

Heather J. Macklin

Partner

Heather concentrates her practice on complex litigation matters that span a broad spectrum of commercial disputes, including breach of contract, fraud and warranty claims, enforcement of intellectual property rights and defense of class actions. She has represented clients in state, federal and appellate courts throughout the country, as well as in arbitration, mediation and administrative hearings. Although Heather has successfully tried cases to final resolution, she is cognizant of the fact that litigation can be expensive, in both time and money, for clients. As a result, she relies on an array of alternative dispute methods in order to actively seek a resolution of disputes early in the process.

Heather's clients come from a variety of industries and include national and community financial institutions, globally recognized oil companies and renowned luxury goods manufacturers, as well as smaller, closely held corporations. For several years, Heather served as a Special Assistant Attorney General on behalf of the Illinois Gaming Board in a variety of administrative licensing proceedings.

Heather also actively participates in the firm's *pro bono* initiative, representing veterans seeking disability benefits before the Veterans Administration.

Representative Clients

- Cole Taylor
- First Industrial Realty Trust
- LVMH
- Shell Oil Company

Representative Matters

- Hayes Mechanical, L.P. v. First Industrial, L.P.
Successfully defended landlord, in trial and appellate courts, from mechanics lien suit brought by tenant's contractor for unpaid renovation costs.



TEL: (312) 629-7351
FAX: (312) 984-3150
heather.macklin@bfkn.com

Practices

- Litigation
- Financial Institutions
- Intellectual Property

Education

- University of Chicago Law School, J.D., 1999
- North Central College, B.A., *summa cum laude*, 1996

Bar & Court Admissions

- State of Illinois
- U.S. District Court - Northern District of Illinois
- U.S. Court of Appeals - 2nd Circuit
- U.S. Court of Appeals - 3rd Circuit
- U.S. Court of Appeals - 7th Circuit

- Hill v. Shell Oil Company

Represented Shell and affiliates in nationwide class action in the U.S. District Court for the Northern District of Illinois, alleging racially discriminatory treatment of African-American customers in connection with pump pre-payment policies of service stations.

- In re: Emerald Casino, Inc.

Represented Illinois Gaming Board as Special Assistant Attorney General in license revocation proceedings arising out of alleged misrepresentation to Board in casino license application relating to organized crime infiltration.

- Siegel v. Shell Oil Co.

Represented Shell in consumer class action in the U.S. District Court for the Northern District of Illinois, alleging oligopolistic control over prices in retail gasoline market.

- Trade Dress Infringement

Represented GIBC, Inc., a well-known micro-brewery (Goose Island Beer), in a trademark infringement action, successfully enjoining a competitor's use of a beer tap handle that infringed upon GIBC's trademarked "Goose Head" beer tap handle.

- Trademark Infringement: Luxury Goods

Represented a division of LVMH in a trademark infringement action, obtaining not only a consent injunction against the infringing party, but also an agreement from the infringer to permanently cease and desist all infringing activity and to pay all legal fees incurred by our client in bringing the action.

Articles and Publications

- Client Action Alert - Trademark Owners: Prepare for Launch of New Generic Top-Level Domain Program (January 3, 2012)
- Client Action Alert - Protect Your Trademark from Registration as a .XXX Domain (June 27, 2011)