McBRAYER



BRUCE B. PAUL

Member

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HONORS & AWARDS

- The Best Lawyers in America®, 2024-2027, Commercial Litigation
- Kentucky Super Lawyers®, 2024-2025 (Intellectual Property Litigation)

PRIMARY PRACTICE

Commercial and Business Litigation

Copyright

DMCA Agent Services

Employment Law for Employers

Infringement Litigation

Intellectual Property

Intellectual Property and Corporate Transactions

Trademarks

ADDITIONAL PRACTICE EXPERIENCE

Internet & Media Law

Product Liability Litigation

Business Owner Disputes

Bruce Paul is a business counselor and litigator, but more than that - a listener. One of his first jobs was working as a field representative for a Member of Congress, which required him to drive to towns and rural areas to simply listen - to people's problems, priorities, needs, and dreams. And he's carried that forward to his legal career, listening closely to his clients to better understand their businesses. He learns what they do, what present issues are most impacting them, what the non-negotiables are on any given issue, and what business and industry developments are in clear sight or around a future corner.

Weighing uncertainty in the law while working through business and legal issues is especially applicable in the areas of intellectual property and technology, where statutes and case law often trail far behind new technologies. Bruce believes it's not enough to merely understand where the current law stands on known issues and how it might evolve; he also recognizes the value of old laws in these rapidly shifting fields that can still be applied to new technologies and legal questions.

To that end, Bruce is not only committed to educating himself on creative uses of the law and developing technologies, but making those concepts understandable to his clients so that he can advocate in a manner that makes issues easy to accept.

BRUCE B. PAUL

Business Torts

Advertising and Entertainment Law

Data Privacy, Security and Technology

Right of Publicity

ADMISSIONS

Indiana, 2005

U.S. District Courts, Northern and Southern Districts of Indiana

Kentucky, 2006

U.S. District Courts, Eastern and Western Districts of Kentucky

Virginia, 2019

U.S. District Court, Northern District of Illinois

Illinois, 2025

U.S. District Court, Western District of Michigan

6th, 7th, and 9th Circuit Courts of Appeal

EDUCATION

University of Louisville Brandeis School of Law, Louisville, Kentucky, J.D., 2005

- Honors: M*agna Cum Laude*

Hanover College, Hanover, Indiana, B.A., 1995

- Majors: Philosophy and Political Science

Clients, judges, and jurors all expect attorneys to be up-to-date on technologies and the tools that they provide, and Bruce works to live up to those expectations in service of client needs, deploying all the tech tools at his disposal. But regardless of the legal issue, the element that sets Bruce apart is his capacity to understand the wide variety of factors that frequently have nothing to do with the law. Only then does he counsel his clients through options and solutions — legal and otherwise — to help them design the right path to achieve their goals.

With a truly vested interest in his clients' prosperity, Bruce understands that a legal win isn't always a business win, and that the "quick business solution" to legal disputes may cause unintended legal consequences in the future. If the only option is to fight for his client to win, he is absolutely ready, willing, and very able to do that. But because fighting to win isn't always the best option, Bruce is equally prepared to resolve complicated matters in a creative and advantageous manner.

Finally, and most importantly, Bruce remains ever-cognizant that clients are spending their money for his services, putting their faith in him to advocate for them. And for that trust, mediocrity is never acceptable.

For more insight into the world of intellectual property and its day-to-day application, subscribe to our podcast, Protected Thoughts, from the minds of Bruce and the McBrayer IP team:

CAPABILITIES, SUCCESSES, AND ASSIGNMENTS

- Rich experience in electronic data, using electronic data and tools effectively in discovery and motion practice, and leveraging those tools for a favorable resolution of matters.
- Obtained summary Judgment for a national rental car leasing company that was sued for negligent entrustment by showing a lack of actual knowledge of intoxication at the time of the rental.
- Succeeded in excluding expert opinion offered by a plaintiff that purported to show a protective neck brace caused plaintiff's injury in dirt bike accident, which also resulted in summary judgment in favor of our client.
- Arbitration victory representing bank against a bank deposit box customer claiming liability for lost coin collection allegedly worth hundreds of thousands of dollars.
- Favorable settlement after contentious litigation between manufacturers involving yacht production.
- Experience litigating domain disputes, most recently for the Bardstown Bourbon Company against a "typosquatter."

