

H E R R I C K

HERRICK, FEINSTEIN ACHIEVES SUCCESS FOR ULTRA ENTERPRISES IN TRADEMARK INFRINGEMENT AND BREACH OF CONTRACT SUIT

Two Weeks of Trial Before a Jury in Federal Court Provide Litigators with Leverage to Negotiate Major Settlement Protecting Company's Trademark Usage Around the World

New York, August 15, 2012 - Herrick, Feinstein, LLP successfully represented Ultra Enterprises, Inc. in its federal trademark infringement and breach of contract trial against the world's largest independent electronic dance music record label, ultimately obtaining a favorable settlement that protects its trademarks and expands its global music festival opportunities.

The action was taken to trial in U.S. District Court for the Southern District of New York on behalf of Ultra Enterprises, which is the owner of the trademark for the Ultra Music Festival, the award-winning Miami electronic dance music festival; the UMF Ibiza music festival; the UMF Brazil music festival; and other UMF music events. The litigation team from Herrick tried the infringement case before an eight person jury for two weeks. Using the leverage of a likely verdict of trademark infringement against the other side, Herrick's team negotiated a settlement that protects Ultra Enterprises' trademarks globally and creates an opportunity for the parties involved in the case to move forward and work together on future business endeavors.

The Herrick team was led by Steven D. Feldman, a Partner in the firm's Litigation Department with significant federal court trial experience, and Partner M. Darren Traub, an experienced litigator and trademark law practitioner. The team was joined by Associate Kimberly Linkletter and Paralegal Robin Richards.

"Representing Ultra Enterprises at trial to protect its trademarks, and then using our success to settle this dispute will allow the company to grow its brands and pursue new avenues of expansion," said Mr. Feldman. "Our ability to make a convincing argument to the jury gave us the leverage to obtain a negotiated business settlement that far exceeded our client's expectations."

Founded in 1928, Herrick, Feinstein LLP is a prominent 165-lawyer firm headquartered in New York City providing a full range of legal services, including art law, bankruptcy and business reorganization, commercial litigation, corporate law, employment law, government relations, insurance, intellectual property, real estate, sports law, and tax and personal planning.

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