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### Education

#### Undergraduate School

Bachelor of Arts in Economics,  
Wake Forest University 1981

#### Law School

University of North Carolina  
School of Law 1984

### Admissions

Ohio

### Awards & Recognitions

- Martindale-Hubbell AV® Peer Review Rated
- Chambers USA, America's Leading Lawyers for Business, Intellectual Property, 2011-2013
- The Best Lawyers in America, Intellectual Property Law, Corporate Law, 2003-2014
- The Best Lawyers in America, Lawyer of the Year, Trademark Law, 2013
- YWCA, Woman of Achievement, 2012
- Women for Economic and Leadership Development (WELD), Twelve Women You Should Know, 2010
- Leadership Columbus, Hall of Fame, inducted 2010

## Susan D. Rector

### Partner Columbus

Arena District 250 West Street, Suite 700 Columbus, OH 43215  
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### Overview

Susan Rector is a partner who represents companies in business transactions and in all aspects of intellectual property ownership and information technology transactions. She assists start-up and established businesses with commercializing technology and conducting business online. She has prosecuted more than 725 applications with the U.S. Trademark Office and has worked extensively with information technology issues.

Her experience includes a wide variety of business transactions, from business formation, restructurings and mergers and acquisitions to advising institutional investors making investments in venture capital funds or other equity investments. She also provides ongoing advice and counsel to family and privately-held businesses.

She is an active participant in the nonprofit community and with organizations of women business owners. She is engaged in the local angel investment community and serves on the board of a national bank and its holding company.

In 1981, Susan received her Bachelor of Arts in economics from Wake Forest University, magna cum laude with honors and Phi Beta Kappa, and her juris doctorate from the University of North Carolina School of Law in 1984.

### Representative Transactions

- Serve as general intellectual property counsel to a CPA firm with over 400 employees in eight offices providing accounting, advisory, technology and managed services and assist with the following:
- Information technology contracting, including associated intellectual property ownership, indemnification and licensing issues
- Negotiated the takedown of a European infringer's misappropriation of significant web content, including bios of professional personnel
- Domain name issues in connection with acquisition of a related business and

- Columbus Zoo & Aquarium, Board Leadership Award, 2009
- Who's Who in America
- Ohio Super Lawyers, 2004-2006, 2012; Top 50 Ohio Women Lawyers, 2004 and 2005; Top 50 Columbus Lawyers, 2004
- American Cancer Society's Babe Zaharias Golf and Tennis Classic - Volunteer of the Year, 2007
- Robert S. Crane, Jr. Young Philanthropist Award Honoree, 2001
- Columbus Bar Association Community Service Award, 1997
- Forty Under 40, Business First, 1994
- Ten Outstanding Young Citizens, 1993
- Harry S. Truman Scholar

### Memberships

- American Bar Association, Intellectual Property Law and Science & Technology Law Sections
- American Bar Foundation, Life Fellow
- Ohio State Bar Association, Intellectual Property Board of Governors, 1998 - 2003
- Columbus Bar Association, Civility Enhancement Program; Grievance Mediation Program
- Columbus Bar Foundation, past President, past Board, Fellow
- International Trademark Association, The Trademark Reporter Committee
- Ohio TechAngel Fund II and III, Member
- X Squared Angels, Founding Member, Membership Chair
- Women Presidents' Organization
- Peoples Bancorp Inc. and

