



James B. Astrachan
Partner

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Astrachan. For a guy with such an impossible last name, people remember Jim Astrachan. He'd joke that such a distinction may not bode well, but really, it's because Jim does what he describes as "getting out there and doing it." Jim has gotten out there and blazed a trail long and wide.

A partner at Goodell DeVries, Jim Astrachan represents clients in intellectual property law and litigation, mediation, and business, regulatory, and transactional matters. He's also a Life Fellow of the Baltimore City Bar Foundation, the Maryland Bar Foundation, and the American Bar Foundation. He has been an adjunct professor since 1979, teaching IP courses at the University of Maryland School of Law, University of Baltimore School of Law, and University of Baltimore's Graduate School of Communications Design. He also teaches taxation subjects at Loyola's Sellinger School of Business. (Yes, that's right, tax, and why not? He has an LL.M. (Taxation) from Georgetown University Law School.)

Since 1999, his teaching has focused on Copyright, the Second Amendment, and Trademark and Unfair Competition at several universities, including the aforementioned University of Maryland and University of Baltimore, as well as Frances King Carey School of Law. Jim also wrote a course called *Gun Control and the Second Amendment* and taught it at Johns Hopkins University (2016), Washington College (2016-2020), and the University of Baltimore School of Law (2017). In 2017, Jim organized with the University of Baltimore Law Review a symposium called *Do We Have a Gun Problem? If Yes, What Are the Solutions?* The symposium expressed the views of national experts in the field; he recreated that symposium with the panel of national experts in 2019 for the Baltimore City Bar Foundation.

As his associates will readily tell you, Jim doesn't just lecture to law students. When he's not standing in front of a bunch of students, Jim speaks nationwide on intellectual property topics, including advertising law, branding, trademark protection, and copyright protection. He and his wife and former law partner, Julie Rubin, co-hosted with Dan Rodricks a bi-weekly radio show on the law on public radio, WYPR 88.1, from 2011 to 2013. Unfettered by his questionable typing and spelling skills, Jim doesn't limit his "getting out there" to speaking. He's a writer

too. Since his earlier days when he nabbed his own legal column at *Adweek* magazine, Jim became a fixture at *The Daily Record*, where his monthly Legal ADvice column was featured from 1995 to 2011.

Jim mediates complex cases for the Circuit Courts of Baltimore City, Baltimore County, and Queen Anne's County. In 2015, he was appointed to the trademark mediator panel of the International Trademark Association (INTA) in recognition of his mediation skills and substantive trademark knowledge.

Jim and Goodell DeVries partner [Donna Thomas](#) are the authors of [The Law of Advertising and Mass Communications](#), a six-volume treatise published by Matthew Bender Lexis/Nexis since 1972. In 2013, Jim devised and was editor of *The Patent, Copyright, Trade Secret, Right of Publicity, Trademark Handbook for Maryland Business and Litigation Lawyers*, published by the MSBA; a second edition of this work was published in 2019.

Jim's scholarship and interest in IP subjects encompasses numerous law review articles. His article published by Syracuse Law Review, [Unlawful Use in Commerce and the Affirmative Defense to Infringement: When Trademark Rights Are Not What They Appear to Be](#), was judged by Thomson Reuters (West) one of the best IP law review articles published nationally in 2019.

Jim is also co-author of [Goodell DeVries's intellectual property law blog](#).

Jim is annually named one of the *Best Lawyers in America* and a Super Lawyer through a national nomination process (advertising and intellectual property law and litigation). In 2011, he was named by *Best Lawyers* the premier copyright lawyer in Maryland and in 2012 premier trademark lawyer. *The Daily Record* honored Jim in 2013 with its *Leadership in Law Award* and in 2019 with a *Lifetime Achievement Award*. Since 2013, he has served on the Baltimore City Sitting Judges' Reelection Committee.

