

Meryl Bernstein

Partner

Washington, D.C.

New York

Biography

Whether it's the next commercial or strategic transaction, reshaping supply or distribution relationships, or executing new technology and distribution platforms, Meryl Bernstein partners with clients to bring practical solutions in real time. Meryl is the co-head of the firm's global Retail, Consumer Products, and Fashion group and the co-head of the Transactional group within the Intellectual Property, Media, and Technology practice group.

Meryl brings her extensive skills in e-commerce and technology transactions to help global fashion, beauty, internet, and software firms with a range of technology, marketing, and complex commercial matters from supply chain, distribution, licensing, and promotional arrangements. Meryl also advises clients on their social media presence and online marketing issues, including through sweepstakes and promotions.

Meryl guides her clients through large-scale change as they expand into new markets or business lines, from a technology and IP perspective, advising on licensing agreements, IP protection matters, IP integrations, and more. She navigates clients through digitizing traditional products, launching new product lines, commencing new partnerships with technology providers, and incorporating new technologies into their business. Meryl also advises companies on the IP components of M&A and asset deals and other commercial arrangements in the M&A context.



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Practices

IP and Technology Transactions

Complex Contracting

Copyright

Intellectual Property

Trademarks and Brands

Industries

Consumer

Technology and Telecoms

Sports, Media and Entertainment

Areas of focus

Broadband, Internet, and E-commerce

Meryl's prior role as Assistant General Counsel at Gilt Groupe, where she oversaw all IP matters and advised on a range of commercial agreements, taught her the importance of practical legal advice with a quick turnaround. Previously with another international law firm, Meryl advised on IP issues in the most high-profile mergers and acquisitions, securities offerings, and financing transactions in the world.

Meryl is the immediate past president of the Washington, D.C. chapter of Ellevate Network and is active with the firm's initiatives for the advancement of women and girls.

Representative experience

Advising Sotheby's on U.S. e-commerce law, drafting customer facing terms and conditions, and guiding through arrangements with providers of goods and services as they launch an e-commerce platform.

Advising OUTFRONT Media on its acquisitions of the technology and tools necessary to digitize its business, including complex license and IP transfer arrangements.

Ongoing representation of food and beverage manufacturers and retailers including Wyandot regarding supply and manufacturing arrangements.

Counseled Girl Scouts of the USA on all aspects of its Digital Cookie program, making cookies available for purchase online, including licensing, manufacturing, and customer terms.

Instructs leading consumer brands including J Brand, Supergoop! and Glo Skin with respect to international distribution and supply chain arrangements.

Serves as lead deal counsel to Soremartec, a branch of the Ferrero Group, in connection with IP transactional matters for the company's Open Innovation Center.

Ongoing representation of women's fashion company MM. LaFleur on intellectual property matters, including global trademark prosecution.

Cosmetics and Personal Care Products

Food and Beverages

IP Licensing, Commercialization, and Technology Transfer

IP Rights in Transactions

Technology Contracts

Strategic Counseling and Portfolio Development

Manufacturing

Procurement

Fashion and Luxury Brands

Retail and Consumer Goods

Esports and Gaming

Education and admissions

Education

J.D., Fordham University School of Law, cum laude, 2006

B.A., Wellesley College, summa cum laude, Phi Beta Kappa, Trustee Scholar for Outstanding Academic Achievement, 2003

Memberships

Member, ChIPs (organization for Women in IP), 2013-Present

Member, Fashion Law Committee, New York Bar Association, 2012-Present

Member, Intellectual Property Law Section, American Bar Association, 2007-Present

Past President of the Board, Ellevate, Washington, D.C. chapter

Represented celebrity jeweler Neil Lane on intellectual property matters in connection with sale of Neil Lane brand to Authentic Brands Group.

Conducted e-commerce review for large fashion house's U.S. e-commerce operations for brands' online sales and social media channels.

Provided IP counsel to Synopsis in its US\$565m purchase of Black Duck Software, a venture-backed software security company.

Advised KBR, Inc., in its acquisition of SGT, Inc., a government services provider.

Handle key relationships with fashion brands and advised on legal issues relating to supply agreements, supply chains, logistics, and sourcing.

Manage the development, implementation, and administration of sweepstakes, contests, and promotions companywide, including on social media platforms.

Helps internet, fashion, software, pharmaceutical, and financial companies with technology, trademark, copyright, and general commercial issues.

Advises clients on issues relating to their social media presence, online marketing, and business initiatives.

Advised DLH Holdings, a health care services contractor, on its US\$70m acquisition of Social & Scientific Systems, a public health research organization.

Led Gilt Groupe on fashion law matters relating to the launch of private label brands and the negotiation of large-scale supply agreements.*

*Matter handled prior to joining Hogan Lovells.

Awards and rankings

- Legal Elite, Young Lawyers, *Virginia Business magazine*, 2016
- National Association of Women Lawyer's Award, 2006

Member, Internet Committee,
International Trademark Association

Member, Women in Technology

Bar admissions and qualifications

Virginia

District of Columbia

New York

Court admissions

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

- Archibald R. Murray Award for Public Service, 2006
- Media, Technology and Telecoms: Technology Transactions, *Legal 500 US*, 2019

Latest thinking and events

- News
 - Proposed New York Fashion Sustainability and Social Accountability Act would require sustainable fashion
- News
 - Fashion Nova slapped with \$4.2M fine for filtering out negative reviews online
- News
 - Welcome to the Holiday Guide 2021
- Webinar
 - Consumer Horizons webinar: The global e-commerce explosion: How new regulations and consumer protection requirements will affect your business
- News
 - Getting the Deal Through: Luxury & Fashion 2021
- Insights
 - Who influences the influencers?