its ongoing franchise relationships in the U.S. This includes advice and counsel concerning franchise agreement terms and provisions under federal and state laws, as well as the acquisition and licensing of a new brand.

Global Trademark Portfolio Protection and Counseling:

- Represent a global restaurant and consumer food products brand with regard to global trademark portfolio protection, including online and brick and mortar enforcement, global licensing, and other brand related agreements.
- Represent a well-known nonprofit in its global trademark prosecution matters, as well as online and brick and mortar enforcement.
- Represent a well-known clothing and headwear brand with its global trademark prosecution, enforcement, and licensing.

- Represent a well-known entertainment brand with its global trademark, prosecution, enforcement, and licensing.

Affiliations

- Benjamin N. Cardozo School of Law, Alumni Association
 - Pro Bono Committee, Former Chair, 2010-2014
 - Alumni Association, Former Chairperson, 2006-2010
 - Career Development Committee, Former Chair
- International Trademark Association (INTA), Member
 - Brands for a Better Society Committee, 2024-2025
 - Commercialization of Brands Committee, Sub-Committee Chair for Licensing, 2020-2022; Sub-Committee Chair for Regulatory, 2022-2024
 - Brands & Innovation Committee, 2018-2020
 - ADR Committee, 2013-2017; Neutrals Standards and Measurements Sub-Committee, Chair, 2014-2015
- New York State Bar Association, Member
 - Executive Committee, Member
 - Intellectual Property Law Section, Honorary Member and Former Section Chair, 2002-2004
 - Litigation Committee, Co-Chair, 2006-2010
 - Business Law Section, Franchise, Distribution and Licensing Law Committee, Member, 2014-Present
- American Bar Association, Intellectual Property Section, ABA Forum on Franchising, Member, 2013-Present
- Association of the Bar of the City of New York
 - Fashion Law Committee, Member, 2012-2020
 - Chair, 2014-2017
 - Intellectual Property Council Representative, 2013
- Hebrew Academy of Nassau County (HANC), Board of Directors, 2010-2012
- Young Israel of Plainview, Member
 - Board of Trustees, 2010-2012
 - Former Vice President of Fundraising, 2007-2008
 - Little League Director, 2004-2018
- Unchained At Last
 - Board of Directors, President, 2022-2024
 - Board of Directors, Member, 2018
- Foundation for Art & Healing, Secretary, Board of Directors, 2018-Present

Published Work and Lectures

- ESCAPADES Intellectual Property Conference, Speaker, “Revenue Generating Alternative for IP Owners,” April 25, 2025
- *ABA Franchise Law Journal*, Volume 43, Number 4, Author, “Revenue Generating Alternatives for Franchises and the Associated Risks,” Fall 2024
- *New York Law Journal*, Co-Author, “Accelerating Brand Expansion via Master Franchising and Licensing,” October 22, 2024
- *New York Law Journal*, Author, “Amending New Yorks Franchise Law to Promote Franchise Growth,” August 23, 2024

- *New York Law Journal*, Co-Author, “Franchising Versus No-Poach/Non-Compete Issues, Part 2,” April 16, 2024
- *New York Law Journal*, Co-Author, “Is Franchising Really Doomed in 2024?,” February 21, 2024
- New York State Bar Association, IP Section Annual Meeting, Speaker, “Cybersecurity/Data Privacy,” January 17, 2024
- *New York Law Journal*, Co-Author, “Artificial Intelligence and Franchising,” October 25, 2023
- *New York Law Journal*, Co-Author, “Franchisors and Vicarious Liability for Actions of Franchisees or Their Employees,” August 23, 2023
- *LexisNexis*, A Practical Guidance Practice Note, Co-Author, “State Franchise Exemptions,” March 15, 2023
- *LexisNexis*, A Practical Guidance Practice Note, Co-Author, “Franchise Exemptions,” March 14, 2023
- *LexisNexis*, A Practical Guidance Practice Note, Co-Author, “Franchising: An Updated look at the Basics,” March 13, 2023
- *Law.com*, Co-Author, “Franchising and the New Copyright Claims Board,” March 7, 2023
- *Law360*, Author, “How Attys Can Prep Latin American Brands For US Entry,” January 25, 2023
- *New York Law Journal*, Co-Author, “A Peek Behind Recent No Poach Antitrust Actions in Franchising,” November 2, 2022
- *New York Law Journal*, Co-Author, “Cybersecurity: Franchisors and Franchisees Beware,” August 26, 2022
- *New York Law Journal*, Co-Author, “Is Franchising Doomed? (Part 3)” April 22, 2022
- *New York Law Journal*, Co-Author, “Franchising in the Metaverse,” March 1, 2022
- *Lexis Nexis Practical Adviser*, Author, “Franchise Termination Statutes State Law Survey,” October 29, 2021
- *The Licensing Journal*, Volume 41, Number 8, Co-Author, “Brand x Brand: Collabs and Cobranding,” October 12, 2021
- *New York Law Journal*, Co-Author, “Privacy and Franchising: Are You Keeping Up To Protect Your Consumers and Your Franchise?” September 29, 2021
- *New York Law Journal*, Co-Author, “Is Franchising Being Threatened (Again)?” June 7, 2021
- *New York Law Journal*, Co-Author, “What Does the 2020 Trademark Modernization Act Have in Store for Franchising?” February 16, 2021
- *New York Law Journal*, Co-Author, “The Case for Doing Well by Doing Good in Franchising,” October 1, 2020
- The Small Business Advocate Podcast, Speaker, “Force Majeure,” May 20, 2020
- *New York Law Journal*, Author, “Franchising During and After the Pandemic,” May 8, 2020
- New York State Bar Association, Intellectual Property Section, Co-Author, “Resources for IP Lawyers During COVID-19,” April 22, 2020
- New York City Bar, Speaker, “Fundamentals of Franchising,” March 10, 2020
- Small Business Advocate Podcast, Speaker, “Why Taxes and Unions are Behind the Assault on the Franchise Industry,” January 14, 2020

- Small Business Advocate Podcast, Speaker, “The Franchise Industry Is Under Assault On Employment Structure,” January 14, 2020

Honors and Distinctions

- *World Trademark Review 1000*, 2011-2024, Listed Among the World’s Leading Trademark Professionals
- *Best Lawyers*, 2020-2025, Listed in New York for Franchise Law, Copyright Law
- Lexology Index Thought Leaders: USA, 2025, Recognized as a Leading Practitioner for IP Trademarks
- *Super Lawyer* Magazine, 2001-2023, Listed in New York for Intellectual Property Law; 2012-2018, 2020-2022, 2023, 2024, Named a Top 100 Lawyers in New York Metro for Intellectual Property
- *Managing Intellectual Property* Magazine, 2013-2024, Recognized as an “IP Star”
- *Who’s Who Legal*, 2017-2020, Recognized as a Global Leader for Franchising and Trademarks
- *Franchise Times Magazine*, 2018-2023, 2025, Recognized as Legal Eagle
- *Legal 500*, 2015-2018, Recommended for Copyright; 2019-2021, 2023, Recommended for Non-Contentious Trademark Law
- Lexology Client Choice Guide - International Award, 2013, Sole Winner for Intellectual Property: Copyright Category for New York
- *Chambers USA*, 2008-2012, Ranked in New York for Intellectual Property: Trademark & Copyright
- International Trademark Association, 2015, Volunteer Service Award in the Advancement of Committee or Subcommittee Objectives Category
- Cardozo Law School Alumni of the Year Award, 2015, Recipient
- Her Justice, 2015, Commitment to Justice Award