



Dianne M. Smith-Misemer

Of Counsel

dsmisemer@hoveywilliams.com

Dianne joined Hovey Williams as Of Counsel in 2009. Her practice is a dedicated blend of trademark and technology law that spans the life cycle of intellectual property, from its conception and prosecution through maintenance, commercialization, and enforcement. Dianne's clients range from individuals and local start-up businesses to Fortune 500 Companies and multinational corporations.

On the trademark side, Dianne regularly advises clients on clearance, brand development, prosecution, domestic, and global portfolio management, licensing, and enforcement matters. She frequently practices before the United States Patent & Trademark Office's Trademark Trial Appeal Board and has extensive experience in prosecuting and defending opposition, cancellation, and concurrent use proceedings. Dianne's long-standing involvement with the International Trademark Association (INTA) has earned her clients from around the globe who rely on her expertise to protect their trademark interests in the United States.

Dianne also represents clients in trademark infringement and other intellectual property litigation, including copyright and patent infringement, cybersquatting, false advertising, unfair competition, and breach of license agreement matters. In 2008, she represented a not-for-profit online news organization as plaintiff in the Southern District of New York, involving trademark infringement, descriptiveness, and priority of use issues.

Dianne's technology law expertise stems from her former decade of practice at Spencer Fane Britt & Brown LLP and Sonnenschein Nath & Rosenthal LLP where she worked closely with Ed Marquette, a well-known leader in the software and technology fields. Dianne knows both sides of the technology fence well, representing both the individuals and companies that develop technology and those who license it in a wide range of development, procurement, licensing, distribution, and contract dispute matters. She has negotiated and closed numerous software deals in the financial services, health care, education, automotive, and telecommunications industries, among many others. Most recently, Dianne served as lead outside counsel for H&R Block Canada Inc.'s development and distribution of its premier branded retail tax preparation software product in Canada.

Dianne also advises clients on various Internet-related issues such as domain name disputes, the Digital Millennium Copyright Act, website development, hosting, and linking agreements, application server provider agreements, and a wide range of online distribution agreements.

Prior to law school, Dianne worked in the not-for-profit sector, first as a paralegal and landlord-tenant counselor at the United Community Housing Coalition in Detroit, Michigan and later as a paralegal at Legal Aid of Western Missouri in Kansas City.



Education

DePaul University College of Law – Juris Doctor, with highest honors, 1999
Santa Clara University – Bachelor of Science, Political Science

Memberships

International Trademark Association (INTA)
Kansas Bar Association (KBA)
Missouri Bar Association (MoBar)
Kansas City Metropolitan Bar Association (KCMBA)
Santa Clara University Alumni Association
Notre Dame de Sion Alumnae Association

Bar Admissions

Federal Circuit, 2006
Kansas, 2000 (state and federal courts)
Missouri, 1999 (state and federal courts)