



Jane C. Schlicht

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Jane Schlicht focuses her practice on complex business and intellectual property litigation and contracts related to these areas. She has substantial experience in the litigation of disputes at both the state and federal levels throughout the country. Jane counsels and advises her clients on matters involving patents, trademarks, and copyright infringement, as well as disputes involving restrictive covenants and trade secrets. She also handles trademark and copyright registrations and Trademark Trial & Appeal Board (TTAB) proceedings and counsels her clients in business contracts and transactions, including Intellectual property assignments and licenses.

Appointed by Chief Justice Shirley Abrahamson, Jane has been integral in shaping lawyer ethics regulation in Wisconsin as a member and chair of the Special Preliminary Review Panel of the Wisconsin Office of Lawyer Regulation (2000-2006). She was also appointed to the Advisory Committee to study cost and delay in the Wisconsin federal court system by then-Chief Judge Robert W. Warren.

Professional Affiliations

- Master in the Thomas E. Fairchild Inns of Court
- National Association of Women Business Owners (NAWBO)
- Milwaukee Bar Association
- Wisconsin State Bar Association
- American Bar Association
- Seventh Circuit Bar Association
- Outstanding Lawyers of America

Honors & Awards

- Recognized as a "Notable Sages over 65" honoree by *Milwaukee BizTimes*, Class of 2024
- Selected by her peers for inclusion in *The Best Lawyers in America*® for Litigation - Intellectual Property, 2023 – 2024
- Holds the AV® Preeminent Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability

Practices

Commercial Litigation
Copyright
Insurance Agents & Brokers Liability
Intellectual Property
Labor & Employment
Patent
Technology
Trade Secrets
Trademark

Industries

Cannabis

Education

J.D., *summa cum laude*,
Marquette University Law
School, 1983

- Student Articles Editor,
Marquette Law Review

B.A., *summa cum laude*,
Marquette University, 1980

- Phi Beta Kappa

Admissions

Wisconsin
U.S. Supreme Court
U.S. Court of Appeals for the
Federal Circuit
U.S. Court of Appeals for the
Seventh Circuit
U.S. District Court for the
Eastern and Western Districts
of Wisconsin



Representative Matters

Jane has extensive trial experience in both state and federal courts. A selection of her representative cases includes:

- *Leventi Trust v. Waltersdorf*, 375 Wis.2d 130; 898 N.W. 2d 583 (2017): Represented homeowners and successfully defeated claims by neighbors of an express easement over the homeowners' property and an easement by prescriptive use.
- *Great Treats, Inc. v. Bigger Than Bill, Inc. DBA Mullen's Dairy*, 2020 TTAB LEXIS 175 (Feb. 4, 2020): Successfully defeated claims by former licensee of trademarks used in ice cream business and established Great Treats as the owner of all rights to the trademarks.
- *Kasten v. Doral Dental USA, LLC*, 301 Wis.2d 598, 2007 WI 76, 733 N.W.2d 300 (2007): Established LLC member rights to company documents of an LLC.
- *Harold Sampson Children's Trust, et al. v. Linda Gale Sampson 1979 Trust*, 265 Wis.2d 803, 667 N.W.2d 831 (2004): Only a client can waive the attorney-client privilege.
- *S.A. Healy v. MMSD*, 50 F.3d 476 (7th Cir. 1995): Differing site conditions.
- *S.A. Healy Co. v. MMSD*, 60 F.3d 305 (7th Cir. 1996): Wisconsin Statute for Offers of Settlement applied in • diversity cases.
- *Dillingham-Healy-Grow-Dew v. MMSD*, 796 F. Supp. 1191 (E.D. Wis. 1992): Offers of settlement.
- *Kerrigan v. American Orthodontics*, 960 F.2d 43 (7th Cir. 1992): Duties of the issuer of securities to beneficial stock owners.
- *Market Street Associates v. Frey, et al.*, 941 F.2d 588 (7th Cir. 1991): Contractual good faith duties.
- *J.T. Eaton & Company, Inc. v. Bell Laboratories, Inc.*, 168 F.3d 1320 (Fed. Cir. 1998): Patent infringement.