Following a three-year tour of duty, Jim escaped the Presidency of the Advertising Association of Baltimore. He was a member of the Executive Committee of the Bar Association of Baltimore City and is the founding and former Chair of the Intellectual Property Committee of the Maryland State Bar Association. He serves on the Peer Review Committee for the Maryland State Bar Association Grievance Commission and serves on the Legal Advisory Committee of the Association of American Advertising Agencies. He is a recipient of the *Crystal Prism*

Award and the *Silver Medal Award* for outstanding contribution to the advertising industry, awarded by the American Advertising Federation.

He chairs *The Daily Record* Editorial Advisory Board, is a Director of the Baltimore Bar Library, and served for over a decade on the MSBA's *Maryland Bar Journal* Editorial Board. Jim is a Trustee of the Baltimore Bar Foundation, Inc., where he served as Chair of its Strategic Planning Committee and is President, was a Director of Free State Justice, an LGBTQ advocacy group, through 2017, and served as the Grand Puh Bah of the Serjeants' Inn Law Club. How does he find the time?

Jim's clients include advertising agencies, advertisers, architects and designers, technology and communications firms, educational institutions, and all sorts of businesses nationwide. He wears many hats as a copyright lawyer, trademark attorney, IP attorney, and business lawyer for starters. He's a swell guy, and bald.

Practice Areas

- Intellectual Property
- Business and Corporate Law
- Advertising and Mass Communications
- Commercial and Business Tort Litigation

Court Admissions

- Maryland
- District of Columbia
- Pennsylvania
- United States District Court for the District of Maryland
- United States District Court for the District of Columbia
- United States District Court for the Central District of California
- United States District Court for Middle District of Florida
- United States District Court for the Eastern District of Michigan
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the District of South Carolina
- United States District Court for the Northern District of Texas

Education

- Georgetown University Law Center (LL.M. in Taxation, 1978)
- University of Baltimore, School of Law (J.D., 1974)
- Bryant College (B.S., 1970)

Professional Associations

- American Bar Foundation – Life Fellow
- Maryland Bar Foundation – Life Fellow
- Baltimore Bar Foundation, Inc. – Life Fellow; President (2022); Trustee (2015-Present); Chair, Strategic Planning Committee
- Bar Association of Baltimore City – Chair, Professional Ethics Committee (2022-2023); Member, Professional Ethics Committee (2023, 2021, 2020)
- Maryland State Bar Association – Board of Governors; Intellectual Property Committee Chair (1988-1990), Vice Chair (1994-1996), and Legislative Chair (2014-2015); *Maryland Bar Journal* (2004-2018)
- Attorney Grievance Commission, Peer Review Panel – Member (2001-Present)
- Free State Legal Project, Inc. – Director (2015-2017)
- Baltimore City Sitting Judges' Election Committee (2013-Present)
- American Intellectual Property Law Association – Arbitrator and Mediator

Professional Experience

- Astrachan Gunst Thomas, P.C. – Co-owner and Managing Principal (1997-2022)

Representative Matters

- *Acme Pad Corp v. Warm Products, Inc.*, Case No. S98-2830 (D. Md.). (Trademark; Unfair Competition)
- *American Marine PTE Ltd. and Grand Banks Yachts, Ltd. v. Composite Structures, Inc.*, Case No. 8: 99-CV-1423-T-17F (M.D. Fla.). (Trademark; False Advertising; Trade Secrets)
- *C. Rayburn Production & Post, Inc. v. On Target Challenge, Inc., et al.*, Case No. WMN 02-CV598 (D. Md.). (Copyright)

