



Josh Geller

Partner



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legal expertise

Josh Geller is a partner in MSK's Intellectual Property and Litigation practice groups, where he represents major film and television studios, production companies, video game publishers, and other content creators in complex, high-stakes disputes. He is recognized for his strategic judgment, effective advocacy, and ability to resolve challenging copyright, trademark, right of publicity, idea submission, and commercial cases—both in and out of court.

An experienced trial lawyer and oral advocate, Josh has significant appellate experience in both state and federal courts, including a recent successful argument before the Ninth Circuit in a copyright infringement matter involving an issue of first impression under the DMCA.

In addition to his litigation practice, Josh advises clients on risk management, brand and IP strategy, and emerging issues relating to artificial intelligence. He is certified by the International Association of Privacy Professionals as an AI Governance Professional (AIGP) and advises on the use of GenAI in content creation and evaluation of third-party GenAI tools.

Josh is the Treasurer and Trustee of the Los Angeles Copyright Society.

representative matters

Media, Entertainment and Intellectual Property

- Currently representing Warner Bros. Discovery in a trademark infringement matter involving the HGTV television series *Ugliest House in America*. Among other issues, the case involves the application of the U.S. Supreme Court's 2023 decision in *Jack Daniel's v. VIP Products* and whether WBD's use of the phrase "ugliest house" in the title of an expressive work is protected by the First Amendment.

practice areas

intellectual property
 entertainment & ip litigation
 trademarks & brands litigation
 commercial litigation
 regulatory
 cybersecurity and privacy specialties
 Artificial Intelligence (AI)
 video game

admissions

California
 U.S. District Court
 Central District of California
 Northern District of California

education

- Harvard Law School, J.D., 2013
 - Harvard Law Review
- Yale University, B.A., 2010

other career experience

- Partner, Greenberg Glusker LLP

- Successfully defended Ironmace Co., Ltd., developer of the popular video game *Dark and Darker*, against copyright infringement claims. Josh argued before the Ninth Circuit Court of Appeal and prevailed on an issue of first impression, with the Court affirming the district court's dismissal of the case and holding that the Digital Millennium Copyright Act (DMCA) does not foreclose *forum non conveniens* challenges to venue.*
- Regularly represents leading video game publisher Riot Games, Inc. in a wide range of matters, including copyright and trademark cases, contractual disputes, and efforts to monitor and remove infringing content across internet and social media platforms.
- *Jerry A. Spolar et al. v. Discovery Communications, LLC et al.*: Defeated TRO and secured dismissal on lack of substantial similarity in copyright infringement matter.*
- *Shannan Lynette Wynn et al. v. Oprah G. Winfrey et al.*: Secured dismissal on lack of substantial similarity in copyright infringement matter.*
- *Fifty-Six Hope Road Music Limited, et al v. Jammin Java Corporation*: Obtained multi-million dollar trademark infringement award affirmed by the Ninth Circuit.*
- *Apple, Inc. v. Mobile Star, LLC*: Secured favorable settlement in multi-party trademark and copyright infringement suit against Apple, Inc.*
- *Royal Palm Filmworks, Inc. v. Fifty-Six Hope Road Music, Ltd. et al.*: Obtained a dismissal with prejudice for a defendant in a dispute involving name and likeness, right of publicity, and copyright claims. The dismissal was affirmed on appeal to the Ninth Circuit.*
- Represented videogame startup in copyright infringement matter and prevailed in Ninth Circuit appeal on issues relating to the DMCA's notice and takedown procedures.*
- Defeated a temporary restraining order seeking to enjoin the release of a documentary by a major television network.*
- Defeated numerous "idea submission" and copyright infringement cases representing major television networks and producers in both state and federal court.*
- Negotiated termination of unfavorable record deal for up-and-coming singer-songwriter.*

Trial and Arbitration

- Solo chaired and won an arbitration involving a contract dispute over construction of a solar energy facility, securing a multi-million dollar award for the client.*
- Solo chaired and won a bench trial involving litigation with a securities broker-dealer.*



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- Part of a trial team that won a multi-week arbitration in a dispute over the distribution and release of a major motion picture, involving complex issues of film finance and production.*

Other Commercial Disputes

- Represented numerous consumer products companies in connection with unfair competition and false advertising claims.*
- Negotiated a complex corporate separation involving a film production company with significant intellectual property assets.*
- Represented CEO in dispute over corporate reorganization and IPO.*

**Indicates matters handled prior to joining MSK.*

honors & awards

- "Legal Impact Report: Up Next," *Variety* (2020, 2024)
- "Outstanding IP Practitioner," *World Intellectual Property Review* Leaders Directory (2025)
- "Ones to Watch," *Best Lawyers in America*© (2021-2025)

professional, business and civic affiliations

- Board Member, Los Angeles Copyright Society

headlines

11 MSK Attorneys Named to *World Intellectual Property Review's* Leaders Directory 2025
World Intellectual Property Review, May 19, 2025

Mitchell Silberberg & Knupp Expands Entertainment IP Litigation Practice in LA with Addition of High-Profile Lateral Group

Leading copyright attorney Aaron Moss anchors three-attorney team
March 17, 2025

events & speaking engagements

Dueling Decisions: AI Training and Fair Use After *Kadrey* and *Bartz*

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