

Daniel N. Guisbond

Partner

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Dan Guisbond helps clients navigate commercial cases across a variety of business sectors, and has represented some of the biggest brand name companies in the country, including Amazon, DISH, Eli Lilly, Estee Lauder, Lumen, Pandora, Whirlpool, and Yahoo. He is an experienced advocate through all phases of litigation, and has handled matters for plaintiffs and defendants in federal and state courts across the country.

In addition to his broader commercial experience, Dan maintains active soft intellectual property and securities litigation practices. Dan's IP work spans trademark, false advertising, unfair competition, and copyright-related issues arising under the Lanham and Copyright Acts and analogous state laws. He also has significant experience in rate-setting proceedings before the Copyright Royalty Board. In the securities space, Dan has delivered results for clients across a range of '33 and '34 Act claims, including in enforcement actions brought by the U.S. Securities and Exchange Commission.

Credentials

Education

Fordham University School of Law, J.D., 2010, *Fordham Law Review*

Cornell University, B.A., 2005, Government

RECOGNITION

The Best Lawyers in America

Ones to Watch - Commercial Litigation, 2023-2025

Ones to Watch - Intellectual Property Law, 2023-2025

LEGAL MEMBERSHIPS

American Bar Association

Colorado Bar Association

Denver Bar Association

BAR AND ADMISSIONS

Colorado

New York

U.S. Supreme Court

U.S. District Court, D. Colorado

U.S. District Court, E.D. New York

U.S. District Court, S.D. New York

Practices

Class Actions

Commercial Litigation

Intellectual Property

Securities

Cases

COMMERCIAL LITIGATION

Representing an industry-leading calf-buying and cattle-feeding company in a nine-figure contract dispute with a dairy magnate and several of his dairies.

Representing a publicly-traded artificial intelligence, computer vision, and automation systems company in a commercial dispute related to its recent acquisition of an enterprise hardware and IT systems company.

Secured a settlement enabling the co-founder of an industry-leading cybersecurity company to recover significant equity extracted from him when he previously separated from the company.

Won a \$40 million judgment for a leading global credit and investment firm against the founder of a defaulting real estate, energy, infrastructure, and resource development company in Colorado.

Represented an electric cooperative in an eight-figure fee dispute with its wholesale provider in federal court in South Carolina.

Represented a hospital that allegedly defaulted on a loan due to the economic impact of COVID-19.

Won favorable settlement for an energy infrastructure company in a lease dispute with a Denver-based real estate development and investment company.

Represented an oil and gas company against claims brought by a city board of commissioners alleging that our client is responsible for consequences of climate change.

Won a judgment for a major television provider in a contract dispute with a former business partner.

Successfully represented the board member of a cannabis company in an arbitration involving claims of breach of fiduciary duty.

Won summary judgment for a major insurer in a fraud suit.

Won favorable settlement for a private equity company in a contract dispute between two co-developers of a solar energy project.

Successfully represented a global industrial gas company in defense of a competitor's application for preliminary and mandatory injunctive relief, ultimately facilitating resolution of a dispute valued in the hundreds of millions of dollars on highly favorable terms.

Successfully represented a major consumer goods company in a multibillion-dollar dispute against 48 U.S. states and territories regarding payments owed under an earlier settlement agreement.

Successfully represented a NASCAR racing team in a dispute with the owner of the world's most prestigious open-wheel, single-seat automobile racing competition.

Represented the NFL Players Association and NFL players in workers' compensation disputes with the NFL Management Council and its member clubs.

TRADEMARK, FALSE ADVERTISING, AND COPYRIGHT

Representing one of the world's largest multinational cosmetics companies to bring Lanham Act claims against counterfeiters using the company's registered trademarks in registered entity names as part of import/export schemes.

Successfully represented a Fortune 500 pharmaceutical company in multiple lawsuits against competitors for various claims arising under the Lanham Act and similar state laws, each resulting in favorable settlements for our client.

Represented the world's largest manufacturer of food waste disposals in a false advertising dispute related to a competitor's claims about the horsepower of its products.

Represented a major kitchen appliance manufacturer in a class action alleging false advertising of the company's blenders.

Obtained relief for a nonprofit organ recovery and transplantation company in a trademark dispute against a hospital technology software company, ultimately resulting in the infringer changing its name as a result of our efforts.

Represented an international consumer electronics company in a dispute regarding ownership of and rights to an iconic trademark in the consumer electronics industry.

Represented the digital music arm one of the world's largest technology and retail companies in the Phonorecords III rate-setting proceeding before the Copyright Royalty Board.

Represented an industry leading inter-dealer broker in a multimillion-dollar dispute alleging corporate raiding and misappropriation of trade secrets.

Represented a major fashion house in an employee defection and trade secret dispute with a major rival.

Successfully represented a major digital service provider in "Phonorecords III" royalty rate-setting proceedings before the Copyright Royalty Board.

Represented an international investment bank in a copyright infringement dispute in the Southern District of New York.

Represented a digital service provider in a copyright infringement suit against more than 20 music publishing companies.

Represented a new-media disrupter in a copyright infringement suit brought by 17 major television broadcast networks, assisting in securing significant victories in both the Southern District of New York and the Second Circuit.

SECURITIES LITIGATION & ENFORCEMENT DEFENSE

Representing a global telecommunications company in a putative Securities Act class action stemming from allegations related to its 2017 merger with another major American telecommunications company.

Helped secure a \$21 million settlement as liaison counsel to the lead plaintiff in a \$42 million securities class action alleging that a silver mine made materially false and misleading statements to defraud investors.

Successfully defended the Colorado arm of the second-largest home building company in the U.S., together with executives and employees, against alleged violations of the Colorado Securities Act, among other claims, arising out of a metropolitan district development. Obtained dismissal of all claims against nine out of 10 defendants, paving the way for a favorable settlement.

Defended a pharmaceutical startup company in an SEC enforcement action alleging misappropriation of investor funds and related Securities Act and Exchange Act claims.

Won favorable settlement for the CEO and founder of a major television company in a shareholder dispute following the merger of two sister companies.

PRO BONO

Represented a civil rights organization in certiorari and merits-stage briefing before the U.S. Supreme Court in a Fourth Amendment case with national implications.

Conducted an unprecedented review of thousands of criminal cases, occurring between 1985 and 1999, contributing to the exoneration of numerous persons who were wrongly convicted on the basis of improper microscopic hair comparison analyses and related expert testimony provided by the FBI.

Represented a holocaust survivor in his application for a one-time German Ghetto Work Program reparations payment.

Represented a former U.S. Marine in his application to correct his military records in the wake of the repeal of Don't Ask, Don't Tell.