- *Castle Communications, Inc. v. Stahler, et al.*, Case No. RDB-06-cv-0930 (D. Md.). (Copyright; Trade Secret; Breach of Contract; Conversion - injunction)
- *CircaPoetry, LLC, et al. v. American Poets Society, Inc.*, Case No. AMD-02-CV-3161 (D. Md.). (Copyright; Trademark; Unfair Competition)
- *Computer Training.com, Inc. v. Advanced Computer Technology Training, L.L.C.*, Case No. AMD00-1742 (D. Md.). (Copyright; Trademark; Unfair Trade Practice)
- *Design Collective, Inc. v. Metroventures/USA, Inc.*, Case No. CCB-06-CV-2057 (D. Md.). (Copyright)
- *DSMC, Incorporated v. Convera Corporation*, Case No. 1:01-CV-02284 (D. D.C.). (Copyright; Trade Secret; Software Licensing)
- *DSMC, Incorporated v. National Geographic Television Library, Inc.*, Claim in Arbitration/D.D.C. (Copyright; Trade Secret; Software Licensing)
- *Leo J. D'Aleo v. Merritt Properties, et al.*, Case No. MJG-00-CV-2718 (D. Md.). (Copyright)
- *Educational Commission for Foreign Medical Graduates v. Repik, et al.*, Civil Action No.: 99-CV1 (E.D. Pa). (Copyright)
- *Educational Commission for Foreign Medical Graduates v. Teknology-Laine, L.L.C, Laine, and Madani*, Civil Action No.: 6: 99-1676-24 (D. S.C. Greenville Div.). (Internet; Trademark)
- *Educational Commission for Foreign Medical Graduates v. Perot Systems Corporation.*, Civil Action No.: DV99-01637 (Dallas, Texas). (Technology; Breach of contract to develop software)
- *Internet Order, LLC v. Verapass Marketing, LLC, et al*, Case No. DKC-03-CV-1501 (S.D. Md.) (Breach of Contract; Misappropriation; Copyright; Trademark; Unfair Competition; Trade Secret)
- *Janice Harris Lord v. William Mosbrook and Eugene D. Wheeler and Associates, Inc.*, Civil Action No.: 03-CV-2840-D (D. Tx.). (Copyright; Publishing)
- *LabWare, Inc. v. InnaPhase Incorporated*, Case No. 04-2545 (E.D. PA.). (False Advertising)
- *Microsoft Corporation v. TheOpticsShop.com, Inc., etc., et al.*, Case No. L-01-3387 (D. Md.). (Copyright/Trademark)
- *Cumberland Broadcasting Company, et al. v. William J. AuMiller, et al.*, Civil No. 1:2007-cv-02266, (D. Md.) (First Amendment Violation – preliminary injunction)
- *National Board for Certification in Occupational Therapy, Inc. v. The Occupational Therapy Certification Board of America, Inc., et al.*, Case No. AMD-02-473 (D. Md.). (Trademark; Deceptive Trade Practices)
- *Phillips v. Kidsoft, L.L.C.*, Case No. CCB-96-3827 (D. Md.). (Internet Copyright/Trademark)
- *Sandler v. Lifetime Books, Inc.*, Civil Action No.: MJG-96-4078 (D. Md.). (Copyright; Trademark)

