



Emily E. Gianetta

Associate

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OVERVIEW

Emily Gianetta is an associate in the firm's Boston office specializing in antitrust, competition, intellectual property, and complex business litigation.

Emily's litigation experience includes high-stakes antitrust and competition cases involving monopolization and restraint of trade issues under the Sherman and Clayton Acts, pricing issues under the Robinson-Patman Act, intellectual property claims, and false advertising disputes. Emily has experience covering all stages of complex civil litigation, from inception through trial. She has drafted appellate briefs in the U.S. Court of Appeals for the First Circuit and the Massachusetts Appeals Court, petitions for writ of certiorari to the U.S. Supreme Court, pleadings and briefs in complex business matters before the American Arbitration Association, and various dispositive and non-dispositive motions in federal and state court.

In addition to her litigation experience, Emily is a member of the global brand equity and strategic distribution team, which advises product manufacturers on the design and implementation of distribution and resale price maintenance strategies focusing on limiting online price erosion and gray market disruption in North America, Europe, Asia, and Australia. Emily and her team routinely develop customized, global go-to-market distribution strategies for product manufacturers across diverse product verticals. Due to her litigation background, Emily plays a key role helping clients monitor and enforce compliance with their distribution programs to achieve price stability and brand protection globally.

Emily maintains an active pro bono practice helping undocumented children obtain legal status in the United States.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Emily was an associate in the Boston office of an international law firm, practicing business & tort litigation. Upon graduation from law school, Emily served as a law clerk to the Honorable Chief Judge Eric T. Washington of the District of Columbia Court of Appeals.

ACHIEVEMENTS

- Listed in the “Ones to Watch” section, *The Best Lawyers in America*©, 2021
- 2013 Washington College of Law Mussey Prize Recipient (highest scholastic average during final year of study)

EDUCATION

- J.D., American University Washington College of Law, 2013 (*summa cum laude*; *Order of the Coif*; *Associate Symposium Editor, American University Law Review*; *Member, Moot Court Honor Society*)
- B.A., Tufts University, 2010 (*magna cum laude*)

ADMISSIONS

- Bar of Massachusetts
- United States Bankruptcy Court for the District of Massachusetts
- United States Court of Appeals for the First Circuit
- United States District Court for the District of Massachusetts

LANGUAGES

- Spanish

THOUGHT LEADERSHIP POWERED BY HUB

- 4 May 2020, Supreme Court Raises the Stakes Against Unauthorized Resellers: Willfulness No Longer Required for Manufacturers to Obtain Profits in Trademark Cases (*Alerts/Updates*)
- 19 March 2020, Turning Over a New Leaf: Maine Law Court Provides Path for Foreclosing Entities to Cure Greenleaf Defects with Assignments of Mortgage and Signals That Reconsideration of Greenleaf May Be Warranted (*Alerts/Updates*)
- 25 July 2019, Got An Antitrust Compliance Program? (*Alerts/Updates*)
- 15 July 2019, China’s High Court Maintains the Status Quo for Now, but the Future for Resale Price Maintenance in China Is Optimistic for Product Manufacturers (*Alerts/Updates*)
- 8 March 2017, Supreme Court Declines to Hear Seventh Circuit Case Holding That Bulk Packaging Does Not Constitute a Promotional Service Under the Robinson-Patman Act (*Alerts/Updates*)

OTHER PUBLICATIONS

- "Issue Preservation: Protecting the Record on Appeal," *Practical Law Journal*, December 2015/January 2016
- "The FTCA and Equitable Tolling: Why the 'Wong' Decision Matters," *Massachusetts Lawyers Weekly*, 14 September 2015

AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation
- Appellate Litigation
- Complex Commercial Litigation and Disputes
- IP Litigation

REPRESENTATIVE EXPERIENCE

- *Covves, LLC v. Bigmouth, Inc.*, Indiana, Federal District Court: Representing Defendant BigMouth in a design patent infringement case concerning Covves' Giant Unicorn Pool Float and Unicorn Beverage Float patents.
- *Healthline Depot, LLC, v. Medline Industries, Inc.*, New York, Federal District Court: Representing Defendant Medline Industries, Inc. in civil tort case involving claims of tortious interference and product disparagement.
- *Epson America, Inc. v. Curtis International Ltd, et al.*, California, Federal District Court: Representing Epson America, Inc. in civil antitrust litigation involving false advertising in the consumer projector market.
- *Nest Laboratories, Inc. v. USA Supply Source*, Massachusetts, State Court: Represented Nest in tortious interference with contract suit against unauthorized resellers of its products.
- *Nutramax Laboratories, Inc. v. Pure Supplements, Ltd., et al.*, South Carolina, Federal District Court: Represented Plaintiff Nutramax in false advertising dispute against private label supplement companies that illegally used its brand name.
- *Security Data Supply, LLC, et al. v. Nortek Security and Control LLC, et al.*, Texas, Federal District Court: Representing defendant Nortek Security and Control, LLC in civil antitrust litigation alleging claims of price discrimination under the Robinson-Patman Act, tortious interference, corporate bribery, and unfair competition.