

## Lindsey N. Birch

### Senior Counsel

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Lindsey Birch assists organizations in navigating the complexities of domestic and international trademark, trade dress, and copyright law. She advises on issues such as clearance, portfolio management, prosecution, licensing, risk management, defense, and enforcement. Lindsey also provides support for business transactions such as mergers, acquisitions, and sales, ensuring assets are accurately assessed, valued, and protected. She frequently publishes and presents on intellectual property and advertising topics and is an active member of the International Trademark Association (INTA).

As a member of the firm's Trademark, Copyright & Advertising Counseling and Litigation Practices, Lindsey's experience also includes advising on domain name dispute resolution, including under the Uniform Domain-Name Dispute-Resolution Policy (UDRP), risk assessment and counseling concerning false advertising, and guidance on branded social networking and legal compliance for sweepstakes, skill contests, and other promotions. Lindsey has effectively represented clients in administrative proceedings before the National Advertising Division (NAD), the U.S. Patent and Trademark Office's Trademark Trial and the Appeal Board and Internet Corporation for Assigned Names and Numbers (ICANN).

Lindsey has notable experience with intellectual property issues related to the pharmaceutical, biotechnology, medical device, cannabis and supplement industries. This includes trademark, copyright and advertising experience in connection with pharmaceutical naming selection and other cutting-edge legal issues in connection with proprietary technology. To this end, she is an active member of the firm's Cannabis Industry Team and Manufacturing, Innovative Technology, and Health Care & Life Sciences Sectors.

An avid art and art history enthusiast, Lindsey also advises on a variety of art and cultural property law topics related to intellectual property, antiquities, the First Amendment, commercial art transactions, import-export regulations and compliance, and collections management due diligence and other provenance, title and ownership issues. She is a member of the firm's Fashion, Apparel & Beauty Industry Team.

Lindsey previously served as a summer associate in Foley's Milwaukee office and now serves as a member of the firm's recruiting committee. Prior to joining Foley, she interned in the General Counsel's Office for the Institute of Museum and Library Services and held research and teaching assistant positions at the University of Iowa.

## Awards and Recognition

- Wisconsin Pro Bono Honor Society Honoree (2020-2022, 2024)

## Presentations

- Presenter:
  - ["Social Media, Advertising and Branding: Legal Considerations, Compliance and Stakes,"](#) On-Site (Dec. 2025)
  - "Advertising and the Basics of Claim Substantiation," On-Site (Feb. 2025)
  - "Maximizing the Value of Intellectual Property (IP) Assets Through IP Marking," Wisconsin Intellectual Property Law Association (Apr. 2023) & Milwaukee Bar Association (Sep. 2024)
  - ["Art Ownership,"](#) Foley Private Client Services (Jul. 2024)
  - "Trademark & Copyright Law Basics," On-Site (Nov. 2022 and Oct. 2023)
  - "Henri Matisse and the Pedagogy of Gustave Moreau," Midwest Art History Society Conference (Mar. 2019)
  - "Gustave Moreau and Human Form," Encountering the Body Symposium (Apr. 2018)
- Panelist:
  - ["Understanding Risks Associated with Social Media Advertising,"](#) Webinar (Nov. 2025)
  - ["#RiskyBusiness: Social Media, Compliance & the Legal Stakes for Food & Beverage Brands,"](#) FoodBev Exchange (Oct. 2025)
  - "Intersection of IP with Cultural Property," Intellectual Property Symposium, American University Washington College of Law (Apr. 2025)
- Moderator/Facilitator:
  - Table Topics, INTA Annual Meeting
    - "Social Media Marketing, Advertising and Working with Influencers in the Healthcare and Pharmaceutical Industries" (May 2025)
    - "Best Practices on Pharmaceutical Trademarks Naming and Clearances" (May 2024)
    - Trademark Modernization Act" (May 2022)
  - Foley IP Conference
    - ["Building and Managing Smarter IP Portfolios"](#) (Oct. 2025)
    - ["The Changing Copyright Landscape"](#) (Oct. 2024)
    - "Brand Management in Today's Competitive, Digital Landscape" (Oct. 2022)
  - INTA Roundtable Host & Co-Author:
    - "Annual Case Law Year in Review" (2024, 2025)
    - ["Trademarks & the Five Senses"](#) (2024)

## Publications

- Author, "[Copyright Law Considerations for Artificial Intelligence \(AI\) in Pharmaceutical and Biopharmaceutical Industries](#)," Health Care & Life Sciences Top Trends (Mar. 2025)
- Co-author, "[UNITED STATES: TTAB Decision Is "Modest Extension" of Section 18 Partial Cancellation Precedent](#)," INTA Bulletin (2024)
- Co-author, "[UNITED STATES: Allegations of "Trademark Bullying" Insufficient to Plead Unclean Hands at TTAB](#)" INTA Bulletin (2024)
- Author, "[Cultural Heritage: Applicability of Intellectual Property Systems](#)," 16 Landslide 27 (2024)
- Co-author, "Trademark," [Reading the Leaves: What's in Store for Cannabis in 2021](#), and [Cannabis Mid-Year Update 2022](#), Foley White Paper (2021 and 2022)
- Author, "[Holocaust-Era Cultural Property Looting: The United States and the Washington Principles](#)," 24 Art Antiquity and L. 49 (2019)
- Author, "Contextualizing Bring Your Own Device Policies," 44 J. Corp. L. 152 (2019)

## Community Involvement

- University of Iowa GOLD Leadership Group (2025-Present)
- Board of Directors, Artists Working in Education, Inc. (AWE) (2024-Present)

## Affiliations

- Member of the International Trademark Association (INTA)
  - INTA Correspondent (2026-)
  - North American Roundtables Project Team (2023-Present)
  - INTA Bulletins Committee (2024-2026)
- Member of the American Bar Association
  - Patent, Trademark, and Copyright Section
- Member of the Wisconsin Bar Association & Milwaukee Bar Association
  - Intellectual Property Sections
- Member of the Milwaukee Bar Association
  - Intellectual Property Section
- Member of the Milwaukee Young Lawyers Association
- Member of the Association for Women Lawyers

## Languages

- French (Basic)

## Sectors

- [Cannabis](#)
- [Environmental & Product Stewardship](#)
- [Fashion, Apparel & Beauty](#)

- Health Care & Life Sciences
- Health Tech & Genomics
- Innovative Technology
- International Trade & National Security
- Manufacturing
- Medical Devices
- Pharmaceuticals
- Racial Justice & Equity
- Smart Manufacturing
- Supply Chain

## Practice Areas

- Intellectual Property

## Education

- **The University of Iowa College of Law (J.D., with distinction, 2019)**
  - – Senior Note and Comment Editor (2018-2019), Student Writer (2017-2018), *The Journal of Corporation Law*
  - – Arthur Bonfield Award for Creative Legal Scholarship
  - – Bill Higgins Legal Merit Scholarship
  - – Boyd Service Award
  - – Equal Justice Foundation Grant
- **Tulane University in cooperation with DePaul University School of Law, Siena, Italy (2016)**
  - – International Law, Cultural Heritage, and the Arts
- **The University of Iowa School of Art and Art History (M.A., 2019)**
  - – University of Arizona Graduate Honorarium Grant
  - – University of Iowa Art History Department Grant
- **The University of Iowa (B.A., with high distinction, 2016)**
  - – Phi Beta Kappa (Honor Society)
  - – Stanley Merit Scholarship
  - – Honors in Art and Art History
  - – Studio Arts College International (SACI) (Florence, Italy (2014))

## Admissions

- Wisconsin
- Wisconsin Notary Public