- *WB Music Corp., et al. v. Belvedere Restaurant Group, LLC, et al.*, Case No. AMD02-CV-464 (D. Md.). (ASCAP Copyright)
- *The Tire Network, Inc. t/a The Tire Network v. The Goodyear Tire Rubber Company*, Case No. 1:11-cv-1531 (D. Md.). (Copyright, Trademark)
- *First Mariner Bank v. Nationwide Biweekly Administration, Inc.*, Case No. 1:11-cv-1825 (D. Md.). (Trademark)
- *EMI Media v. That's Great News, LLC and Robert R. Roscoe*, Case No. 1:11-cv-2089 (D. Md.). (Copyright)
- *Rosebud Entertainment, LLC v. That's Great News, LLC and Robert R. Roscoe*, Case No. 1:11-cv2085 (D. Md.). (Copyright)
- *Colimore Thoemke Architects, et al. v. TranSystems, Inc.*, 2010 Case No. 2:10-cv-03903 (E.D. Pa.). (Copyright)
- *1st Mariner Bank v. Resolution Law Group*, 2012 Case No. 1:12-cv-1133 (N.D. Md.). (False advertising; Defamation – preliminary injunction)
- *Duffy v. Large Art Company, et al.*, 2011 Case No. 1:11-cv-01871 (M.D. Pa.). (Defamation; Breach of Contract; Right of Publicity)
- *Daggett v. Landmark Community Newspapers of Maryland, LLC, et al.*, 2012 Case No. 02-c-12- 169832 (Anne Arundel County Circuit Court). (Defamation)
- *Rist v. Xcentrics Ventures, LLC*, Case No. 1:12-cv-3660 (D. Md.). (Defamation; Communications Decency Act immunity)
- *Development Design Group, Inc. V. Michel Deller, et al.*, Case No. 1:10-cv-00053 (D. Md.). (Personal Jurisdiction for Foreign Citizens)
- *Everest Financial Management, Inc. v. Does I and II*, Case No. 1:13-cv-01714. (Internet Anonymous Defamation)
- *Teal Bay Alliances, Inc. v. Southbound One, Inc.*, Case No.: 1:13-cv-02180. (Trademark)
- *Potomac Conference Corp. of Seventh-Day Adventists, d/b/a Takoma Academy v. Takoma Academy Alumni Association, Inc.*, 2 F. Supp. 3d 758 (D. Md. 2014). (Trademark – preliminary injunction)
- *Plank v. Cherneski*, Case No. C-02-CV-16-002078 (Cir. Ct. Anne Arundel County). (Breach of Contract – preliminary injunction)
- *Sinclair Broadcast Group, Inc. v. Colour Basis, LLC, et al.*, Case No.: 1:14-cv-02614-CCB (D. Md.). (Copyright)
- *Design Collective, Inc. v. Beaufort-Jasper Higher Education Commission et al*, Case No.: 9:15-cv03089-DCN (D.S.C.). (Copyright)
- *Design Collective, Inc. v. Union Wharf, LLC*, Civil Case No.: 24-C-06-011247 (Circuit Court for Baltimore City). (Copyright)
- *Martinelli Holdings LLC d/b/a Today Media v. That's Great News, LLC, et al*, C.A. No. 1:19-cv-00467-MN (D. Del. 2019). (Copyright; Trademark)

- *Organic Farmacy Management v. Four Green Fields, LLC*, Case No. C-14-CV-18-000056 (Cir. Ct. for Kent County 2018). (Breach of Contract)
- *Thomson v. Belton*, No. CV ELH-18-3116, 2018 WL 6173443 (D. Md. Nov. 26, 2018). (First Amendment)
- *Kolbe v. Hogan*, 813 F.3d 160 (4th Cir. 2016), reh'g en banc granted, No. 14-1945, 2016 WL 851670 (4th Cir. Mar. 4, 2016). (Second Amendment)
- *STX, LLC v. Epoch Lacrosse, LLC*, No. CIV.A. RDB-14-3511, 2015 WL 4885534 (D. Md. Aug. 14, 2015). (Patent)
- *LawCo USA, PLLC v. Gilman & Bedigian, LLC*, Case No.: 1:21-cv-02965-CCB (D. Md.) (Trademark)
- *IOMAXIS, LLC v. Nicholas Hurrysh, Jr. and Hillcrest Farm, LLC*, Case No.: 8:20-cv-3612-PJM (D. Md.) (Trade Secret)
- *Beckman v. Jones, et al.*, Case No.: 24-C-21-002608 (Circuit Court for Baltimore City) (Defamation)
- *Gilman & Bedigian, LLC v. Matrix Advertising, L.L.C., et al.*, Case No.: 1:22-cv-00684-ELH (D. Md) (Breach of fiduciary duty and unjust enrichment)

Publications

Jim has delivered hundreds of seminars and talks to Judicial Institutes, Association of Corporate Counsel chapters and others on a broad array of topics, including irreparable harm, trademarks, valuation of damages, advertising law and copyright. He has authored many articles on intellectual property and other subjects, including six published law review articles.

