

Emily M. Borich

Counsel

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Emily helps clients protect and leverage their valuable intellectual property assets.

Emily advises clients on intellectual property, entertainment, advertising, and corporate matters. Her practice encompasses the full spectrum of trademark and copyright matters, including prosecution, counseling, transactions, enforcement, and litigation.

She routinely oversees both domestic and international trademark portfolios, guiding clients through trademark selection, clearance, prosecution, registration and maintenance. Her responsibilities extend to working alongside foreign counsel for brand management, enforcement actions, and cross-border strategy.

Emily excels in drafting and negotiating a variety of commercial agreements on behalf of her clients, particularly within the fashion, beauty, lifestyle and luxury sectors. These agreements encompass licensing, collaborations and partnerships, talent endorsement deals and brand ambassador agreements, contracts concerning celebrity services for equity, asset purchase agreements, and more. She has played a pivotal role in offering guidance to fashion and beauty startups, as well as celebrity-branded product lines. Her industry expertise positions her as a strong advocate for creatives, both established and emerging talent, and her practice is often described as complementary to the services of agents, managers, publicists, and other talent advisors.

Services

Business & Corporate
Finance
Beauty & Wellness
Commercial & IP
Transactions
Copyright & Trademark
Emerging Companies
Fashion & Apparel
Intellectual Property
Litigation
Luxury Law

Admissions

New York
New Jersey
U.S. District Court, District of
New Jersey
U.S. District Court, Eastern
District of New York
U.S. District Court, Southern
District of New York

Additionally, Emily represents clients across trademark, copyright and anti-counterfeiting litigation, encompassing both state and federal courts. She also manages administrative proceedings before the Trademark Trial and Appeal Board, coordinates online enforcement actions, and resolves domain name disputes in line with ICANN's Uniform Dispute Resolution Procedure. Emily's achievements include obtaining preliminary injunctions for her clients and collaborating closely with U.S. Customs and Border Protection in coordinated anti-counterfeiting efforts.

Education

J.D., Elisabeth Haub School of Law at Pace University, 2014

B.A., Fordham University, 2011

Clerkships

New York Supreme Court, the Hon. Laura Visitación-Lewis, Judicial Clerk and Court Attorney

Honors & Recognition

Best Lawyers: Ones to Watch – Intellectual Property Law, 2021-present

Professional Activities

International Trademark Association, Member

- Right of Publicity Committee, 2024
- Public Information Committee, 2022-2023
- North American Anti-Counterfeiting Committee, 2017-2021

New York City Bar Association, Member

- Fashion Law Committee, 2014-2017
- Entertainment Law Committee, 2012-2013

News

65 Foster Garvey Attorneys Selected to The Best Lawyers in America® 2025, Three Named 'Lawyer of the Year'

Foster Garvey Newsroom, 8.15.24

Foster Garvey Welcomes Seasoned Intellectual Property Attorney to New York Office
11.21.23

Speaking Engagements

Luxury Law Summit New York, November 2024
Event
New York, NY, 11.19.24

"The Business of Artificial Intelligence: Practical Applications in the IP Ecosystem," International
Trademark Association
Conference
New York City, March 20-21, 2024

"Arbitrating and Mediating IP Licensing Disputes in the Entertainment and Fashion Industries:
What Can Barbie Teach Us?" California International Arbitration Week
Speaking Engagement
San Francisco, Calif., 3.11.24

Legal Alerts

Trademark Email Scam Alert: Did You Receive Notice of Attempt to Register Brand Name?
2.22.24

Publications

New Platforms, Same Squatting Issues
New York Law Journal, 9.12.24

Navigating Ethical and Legal Frontiers in Generative AI: Key Takeaways from Day Two of INTA's
Conference on The Business of AI
Foster Garvey Publication, 4.5.24

Navigating the Landscape of Generative AI: Insights from Day One of INTA's Conference on
The Business of AI
Foster Garvey Publication, 4.2.24