Published Cases:

- In *Atari Interactive, Inc. v. Pixels.com, LLC* (Case No. 1:2021-cv-04272 (S.D.N.Y.)), Mr. Paul convinced Atari to walk away from its copyright and trademark complaint without any payment or even a confidentiality agreement after defeating Atari's motion to compel financial and sales data from online platform that was unrelated to alleged Atari properties. Also critical to that defense was the team's use of shareholder reports and stock price information from Atari that ran counter to its allegations and claims against Mr. Paul's client.
- In *Sid Avery Associates, Inc. v. Pixels.com, LLC* (Case No. 2:2018-cv-10232 (C.D.Cal.)), Mr. Paul and his team obtained a defense judgment, first in a partial summary judgment ruling and second after a bench trial of copyright infringement claims. The client prevailed on its immunity defense under the Digital Millennium Copyright Act. 2021 WL 736258 (C.D. Cal. Feb. 24, 2021).
- In *Lopez v. Zazzle, Inc.* (Case No. 1:2017-cv-08493 (S.D.N.Y)), Mr. Paul and his team obtained dismissal of a plaintiff's trademark claims against an online platform by showing that a plaintiff fails to state a claim upon which relief is available where third party uploaders to the platform are the ones "using" the trademark as contemplated under the Lanham Act. 2019 WL 5199431 (S. D. N.Y. Sept. 30, 2019).
- In *Ramsey v. Walchle* (Case No. 3:19-cv-01340 (M.D.Fla.)), a trademark and patent case, Mr. Paul and his team obtained a favorable settlement after obtaining third party sales and advertising data from Shopify and Google—which the defendant claimed no longer existed—that

showed extensive advertising and tens of thousands of sales of a product the defendant allegedly stole from our client.

- In *Silverlo Enterprises LLC v. Lexington Laser Hair Removal, LLC* (Case No. 5:21-cv-00120 (E.D. Ky.)), Mr. Paul and his team forced a competing laser hair removal company using an infringing trademark to rebrand under a different name.
- In *ThePost LLC v. At the Post Sports Bar and Grill, LLC* (Case No. 3:17-cv-00577 (W.D.Ky.)), Mr. Paul and his team forced a competing restaurant using an infringing trademark to close and rebrand.

Kentucky Leader

- Gilda's Club Kentuckiana, Former Board Member
- Norton Children's Foundation
- One Southern Indiana, Former Board Member
- Leadership Louisville
- Leadership Southern Indiana

Professional Activities

Indiana Bar Association, 2005

Kentucky Bar Association, 2006

Louisville Bar Association, 2006

Virginia Bar Association, 2019

News

IN THE MEDIA: McBrayer ranked 4th largest Intellectual Property firm in Louisville
August 28, 2026

IN THE MEDIA - Fifty McBrayer Attorneys Recognized by *Best Lawyers® for 2027*
August 20, 2026

McBrayer's Intellectual Property team sponsors the 50th Anniversary Meeting of the Copyright Society, welcoming more than 350 peers to Louisville
June 26, 2026

McBrayer Intellectual Property teams attends INTA in London
May 6, 2026

Celebrating Excellence: 40 McBrayer Attorneys Recognized by Super Lawyers
December 16, 2025

Member Bruce Paul to Speak at INTA 2025
From Celebrities to Creators: Why Publicity Rights Are Everyone's Business Now More Than Ever
November 19, 2025

McBrayer PLLC Achieves Record-Breaking Recognition in *Best Lawyers in America® 2026*
August 21, 2025

Leading the Way in Legal Excellence: 38 McBrayer Attorneys Honored in 2025 Super Lawyers and Rising Stars Lists
December 17, 2024

IN THE MEDIA - IP Attorneys Bruce Paul and Mari-Elise Paul Publish Article for December LBA Bar Briefs and Present CLE
December 3, 2024

McBrayer Names New Practice Head in Intellectual Property
October 15, 2024

New Record Set: 51 McBrayer Attorneys Honored in Best Lawyers 2025
August 15, 2024

McBrayer's Intellectual Property Attorneys Create Podcast, *Protected Thoughts*!
May 15, 2024

McBrayer Earns Record Number Named to Super Lawyers Lists for 2024
January 9, 2024

Another Record! 49 McBrayer Attorneys Named to Best Lawyers® 2024
August 17, 2023

McBrayer Louisville Ranked in Top Five Largest Employment Law Firms by Louisville Business First
April 24, 2023

Member Bruce Paul Quoted in *Louisville Business First*
November 21, 2022

McBrayer Member Bruce Paul Goes "Over the Edge" for Gilda's Club Kentuckiana
May 26, 2021

Guarding Against Cybersecurity Risks
Business Lexington, June 4, 2020

McBrayer builds intellectual property practice with addition of Bruce Paul
March 3, 2020

Seminars & Speaking Engagements

McBrayer Connects with Regional Business Community at One Louisville's Annual Meeting
March 18, 2026

McBrayer Sponsors KY Inno's Startups to Watch 2026
March 5, 2026

Member Bruce Paul Presents at 2025 KBA Annual Convention
June 6, 2025

Members Bruce Paul and Mari-Elise Paul Present CLE for the Louisville Bar Association
December 4, 2024

Articles

Generative Artificial Intelligence and Deepfakes Prompt a Need for Expanded Right of Publicity Protection in Kentucky
Louisville Bar Association BarBriefs, December 1, 2024