Legal Treatises

- *The Law of Advertising and Mass Communications*, James B. Astrachan and Donna M.D. Thomas, authors; George Eric Rosden & Peter E. Rosden, original authors, six volumes LexisNexis/Mathew Bender (2005-Present)
- Editor, *Intellectual Property Handbook for the Maryland Business Lawyer and Litigator*, Maryland State Bar Association (2013, 2019)

Law Review Articles

- Astrachan, James B., J.D., LL.M, *An Award of Statutory Damages Under the Copyright Act for Post-Registration Infringements? It Depends.*, Drake Law Review (Summer 2022)

- Astrachan, James B., J.D., LL.M., *The Public Policy Argument Against Trademark Licensee Estoppel*, Missouri Law Review, Vol. 85, No. 4 (Fall 2020)
- Astrachan, James B., J.D., LL.M., *Unlawful Use in Commerce and the Affirmative Defense to Infringement: When Trademark Rights Are Not What They Appear to Be*, Syracuse Law Review (Summer 2019)
- Astrachan, James B., J.D., LL.M., *The Bumpy Road to the Supreme Court: Does the Second Amendment Prevent States from Prohibiting Ownership of Assault-Style Rifles and High-Capacity Magazines?* University of Baltimore Law Review, Volume 47, Issue 3 (Summer 2018)
- Astrachan, James B., J.D., LL.M.; *Who Will Protect the Consumers of Trademarked Goods?* University of Baltimore Law Review, Volume 46, Issue 3 (Summer 2017)
- Astrachan, James B., J.D., LL.M., John R. Michener, Ph.D., Steven D. Mohan, D.C.S. Hale, David J., J.D., *'Snake-Oil Security Claims' - The Systematic Misrepresentation of Product Security in the e-Commerce Arena*, Univ. Michigan Law School Telecommunications and Technology Law Review Journal, Volume 9, Issue 2 (Spring 2003)

Relevant Teaching

- University of Maryland School of Law
 - Adjunct Professor, Copyright Law (1999)
 - Senior Adjunct Professor, Trademark and Unfair Competition Law (2002-2015)
- University of Baltimore School of Law
 - Adjunct Professor, Intellectual Property and Mass Communications (1999-2001)
 - Adjunct Professor, Copyright Law (2010-2012)
 - Adjunct Professor, Trademark and Unfair Competition Law (2009, 2014-Present)
 - Adjunct Professor, The Second Amendment and Gun Control (Fall 2017, 2023)
- Johns Hopkins University, Odyssey Program
 - Instructor, Gun Control and the Second Amendment (2016)
- Washington College, Academy of Lifelong Learning
 - Instructor, Gun Control and the Second Amendment; Intellectual Property (2016-2020)
 - Instructor, The Trials of Trump (2024)

Other

- WYPR Public Radio, 88.1, Midday on the Law Radio Program – Co-Host (2011-2013)
- *The Daily Record* Editorial Advisory Board – Chair (2009-Present)
- Co-author, "The Anatomy of a Trademark Case," Association of Corporate Counsel (ACC), Baltimore Chapter (September 2022)
- Presenter, "Trademark Basics and Anatomy of a Trademark Case," Association of Corporate Counsel (ACC), Baltimore Chapter (July 2022)

[Click here to access Jim's papers on the Social Science Research Network.](#)

Recent Articles and Presentations

- Co-presenter, "How to Prepare for Selling Your Business," Goodell DeVries Seminar (April 12, 2023)
- Co-author, "The Anatomy of a Trademark Case," Association of Corporate Counsel (ACC), Baltimore Chapter (September 2022)
- Presenter, "Trademark Basics and Anatomy of a Trademark Case," Association of Corporate Counsel (ACC), Baltimore Chapter (July 2022)

Honors and Awards

- AV Rated, Martindale Hubbell
- Chambers USA
 - Intellectual Property (Maryland), Band 2 (2022-2024)
- The Daily Record – Icon Honors Award (2022)
- The Daily Record – Lifetime Achievement Award (2019)
- The Daily Record – Leadership in Law Award (2013)
- Best Lawyers in America
 - Baltimore Lawyer of the Year, Litigation – Intellectual Property (2025)
 - Named the premier trademark lawyer in Maryland (2012)
 - Named the premier copyright lawyer in Maryland (2011)
- Super Lawyers
 - Advertising
 - Intellectual Property Law

- Intellectual Property Litigation