- negotiation of rights going forward
- Trademark prosecution for a new company logo and new product names, including overall responsibility for maintenance of the trademark portfolio
- Resolution of potential opposition of two pending trademarks
- Provide ongoing advice to advertising and communications firms providing advertising, digital marketing and public relations services across the country through:
  - Providing advice and preparing contest rules for sweepstakes, various loyalty programs and a myriad of social media promotional contests, including photo contests, video contests and skill contests
  - Performing trademark, copyright and other clearance searches for advertising campaigns, potential trademarks and domain names
  - Defending assertions of patent infringement claims from non-practicing entities
  - Negotiating contracts with vendors and clients, that included IP issues
  - Assisting the client's ultimate client with trademark clearance and prosecution
  - For an IT consulting and staffing firm with employees in multiple states and two foreign offices, provided advice regarding information technology contracting and noncompetition issues and trademark protection and defense, including brand protection and identity.
  - Resolved contentious software license dispute for a software developer with an existing customer over the current license and further software development to be conducted for governmental entities documenting new terms going forward and obtaining payment of past due receivables.
  - Regularly assist U.S. and foreign clients with prosecution of domestic and foreign trademark applications and enforcement efforts against infringing trademarks and domain names in the United States and abroad.
  - Provided advice regarding domain name issues, Internet key word advertising issues, social media issues and trademark enforcement efforts to a consumer financial services company with hundreds of retail stores in more than 10 states.
  - Served as general intellectual property counsel to several national trade associations and provided ongoing advice on a variety of legal issues – including trademark, certification mark, copyright and e-commerce issues – related to publications, programs and making educational and trade association materials available online to members and the public.
  - Brought numerous Uniform Dispute Resolution Policy actions to enforce trademark rights against bad faith use of infringing domain names.
  - Transfer of domain names and trademarks as a result of infringement or as part of an arms-length third party transaction.
  - Assisted clients to establish and administer its brand program for certification marks, provided ongoing advice regarding propriety of various entities using the certification mark and obtained trademark registration for a certification mark used on the owner's goods.
  - Extensive legal research and analysis to advise the client as to the risks of proceeding with a mobile app that relies on specialized RSS feeds and news aggregators and further categorizes data, industry information, news and articles and pushes content out to end users.
  - Formed an Indian subsidiary for a software company to obtain the technical expertise of software developers not available in the United States due to visa restrictions.
  - Assisted a client to hire independent contractors to write the code to develop a computerized inventory system as part of its procurement and manufacturing process with the long term objective to license this software to third parties in a

Peoples Bank, N.A., Board of Directors

### Community Involvement

- Women's Fund of Central Ohio, Board of Trustees
- Columbus Zoo, Board of Trustees, Association Board, past President
- Children's Hunger Alliance, Menu of Hope Steering Committee Chair, past President
- Women at the Table Initiative
- Women for Economic and Leadership Development (WELD), past Board of Trustees, past Secretary
- Int'l. Center for the Preservation of Wild Animals (the Wilds), past Board
- Junior League of Columbus, past President, past Board
- HandsOn Central Ohio (formerly FirstLink, Inc.), past President, past Board
- United Way of Central Ohio, past Board, currently Resource Development Committee and Women's Leadership Council
- Leadership Columbus, 1989

### Internal Committees

- Strategic Planning
- Brand Enhancement

wide variety of industries.

- When an existing business relationship became extremely contentious and threatened the ongoing software development of software system critical to our client, reviewed the existing software license and services agreement and provided advice regarding the enforceability of its terms and a source code escrow agreement. During prolonged negotiations, advised our client as to the strength of its position and amended the license agreement to compromise and settle substantive points at issue to clearly articulate ownership of the source code and other open issues.
- Created a web-based portal for financial reporting, human resources, sales and customer relationship management functions to be accessed by small businesses for a subscription-based fee. Negotiated contracts with the software integrator as well as the four software vendors.
- Counseled a startup software developer on the best means to protect its proprietary software and the negotiated the terms of doing business with major financial institutions and their counsel.
- Assisted a startup company to sell its monitoring and reporting software exclusively over the Internet and assure compliance with state and federal laws applicable to contractors.
- Represented an entity owned by a professor and negotiated the terms of a transaction with a third party in exchange for stock and a consulting arrangement to commercialize the medical device to be used for medical diagnosis and treatment. Negotiated with the Office for Technology Licensing to exercise an option and obtain a license to sublicense the technology from the university.

