



## BASSFORD REMELE

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### Norman M. Abramson

SHAREHOLDER



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#### PRACTICE GROUPS

Intellectual Property Litigation  
Trust and Estates Litigation

#### INDUSTRY GROUPS

Financial Services  
Technology

#### OVERVIEW

With more than 25 years of experience as a trial lawyer, Mr. Abramson focuses his practice on trust and estates litigation and intellectual property litigation.

Mr. Abramson has substantial experience in trial and appellate work in the areas of trust and estates litigation, fiduciary litigation, will contests and instrument validity disputes, advising trustees and other fiduciaries on duties and actions, account disputes, and other probate proceedings. He has been involved in several high-profile trust and estates lawsuits in Minnesota, including the *Pamela Andreas Stisser Trust* and *In re Williams Trust* matters.

Mr. Abramson has also litigated a wide variety of trademark, copyright, trade secret, unfair competition, false advertising, patent, inventorship, and other intellectual property litigation. He regularly advises clients in building their brands and intellectual property portfolio as well as maintaining, protecting, and defending these assets.

#### EDUCATION & ADMISSIONS

##### Education

University of Minnesota Law School, J.D., *cum laude*, 1993  
Boston University, B.A., *cum laude*, 1990

##### Bar Admissions

- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Federal Circuits
- U.S. District Court, District of Minnesota
- U.S. District Court, District of Massachusetts
- U.S. District Court, Northern District of California
- U.S. District Court, Northern District of Illinois
- Minnesota

#### EXPERIENCE

##### Trust and Estates Litigation

- Successfully tried case on behalf of personal representative to construe will so that the terms “children” and “descendants” reflected testator’s intent to devise his estate to his step-children.
- Successfully tried case to terminate a trust on behalf of surviving grandchild by petitioning that a claim measuring life for the trust was ambiguous and violated the Rule Against Perpetuities and was therefore invalid.
- Matter involving the establishment of a constructive trust over real property deeded to one sister by donor for the disputed benefit three sisters.
- Represented at trial and before Supreme Court trustee’s opposition to multi-million dollar claims by the personal representative of decedent’s estate.

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- Significant trial and appellate decisions on duties of trustee, damages for breach of trust and use of attorney/client privilege for lawyers representing trust; *In re Williams Trust*, 631 N.W.2d 398 (Minn. Ct. App. 2001); 2000 WL 1920038 (D. Minn. 2000) 591 N.W.2d 743 (Minn. Ct. App. 1999).

#### **Intellectual Property Litigation**

- Copyright infringement matter involving photographs posted on website.
- Dispute involving the use of a copyrighted work in a television advertisement.
- Lead counsel in successful defense of trademark infringement and dilution claims brought by producers of Lord of Rings movies against travel agency that operates under the name Hobbit Travel; *Saul Zaentz Co. v. Wozniak Travel, Inc.*, 627 F. Supp. 2d 1096 (N.D. Cal. 2008).
- Lead counsel in opposing trade dress infringement claim based on the plaintiff's registration of a color blue for ice fishing shelters; *Clam Corp., Inc. v. Innovative Outdoor Solutions, Inc.*, 2008 WL 5244845, 89 U.S.P.Q.2d 1314 (D. Minn. 2008).
- Represented plaintiff in gray market/counterfeiting unfair competition matter regarding auto parts sold under plaintiff's trademark.
- Successfully prosecuted breach of contract claims and defended trademark infringement and cybersquatting claims; *Convey Compliance Systems, Inc. v. 1099 Pro., Inc.*, 443 F.3d 327 (4th Cir. 2006).
- Patent inventorship dispute; *Stern v. Columbia University*, 434 F.3d 1375 (Fed. Cir. 2006).
- Represented plaintiff in business method patent infringement matter.
- Trial addressing successor liability and remedies for transferring trademarks post trial to avoid judgment creditors.
- Significant case addressing misuse of trade dress, rights of publicity, unfair competition, and false advertising; *Ott v. Target, et al.*, 153 F. Supp. 2d 1055 (D. Minn. 2001).

#### **Publications**

- *Trusts and Conflict of Laws Problems*, co-author with S. Gary, Bogert's The Law of Trusts and Trustees, Ch. 16, 2014

#### **Seminars**

##### **Trust and Estates Litigation**

- *Navigating Into the Eye of the Fiduciary Storm*, presenter, American Bar Association, July 14, 2022
- *A Deeper Dive Into Fiduciary Responsibilities*, presenter, Minnesota State Bar Association Probate and Trust Law Section Conference, June 10, 2019
- *Legal Update: Payment of Fiduciary Attorneys' Fees*, presenter, Minnesota Lawyers Mutual, May 2018
- *The Estate Planning & Probate Trust Law 40 Cases Every Probate Lawyer Must Know Inside and Out*, presenter, Minnesota CLE, September 2014 and February 2016
- *How An 18th Century Term of Art That 'Really Means Nothing' Led to Ten Years of Litigation: The Minnesota Supreme Court's 2012 Decision on the Effect of General Directives to Pay Debts in Trust Instruments*, presenter, August 2013

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**Intellectual Property Litigation**

- *Standing out in a Crowd and Introduction to Trademark Law*, presenter, Carlson School of Business, University of Minnesota, 2002-2014

**PROFESSIONAL & CIVIC**

**Bar Associations**

- Federal Bar Association
- Minnesota State Bar Association
  - Trust and Estates Litigation Subcommittee
  - Subcommittee on drafting Minnesota Trust Code, article 4 and decanting, member, 2013-2015
- Ramsey County Bar Association

**Professional Associations**

- Minnesota Defense Lawyers Association
- International Trademark

**Civic Involvement**

- Cardozo Society
  - Executive Steering Committee, 2004-present
  - Co-Programming Chair, 2004-2007
- St. Paul Jewish Community Center
  - Board Member, 2000-2009
- Temple Israel
  - Board Nominating Rules Committee, 2014-2015
  - Co-Chair, 5-Year Plan Subcommittee on Social Action/Justice

**ACCOLADES**

**Honors & Awards**

- North Star Lawyer, Minnesota State Bar Association, 2014-2017
- Minnesota Rising Stars list, *Minnesota Law & Politics*, 2002-2007