

# Evan Everist

## Partner

[everist.evan@dorsey.com](mailto:everist.evan@dorsey.com)

Minneapolis – 612.492.6819



EVAN HELPS CLIENTS PROTECT AND EXPAND THEIR IP ASSETS THROUGHOUT THE WORLD.

Evan is a nationally recognized partner in Dorsey's Trademark, Copyright and Advertising Group. He provides counsel to a wide variety of trademark and copyright owners in many industries, from multinational food and beverage companies with large international trademark portfolios and enforcement regimes to local non-profit organizations, international musical acts, professional athletes, digital art creators, and startups.

Evan's practice encompasses all aspects of the trademark and copyright lifecycle, including the creation and implementation of trademark and copyright prosecution and enforcement programs in the United States and internationally, trade dress and product configuration issues, trademark dilution, trademark priority disputes, trademark abandonment issues, trade secret, false advertising, genericness claims, DMCA and platform takedowns, UDRPs, and matters before the Trademark Trial and Appeal Board (TTAB). He also advises clients on issues related to and AI (artificial intelligence), entertainment law (such as music royalties disputes, record label acquisitions, and film production agreements), cannabis brand protection and enforcement, licensing, due diligence, social media, Internet domain names, hotel/event fraud, and emerging technologies such as NFTs (non-fungible tokens), and cryptocurrency.

Evan is a co-manager of Dorsey's critically acclaimed and award-winning IP blog, [TheTMCA.com](http://TheTMCA.com), which focuses on legal developments in the world of **TradeMarks**, **Copyrights**, and **Advertising**.

Before joining Dorsey, Evan was a law clerk for Judge Matthew E. Johnson in the Minnesota Court of Appeals.

## Education

- University of St. Thomas School of Law (J.D.)
  - *summa cum laude*
- University of Minnesota, Twin Cities (M.M., Classical Guitar Performance)
- Gonzaga University (B.A.)
  - *cum laude*

## Bar Admissions

- Minnesota

## Select Experience

### Representative Matters

- Represented seller in the sale of one of the most popular user-created islands in Fortnite, one of the largest online multiplayer battle royale games in the video gaming sector, to a large video game developer headquartered in Europe.
- Drafted content license agreement relating to court decisions and legal research materials.
- Counsel clients on various AI (artificial intelligence) issues, including drafting AI policies, considering copyright infringement and ownership issues (including federal complaints regarding the same), and filing removal requests with AI platforms, such as OpenAI.
- Advise clients on domain name cybersquatters using trademarks and personal names.

### Court Admissions

- U.S. District Court for the District of Minnesota

### Professional Affiliations

- International Trademark Association (INTA) – Member, Brands and Innovation Committee (2023 – Present)

### Clerkships

- Minnesota Court of Appeals, Honorable Matthew E. Johnson, 2013–2014

### Charitable & Civic Involvement

- Friends of the Minnesota Sinfonia – Board of Directors (2022 – Present)
- MacPhail Center for Music – Board of Directors (2023 – Present)

### Accolades

- *World Trademark Review 1000 – The World’s Leading Trademark Professionals*, Leading Practitioner, 2023-2026
- *Managing Intellectual Property IP Stars*, Notable Practitioner, 2025
- *Best Lawyers® Ones to Watch in America*, 2021-2025
  - Intellectual Property Law
  - Banking and Finance Law
- *Managing Intellectual Property Handbook*, “IP Star”, 2024
- *Minnesota Monthly*, “Top Lawyers in Minnesota,” Copyright Law, 2024
- *Managing Intellectual Property IP Stars*, Rising Star in Minnesota and Nationally, 2019-2023
- MSBA North Star Lawyer, 2014-2020, 2023

## Select Speaking Engagements

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### The TMCA

May 27, 2025

**INTA in Sunny San Diego: A Quick Wrap-Up**

February 26, 2025

**SCOTUS Holds Affiliate Profits Not Available Under One Lanham Act Provision,  
But Leaves Door Open for Other Theories**

December 23, 2024

**Get Ready: USPTO Trademark Fees Increase January 18, 2025**

June 29, 2023

**Extraterritoriality of the Lanham Act: Fearsome Watchdog or Muzzled Chihuahua?**

June 9, 2023

**Supreme Court's Jack Daniel's Decision Clarifies That Traditional Trademark Use  
"Does Not Receive Special First Amendment Protection," Even When it Has  
Expressive Message**

January 9, 2023

**So, Nine Justices Walk into a Bar... SCOTUS to Consider Role of Humor in  
Infringement and Dilution Claims**

July 11, 2022

**AI Artwork: Worth a Thousand Words, but Zero Copyright Protection?**

December 17, 2021

**Final Rules for Trademark Modernization Act in Effect This Weekend – New  
Nonuse Procedures Available and Shortened Office Action Deadlines on the  
Horizon**

July 19, 2021

**It's a Hard Knock Life for Damon Dash's Planned NFT Sale**

March 17, 2021

**FTC Finalizes Deals with Six CBD Companies**

December 31, 2020

## **Fair Use Mashup Theory Ga-Fluppted by Ninth Circuit**

November 18, 2020

### **#AdLaw - A Quick Wrap-Up From The 2020 ANA/BAA Marketing Law Conference**

October 27, 2020

### **TTAB Weighs in on Registrability of CBD Trademarks**

February 21, 2020

### **Court Trims Cannabis Company's Prior Use Defense Based on Preemption by Federal Trademark Law**

January 9, 2020

### **Dispute Over KIVA Trademark Continues to Smolder**

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## **Insights**

February 26, 2025

### **Evan Everist Weighs In on Supreme Court's Reversal of Fourth Circuit Ruling in Dewberry Case**

January 1, 2025

### **Evan Everist Comments on OpenAI Failure to Provide Opt-out Tool**

December 11, 2024

### **Evan Everist Comments on Dewberry Oral Arguments**

December 11, 2024

### **Dorsey Partner Evan Everist Shares Insight into the Intersection of AI and Game Content**

October 17, 2024

### **Evan Everist Shares Insight into IP Rights Behind Viral Phrases**

August 20, 2024

### **Partner Evan Everist Comments on U.S. Copyright Office's Warning About Digital Replicas**

June 24, 2024

### **Partner Evan Everist Shares Insights on Recent Supreme Court Decision Regarding Real Estate Company's Trademark Petition**

June 8, 2023

### **Supreme Court's Jack Daniel's Decision Clarifies that Traditional Trademark Use**

**“Does Not Receive Special First Amendment Protection,” Even When it Has Expressive Message**

January 13, 2023

**Dorsey Partner Evan Everist Discusses Copyrighting AI-Generated Art**