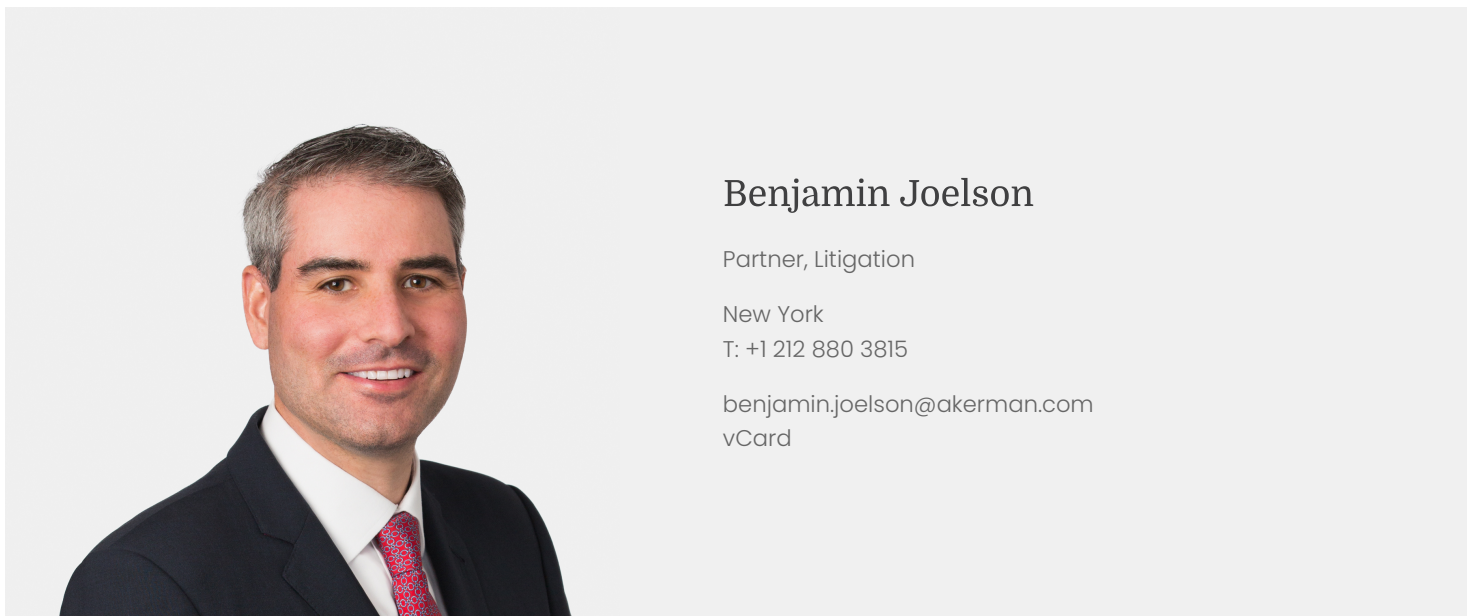


People



Benjamin Joelson

Partner, Litigation

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vCard

Benjamin Joelson litigates complex commercial disputes at both the trial and appellate levels, in state and federal courts, and in arbitrations. His practice focuses on representing real estate developers, commercial landlords and tenants, hotel owners and operators, and construction companies in a variety of real estate and hospitality disputes. Benjamin also represents individuals and companies in the private equity, pharmaceuticals, life sciences, entertainment, retail, fashion and insurance industries. Benjamin assists his clients with navigating a wide variety of disputes, including those relating to breach of contract, fraud, breach of fiduciary duty, land use, corporate dissolutions, trademark and copyright infringement, and professional liability.

In addition, Benjamin is one of the leading litigators in the field of high-end collectables, with a particular focus on game-worn sports memorabilia. In this field, Benjamin has handled disputes concerning some of the most valuable and well-known items of memorabilia, including game-worn items from athletes such as Michael Jordan, Kobe Bryant, LeBron James, Wilt Chamberlain, and Patrick Ewing, among countless others.

Notable Work

Commercial Lease Dispute Resolution and Litigation: Represent local and national commercial landlords and tenants with respect to lease and other property-related disputes, including pre-litigation and in litigation across the country. Representations involve all types of asset classes, including retail, industrial, office and data centers, and all types of leasehold estates, including leases, ground leases, subleases, licenses, and other structures.

Corporate Dissolution: Represented the minority shareholders of a closely held corporation in a state court action involving claims for breach of fiduciary duty, fraudulent conveyances, and corporate dissolution.

