








# Delfina Homen

## Special Counsel

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**“My goal when working with clients is to make the experience a collaborative one, keeping them up-to-date and garnering their valuable input while taking the pressure of the litigation grind off their shoulders. I think that communication and clarity are key, and strive to bring those qualities to every matter that I work on.”**

Delfina Homen is an intellectual property litigator and has represented clients from diverse industries in lawsuits involving patent, trademark, and copyright infringement, trade secrets, unfair competition, and tort and contract disputes. She also advises and represents clients in trademark opposition and cancellation proceedings before the Trademark Trial and Appeal Board and patent inter partes review proceedings before the Patent Trial and Appeal Board.

Additionally, Delfina uses her advocacy skills and intellectual property knowledge to advise and represent clients in the international sphere, helping clients protect their intellectual property and defend their products with U.S. Customs & Border Protection and the International Trade Commission. Through her work in these administrative proceedings, Delfina has developed an understanding of regulatory issues not seen in the typical litigation, and can provide clients with valuable insights as a result.

Delfina also brings her considerable breadth of IP knowledge to the firm’s Privacy & Data Security Team and its Cannabis Team.

Outside of litigation, Delfina is experienced in IP procurement and enforcement. She has worked on numerous trademark and patent applications, assisting clients in obtaining the IP protection they need to grow and support their business strategies. Delfina has also organized and run large trademark, patent, and copyright enforcement programs for national companies.

Before law school, Delfina worked as an undergrad research assistant at Oregon State University and then after college as a research assistant at Shriners’ Hospital for Children and Oregon Health & Science University.

### Professional Activities

- Oregon State Bar, member

### Education

J.D., Lewis & Clark Law School, *magna cum laude*, 2010

- Form & Style Editor, *Environmental Law*

B.S., Oregon State University, *magna cum laude*, biology, with minors in botany and chemistry, 2004

### Bar Admissions

U.S. Patent and Trademark Office, 2011

Oregon, 2010

### Court Admissions

U.S. Court of Appeals for the Third Circuit, 2021

U.S. Court of Appeals, Federal Circuit, 2018

U.S. District Court, District of Oregon, 2011

## Publications

- “Paradise Lost: No Copyright for AI-Created Works,” Miller Nash, *IP & Technology Trends* (Aug. 2023)
- “The Accidental Infringer: What You Need to Know about Copyright When Using Photos from the Web,” Miller Nash, *IP & Technology Trends* (May 2023)
- “Generative AIs Challenged by Copyright and Related Rights: A Comparative Approach in European and US Law,” Multilaw Content Hub, Coauthor (Mar. 2023)
- “Les IA Génératives à L'épreuve du Droit D'Auteur Et Des Droits Voisins Approche Comparée en Droit Européen Et Américain Données / Contenus Entrants (1Ère Partie),” Expertises, Coauthor (Mar. 2023)
- “Celebrating Women in Tech: Female Pioneers in Medicine,” Miller Nash, *IP & Technology Law Trends* (Mar. 2023)
- “Celebrating Women in Tech: Hedy Lamarr, the “Mother of Wi-Fi,” Miller Nash, *IP & Technology Law Trends* (Mar. 2023)
- “Man v. AI Machine: The Continuing *Paradise* Saga,” Miller Nash, *IP & Technology Law Trends* (Feb. 2023)
- “Paradise Denied: Copyright (Or Not) In AI-Generated Images,” Miller Nash, *IP & Technology Law Trends* (Jan. 2023)
- “The Struggle is Real: Federal Trademark Registration for Cannabis and Hemp-Derived Food and Beverages Remains Elusive,” Miller Nash, *IP & Technology Law Trends*, coauthor (Oct. 2022)
- “Don't Let Your Core Brands Fall Victim to Trademark Trolls,” Miller Nash, *IP & Technology Law Trends* (Aug. 2022)
- “The Ninth Circuit Leaves Open the Delta-8 THC Legal Loophole in an Intellectual Property Dispute,” Miller Nash, *IP & Technology Law Trends*, coauthor (May 2022)
- “Priority “UNTAMED”: Enforceable Priority in Madrid-Registered Mark Does Not Require Use of Mark Before Infringement Commences, Says Ninth Circuit,” Miller Nash, *IP & Technology Law Trends* (May 2022)
- “THC-Infused Candies are All Tricks, No Treats, Says Candy Maker,” Miller Nash, *IP & Technology Law Trends* (Oct. 2021)
- Stevens, S.L., T.M. Ciesielski, B.J. Marsh, T. Yang, D.S. Homen, J.L. Boule, N.S. Lessov, R.P. Simon, and M.P. Stenzel-Poore (2008). Toll-like receptor 9: a new target of ischemic preconditioning in the brain. *Journal Cerebral Blood Flow and Metabolism* 28(5): 1040–1047.
- Longnecker, K., D.S. Homen, E.B. Sherr, and B.F. Sherr. (2006). Similar community structure of biosynthetically active prokaryotes across a range of ecosystem trophic states. *Aquatic Microbial Ecology* 42(3): 265–276.

## Presentations

- “Legal Priorities for Startups,” Oregon Startup Center Workshop (May 2023)
- “Trademark Licensing in the Cannabis Industry: Legality, Disclosure, Diligence, and Key Provisions,” Strafford CLE Webinar (March 2023)
- “School Intellectual Property Rights,” Confederation of Oregon School Administrators, 42nd Annual Oregon School Law Conference, copresenter (Dec. 2022)

## Recognition & Honors

- Selected for inclusion as a Washington Super Lawyer—Rising Star, 2016

## Personal Activities

When she's not in the office, Delfina enjoys taking barre classes, wine tasting, knitting, antiquing, and traveling.