Some of Jane's intellectual property cases include:

- *Senior Technologies, Inc. v. RF Technologies, Inc.*, 58 F.Supp. 2d 1076 (D. Neb. 1999), aff'd 13 Fed. App. 930, 2001 WL 392091 (Fed. Cir. 2001): Cert. granted and judgment vacated 535 US 1108, on remand ruled not infringed 2003 WL 22148908 (Fed. Cir. 2003). Successfully defended patent infringement claims involving RFID personal monitoring systems.
- *InstanTel v. RF Technologies, Inc.*, (E.D. WI): Pursued patent infringement involving RFID computer-controlled infant security system.
- *Svedala Industries, Inc. v. Fuller Co.*, (E.D. PA): Pursued patent infringement involving lime-calcining equipment.
- *Svedala Industries, Inc., v. Rock Engineered Machinery, Inc.*, (Arbitration): Pursued patent infringement involving tertiary rock-crushing equipment.
- *Lindeman Recycling Equipment, Inc. v. The Harris Waste Management Group*, (W.D. N.C.): Pursued patent infringement involving recycling/baler equipment.
- *J-Star Industries, Inc. v. Valmetal, Inc.*, (W.D. WI): Pursued trade dress infringement concerning silo unloaders.
- *J.T. Eaton Co. v. Bell Laboratories, et al.*, (W.D. WI): Pursued patent infringement involving "Stick-Em" rodent glue traps.

Presentations

Jane is a frequent lecturer on trial practice and procedure, e-discovery, restrictive covenants and trade secrets, the Wisconsin ethics rules, and contract drafting and disputes. She has been a guest lecturer at Marquette University Law School on e-discovery, ethics, trial practice, and procedure. Other recent presentations include:

- Moderator, "Complex Commercial Contracts: The Legal Principles You Need to Know for Effective Drafting," State Bar of Wisconsin, Madison, Wisconsin, January 13, 2023
- "Non-Competition and Confidentiality Clauses," *Drafting Effective Contracts*, a Wisconsin State Bar Association seminar, Madison, Wisconsin, January 14, 2022



- Program Chair and Moderator, "Complex Commercial Contracts: The Legal Principles You Need to Know for Effective Drafting," State Bar of Wisconsin, Virtual Event, February 24, 2021
- "Protecting Trademark Rights During a Global Pandemic," State Bar of Wisconsin's IP Protections Conference, Virtual Event, January 12, 2021
- "Non-Competition Clauses: Employers, Employees, and Other Contractors," *Drafting More Effective Contracts 2020* a State Bar of Wisconsin seminar, Madison, Wisconsin, January 24, 2020
- "Protecting Your Business Against Theft of Customers and Trade Secrets," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2016
- "Noncompetition Clauses," Contract Drafting Issues in Wisconsin, Madison, Wisconsin, January 2016
- "Advanced Intellectual Property Law," Recent Developments in Copyright Law, National Business Institute, Webinar, December 2014
- "Non-Competition and Other Restrictive Clauses in Wisconsin," Milwaukee Bar Association, Milwaukee, Wisconsin, March 2014
- "Non-Competition Clauses," State Bar of Wisconsin's *Contract Drafting Issues in Wisconsin Conference*, Madison, Wisconsin, January 2012

Publications

- Co-Author, "Contract Law in Wisconsin," *State Bar of Wisconsin*
- Co-Author, Chapter 8 "Challenges in Defending IP in the Age of the Internet," *Managing Intellectual Property in Cyberspace: Leading Lawyers on Developing an Effective Internet IP Strategy*
- "Upholding the Sanctity of the Attorney/Client Privilege," *The Wisconsin Lawyer*
- "Offers of Settlement in Wisconsin Diversity Actions: Opening the Doors to Plaintiffs," *The Wisconsin Lawyer*