

**NYIPLA SEVENTH ANNUAL SUMMER ASSOCIATE  
SECOND CIRCUIT MOOT COURT ORAL ARGUMENT  
JULY 12, 2023**

**AGENDA**

5:30–5:50 **REGISTRATION** (Security Clearance and Badge Pick-Up)

5:50–6:00 **OPENING REMARKS**

Robert J. Rando,  
Greenspoon Marder LLP,  
NYIPLA President

Mark H. Bloomberg  
Zuber Lawler & Del Duca LLP,  
NYIPLA Member and Moderator

6:00-7:00 **ORAL ARGUMENT**

Mark H. Bloomberg (Opening the Court Session),

*To be presented as follows:*<sup>1</sup>

**Counsel for Defendant (Appellant/Cross-Appellee), All Clear, LLC**

Amy Tso, Goodwin (7 minutes) (Reverse: *Rogers* test remains good law)

Kelly Capatosto, Goodwin (7 minutes) (Reverse: Defendant did not infringe Plaintiff's mark)

**Counsel for Plaintiff (Appellee/Cross-Appellant), Auclair, Ltd.**

Daniel Dong-Gun Lee, Greenspoon Marder LLP (7 minutes) (Affirm: *Rogers* test is inapplicable)

Alexis Marin, Greenspoon Marder LLP (7 minutes) (Affirm: Defendant infringed Plaintiff's mark)

**Counsel for Plaintiff (Cross-Appellant /Appellee), Auclair, Ltd.**

Hubert Ning, Venable LLP (7 minutes) (Reverse: Defendant's mark is a designation of source)

Justine Kawa, Venable LLP (7 minutes) (Reverse: No exceptions apply to Defendant's dilution)

**Counsel for Defendant (Cross-Appellee /Appellant), All Clear, LLC**

Nicholas Scambia, Willkie Farr & Gallagher LLP (7 minutes) (Affirm: Defendant's mark is not a designation of source)

Vadim Mell, Willkie Farr & Gallagher LLP (7 minutes) (Affirm: Defendant is not liable for dilution)

7:00-7:25 **DISCUSSION BY PANEL**

7:25-7:30 **CLOSING REMARKS**

Robert J. Rando

7:30-8:30 **COCKTAIL RECEPTION**

<sup>1</sup> Two minutes of allotted argument time may be reserved for rebuttal.