

## Andrew J. Thomas

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**Areas of Focus**

Content, Media, and  
Entertainment

Copyright

First Amendment and  
Content Moderation

Intellectual Property

Trademark, Advertising, and  
Unfair Competition



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### Overview

**A highly accomplished media and entertainment litigator, Andrew J. “A. J.” Thomas focuses his practice on copyright, trademark and right of publicity matters, First Amendment cases, and complex business disputes. A. J. has secured victories, some precedent-setting, in jury trials and appellate proceedings across the country for many of the world's largest media and entertainment companies, entertainers, publishers, and advertising agencies.**

He has litigated a variety of media, entertainment, and complex commercial cases and handled more than 50 appeals, representing clients in state and federal trial courts, circuit courts, and before the U.S. Supreme Court.

For two decades, leading legal and entertainment industry publications have recognized A. J. as one of the best in his field, a top lawyer in the entertainment industry, one of the "Top 50 Entertainment Lawyers" and "Top IP Litigators" in California, and as a *California Lawyer Magazine* "Attorney of the Year" in intellectual property law. A. J. recently concluded a term as President of the Los Angeles Copyright Society and regularly writes and speaks on intellectual property and entertainment law topics.

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I am proud to help industry-leading creators navigate ever-shifting legal and technology challenges to deliver inspiring content to their audiences.”

## Areas of Focus

- Content, Media, and Entertainment
- Copyright
- First Amendment and Content Moderation
- Intellectual Property
- Trademark, Advertising, and Unfair Competition
- Trade Secrets and Restrictive Covenants

## Representative Matters

- Won a federal jury verdict of \$13.15 million in compensatory and punitive damages after a week-long trial over the rights to writer John Steinbeck's works (*Kaffaga v. Steinbeck et. al.* (C.D. Cal., 9th Cir. and U.S. Supreme Court).
- Represented Warner Bros. in a lawsuit for trademark infringement, copyright infringement, and trademark dilution against a business operating "virtual running clubs" that make unauthorized uses of Warner Bros' *Harry Potter and Gilmore Girls* trademarks and copyrighted images. Case resolved in 2022 with a stipulated permanent injunction. *Warner Bros. Entm't v. Random Tuesday, Inc.* (D.D. Cal).
- Secured a precedential victory when the U.S. Court of Appeals for the Third Circuit affirmed a Pennsylvania federal court's dismissal of a copyright infringement lawsuit against Fox and other parties arising from Fox's hit television show *Empire*. *Tanksley v. Daniels* (E.D. Pa. and 3d Cir.).
- Represented consortium of broadcast television companies (including Fox Television Stations, PBS, Univision, and WNET) in copyright infringement case against Aereo, Inc. Supreme Court's ruling in our clients' favor established an important precedent for broadcasters and copyright owners. *WNET v. Aereo* (S.D.N.Y., 2d Cir. and U.S. Supreme Court).
- Won dismissals of two lawsuits for NBC Universal and numerous foreign distributors in a case involving claims of copyright infringement and breach of license agreements over the distribution of the motion picture *Disturbia*. *Sheldon Abend Revocable Trust v. NBC Universal* (S.D.N.Y., C.D. Cal. and 9th Cir.).
- Defended Warner Bros. in *Fortres Grand Corp. v. Warner Bros. Entm't* (N.D. Ind. and 7th Cir.) in obtaining dismissal, affirmed on appeal, of a trademark infringement action based on the use of the phrase "clean slate" to describe a fictional software program depicted in the motion picture *The Dark Knight Rises* and in related social media promotions.
- Represented as co-counsel a nationwide class of songwriters and music publishers in *MGM Studios, Inc. v. Grokster, Ltd.* (C.D. Cal., 9th Cir. and U.S. Supreme Court), a lawsuit by copyright owners in the music and motion picture industries asserting claims for contributory and vicarious copyright infringement against peer-to-peer file sharing services Grokster, Kazaa and Streamcast. In ruling for the plaintiffs, a unanimous Supreme Court adopted the "inducement" theory of copyright liability, holding that "one who distributes a device with the object of promoting its use to infringe copyright" is liable for the resulting infringement.
- Represented the composer and recording artist Prince in a variety of trademark, copyright and right of publicity disputes with merchandise companies and distributors of bootleg recordings.

# Credentials

## Admissions

- California, 1992

## Education

- Harvard Law School, JD, *cum laude*, 1991
- Stanford University, BA, with distinction and department honors, 1988

## Court Admissions

- US Supreme Court
- US Court of Appeals, Second Circuit
- US Court of Appeals, Third Circuit
- US Court of Appeals, Sixth Circuit
- US Court of Appeals, Seventh Circuit
- US Court of Appeals, Ninth Circuit
- US District Court, Central District of California
- US District Court, Eastern District of California
- US District Court, Northern District of California
- US District Court, Southern District of California

## Clerkships

- Hon. Alfred T. Goodwin, US Court of Appeals, Ninth Circuit

## Service / Recognition

### Awards

- *Lawdragon 500 Leading Global Entertainment, Sports, & Media Lawyers*, 2025-2026
- *Chambers USA*, Media & Entertainment: Litigation (California), 2009-2025
- *Daily Journal*, Top Intellectual Property Lawyer, 2023; California Lawyer Attorney of the Year, 2018; Top 50 Entertainment Lawyers, 2014, 2015; Top IP Litigator, 2015
- *The Best Lawyers in America*, Entertainment Law - Motion Pictures and Television, Litigation - First Amendment, Media Law, 2023-2026; Lawyer of the Year, Media Law, 2026
- ACLU Foundation of Southern California, Artistic Expression Award, 2014; Homeless Rights Advocacy Award, 2018
- *Los Angeles Business Journal*, Who's Who in L.A. Law - Top 40 Entertainment Lawyers, 2010

- *Managing Intellectual Property*, IP Star, 2013-2025; Copyright Star, 2021, 2024
- *Southern California Super Lawyers*, Intellectual Property Litigation, 2004; 2006; 2013-2024
- *Variety*, Legal Impact Report, 2016

### **Community**

- Western Center on Law and Poverty, Board of Trustees, 2011-2021

### **Service to the Bar**

- Los Angeles County Bar Association, Member, State Appellate Judicial Evaluation Committee
- American Bar Association, Member, Forum on Communications Law

### **Industry**

- Media Law Resource Center, Entertainment Law Committee, Co-Chair, 2024, Entertainment Law Conference Planning Committee: 2014, 2016, 2019, 2021
- Los Angeles Copyright Society, President, 2022-2023; President-Elect, 2021-2022; Vice-President, 2020-2021; Treasurer, 2019-2020; Immediate Past President, 2023-2024; Board of Trustees, 2007-2009, 2017-2019