### Firm Publications

- 4/16/2013 - Trademark Clearinghouse Has Begun Accepting Registrations

### Published In

- "Touched by an Angel," Enterprising Women, Vol. 12, No. 3., 2011.
- "Can Avatars Commit Trademark Infringement?" The SciTech Lawyer, ABA Section of Science & Technology Law, Fall 2010.
- "FTC Endorsement Guides Extended to Bloggers," Executive Counsel, April/May 2010.
- "Brand Promotion and Unauthorized Trademark Use in Virtual Worlds," coauthored, INTA Bulletin, Sept. 15, 2007 and WIPO Magazine, December 2007.

### Ice Miller News

- 8/18/2014 - 115 Ice Miller Attorneys listed in The Best Lawyers in America© 2015
- 5/23/2014 - 32 Ice Miller Attorneys and Nine Practice Groups Ranked by Chambers USA
- 8/16/2013 - 121 Ice Miller Attorneys Named to Best Lawyers in America List
- 6/14/2013 - 35 Ice Miller Attorneys and 10 Practice Groups Ranked by Chambers USA
- 9/20/2012 - Thirteen Ice Miller Attorneys Selected as Lawyer of the Year in Their Practice Areas
- 9/10/2012 - One-Hundred Twenty-Three Ice Miller Attorneys Named to the Best Lawyers in America List

- 6/7/2012 - Ice Miller Ranked a Leading Law Firm in Indiana and Ohio by Chambers USA

## Speaking Engagements

- “Intellectual Property Issues for Designers: Copyright, Fair Use, Contract and Other Legal Considerations” for Adjunct Professor Joshua David’s Senior Portfolio Class at Columbus College of Art and Design, October 21, 2014.
- “Angel Investing” as part of a panel discussion on “Alternatives to Capital Access: Venture, Angel, Private Equity, Crowd, NMTC, Mergers & Acquisitions” at Mayor Coleman’s 12th Small Business Conference and Expo, October 9, 2014.
- “Rainmaking for the Transactional Attorney,” Ohio Women’s Bar Foundation Leadership Institute, Panel Discussion with Mary Sullivan of Peck Shaffer & Williams, a division of Dinsmore & Shohl and Caroline Worley of Worley Law, LLC, September 26, 2014.
- “Legal Issues in Social Media & IP for Advertising Agencies,” Fahlgren Mortine, April 30, 2014.
- “Intellectual Property Issues for Artists: Copyright, Fair Use, Contract and Other Legal Considerations,” Columbus College of Art and Design, April 4, 2014.
- “Copyright and Other Legal Issues for Creatives,” Portfolio Creative Crash Course, Oct. 22, 2013.
- “Software and Information Technology Issues for Business Owners,” co-sponsored with BitWise Solutions, March 28, 2012.
- “Angel and Venture Funding,” TechColumbus’ Women in Technology and Science panel, April 12, 2011.
- “Resources to Take Valuable Technology to Market,” OSU Discovery, Innovation & Commercialization Workshop Series, Commercialization and Incubation of Intellectual Property, OSU Medical Center and Fisher College of Business, July 30, 2010.
- “Protecting Your Intellectual Property in the 21st Century,” The Advertising Federation, Black Hills Chapter, Rapid City, South Dakota, April 20, 2010.
- “The Secret of Rainmaking for Women Attorneys,” Ohio Women’s Bar Association, Feb. 23, 2010.
- “Virtual Worlds, Social Networks, Blogs and More,” International Trademark Association’s Trademark and the Internet Forum, Feb. 9, 2009.
- “End of Cyberspace: Blending the Digital with the Physical,” Central Ohio Change Leaders Panel, Community Research Partners, Change Happens! seminar, April 28, 2008.
- “Trademark, Copyright and Other Legal Considerations in the Advertising World,” The Advertising Federation of Fargo-Moorhead, North Dakota, April 15, 2008.
- “Copyright, Contract and Other Legal Considerations for Artists,” Columbus College of Art & Design, Feb. 4 and Feb. 13, 2008.
- “Legal Issues in an Online World,” AdFed Columbus, Sept. 21, 2007.
- “Legal Considerations for Advertising in an Online, Interactive World,” Coastal Advertising and Marketing Professionals (CAMP) (AdFed Chapter), Myrtle Beach, South Carolina, Jan. 18, 2007.