



## Brian D. Anderson

### Associate

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### OVERVIEW

Brian D. Anderson is an associate in the Intellectual Property Practice Group in Sheppard Mullin's San Francisco office. He is a member of the Entertainment, Media, and Technology Industry Team.

### Areas of Practice

Brian's practice focuses on counseling clients on legal and business issues relating to intellectual property, privacy, and commercial transactions. He works closely with clients on all aspects of protecting, exploiting, and transferring their intellectual property and various commercial transactions, including:

- complex technology, software, and media acquisition, development, distribution, licensing, and assignment agreements;
- intellectual property issues in connection with M&A and other corporate transactions;
- online and offline advertising, marketing, and branded entertainment campaigns;
- Internet and new media deals, including digital content distribution and ad-serving arrangements;
- entertainment industry, video game industry, and sports industry agreements; and
- international and domestic development, manufacturing, marketing, distribution, supply, merchandising, sales, services, gift card, outsourcing, and other business agreements.

His clients include leading retail, grocery, and food/beverage companies, as well as early stage Internet and technology ventures.

Brian has a core strength in helping clients with federal, state, international, and industry specific privacy and data security concerns such as CAN-SPAM, COPPA, GLB, FCRA, FACTA, EU Privacy Directive, PCI standards, and online data collection and ad-serving practices; crafting website privacy policies, terms of service, and other consumer facing terms and conditions; and responding to nationwide and international data security breach incidents, including state law notification obligations. He assists clients in complying with state and federal regulations governing high-profile sweepstakes, contests, and other promotions; clearing advertising in all media and complying with advertising and consumer laws; and structuring gift card, rebate, loyalty, and rewards programs. With additional corporate experience, Brian advises early stage companies and entrepreneurs on business entity formation and general corporate matters.

### PRACTICE AREAS

- Intellectual Property
- Entertainment, Media and Technology

### INDUSTRIES

- Advertising
- Entertainment, Media and Technology
- Outsourcing
- Sports

Brian helps clients with brand development and protection, including clearance and prosecution of domestic and foreign trademark registrations and representing clients in *inter partes* proceedings before the Trademark Trial and Appeal Board.

## EDUCATION

- J.D. University of California, Davis, 2002, *Law Review*, Co-founded the *UC Davis Business Law Journal* (<http://blj.ucdavis.edu/>) and wrote extensively on online media and advertising issues during his tenure as publisher
- B.A. University of California, Davis, 1999

## CLERKSHIPS

- Law clerk in the Summer Honors Program at the U.S. Securities and Exchange Commission, 2000

## ADMISSIONS

- California

## EXPERIENCE

### Representative Matters

Represented well known fashion designer in a deal that launched her new iPhone application. The application allows users to scroll through fall runway looks and create a wish list that can be sent to a personal shopper at the click of an icon. This matter included handling key privacy and data security issues.

Represented top Web portal in negotiating and documenting a three-year strategic alliance with leading technology media company that includes content licensing, Internet advertising, software distribution and search marketing components.

Outside counsel to leading social-networking, social media and other Internet companies in connection with Internet privacy (preparing Privacy Policy and Terms of Service) and copyright counseling (advising on use of user-generated and other digital media and CDA and DMCA safe-harbor provisions).

Outside counsel to national and international retailers in connection with general business transactions, Internet privacy and customer data security issues, advertising, sweepstakes, contests and other promotions.

Negotiated and drafted multi-million dollar software licensing agreements for high-profile retailer relating to the phased roll out of new point of sale software in every store location in the U.S. and integration with new human resources software.

Outside counsel to publisher of well-known music information magazine and music information Web site in connection with general business transactions and copyright and publicity rights counseling.

Represented producer of professional ski and snowboard jump event in San Francisco, where 200-tons of man-made snow transform one of San Francisco's steepest streets into the site for the first of its kind urban big-air competition.

## MEMBERSHIPS

- Member, International Association of Privacy Professionals (IAPP)

- Member, Sports Lawyers Association

#### **ARTICLES**

- "FTC Behavioral Advertising Privacy Principles Extend Far Beyond Current Requirements," *Media Law Resource Center Bulletin* (May 2008)
- adbriefs, Fall 2005

#### **HISPANIC/LATINO NEWSLETTER**

- Enfoque Latino - Winter 2005