Areas of Experience

Litigation
Commercial Disputes
Intellectual Property Litigation
Real Estate Litigation
Professional Liability
Trade Secrets, Restrictive Covenants, and Unfair Competition
Private Equity Litigation
Appellate
Class Action Defense
eDiscovery Services
Hospitality Dispute Resolution
Health and Life Sciences
Hospitality
Commercial Lease Dispute Resolution and Litigation
Sports and Entertainment Law

Education

J.D., Brooklyn Law School, 2009, *magna cum laude*,
Brooklyn Journal of Corporate, Financial and Commercial Law, Editor
B.A., University of Michigan, History and Sociology, 2006

Admissions

Bars

New Jersey
New York

Courts

U.S. District Court, Eastern District of New York
U.S. District Court, Southern District of New York
U.S. District Court, District of New Jersey
U.S. Court of Appeals, Second Circuit

Related Content

Business Torts: Represented a well-known figure skater and his business partners in a federal court action brought by a former business associate, asserting claims under RICO, and for aiding and abetting breach of fiduciary duty and conversion.

Sports Memorabilia Litigation: Successfully defended clients in litigation brought in Utah State Court asserting claims for fraud, conversion, breach of contract, and conspiracy relating to the purchase of the sneakers worn by Michael Jordan during game two of the 1998 NBA finals.

Sports Memorabilia Litigation: Successfully represented a client in a federal court action seeking to enforce a contract concerning an option to purchase various game-worn items of numerous NBA legends.

Intellectual Property: Represented international shipping company in a federal court lawsuit against a competing international shipping company for claims of trademark infringement, false designation of origin, false advertising, tortious interference with contract, and unfair competition relating to the competing company's use of client's name and trademarks.

Land Use: Represented a real estate investment company in Article 78 proceedings in the New York State Supreme Court challenging the City's denial of company's right to build a signage installation under the Zoning Resolution of the City of New York.

Breach of Contract: Represented foreign investment companies at a federal jury trial concerning claims for the breach of several contracts to deliver securities.

Land Use: Represented owners and developers of property in Queens, New York in Article 78 proceeding brought by local community organizations seeking to annul and vacate resolution amending the zoning map and text allowing for development of residential and mixed-use buildings.

Hospitality: Represented owner and franchisee of hotel in a state court lawsuit seeking to prevent franchisor from terminating franchise agreement in violation of New Jersey Franchise Practices Act and the franchise agreement.

Breach of Contract: Represented a private equity investment firm and manufacturer of boat parts in a federal court action concerning claims for breach of contract, breach of the covenant of good faith and fair dealing, trademark infringement, unfair competition, misappropriation of trade secrets and conspiracy in connection with negotiations to purchase a competing manufacturer and distributor of boat parts.

Breach of Contract: Represented a high-end ancient textile art gallery located in Milan, Italy in a state court lawsuit alleging breach of an oral partnership agreement to purchase an extremely rare, antique piece of art.

Intellectual Property: Represented world renowned music group in federal court action against music publisher asserting claims for reformation of contract, declaratory judgment, and injunctive relief seeking to recover the music group's rights to administer certain musical compositions overseas.

Joshua Bernstein and Benjamin Joelson Discuss
Memorabilia Market With *Professional Sports and
the Law*
June 26, 2025

Issues Affecting the Selection of an Arbitrator in
Hotel Management Agreements and Franchise
Agreements
May 19, 2025

Leisure Law Insider (Vol. 6) - Spring 2025
Spring 2025

Life Sciences: Represented company in the business of collecting human plasma and processing plasma-based products in an international arbitration against a supplier of plasma for breach of quality and quantity-related provisions of supply agreement.

Intellectual Property: Represented a manufacturer and distributor of a line of hair care products in a federal court action against numerous wholesalers and retailers selling counterfeit products.

Breach of Contract: Represented a corporate finance advisory company in an arbitration seeking to recover success fees due under the company's engagement with a clinical stage biotechnology company.

Breach of Contract: Represented one of the largest insurance companies in the United States in a state court lawsuit brought by a former agent for the recovery of commissions.

Intellectual Property: Represented a fragrance brand owner in a federal court action involving claims of trademark infringement, false designation of origin, false advertising, unfair competition, and deceptive acts and practices.

Business Torts: Represented a corporation in the business of providing administration services in connection with 403(b) retirement plans against claims of false advertising and deceptive acts and practices.

Honors and Distinctions

- *Benchmark Litigation*, 2024, Named to the "40 & Under" List
- *The Best Lawyers in America* 2023, Listed in New York for Litigation - Real Estate
- *Super Lawyers* Magazine 2015-2020, Listed in New York as a "Rising Star" for Business Litigation

Ranking Methodologies

Published Work and Lectures

- *Law360*, Real Estate Authority, Co-Author, "How Retail Tenants Can Avoid Paying Rent Prematurely," April 11, 2024
- *Professional Sports and the Law*, Volume 15, Issue 9, Q&A Feature, "Akerman Attorneys Offer Insights Into the Sports Memorabilia Industry," May-June 2025