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Appeals

Among Pryor Cashman's litigators are numerous lawyers with significant experience before federal and state appellate courts nationwide who have won appeals at every appellate level. Our appellate litigators possess a unique blend of knowledge, skill and extensive experience at both the trial and appellate court levels. These attorneys are masters at legal strategy and analysis and exceptional at synthesizing cogent and persuasive legal arguments marked by creative legal thinking, procedural expertise, skilled brief writing and persuasive oral presentations. In recent years we have briefed and argued over 100 cases in federal and state appellate courts. We also have many attorneys who have previously clerked for federal and state appellate court judges.

Our appellate litigators have been extremely successful in obtaining reversals of unfavorable decisions from the lower court and in preserving the victories that our clients have obtained in that same forum. Pryor Cashman's successes on appeal include:

- Obtained reversal in the N.Y. Court of Appeals of a lower court ruling against a record producer on royalty claims made by a 1960's vocal group; in a precedent-setting opinion, the court adopted the arguments made by our firm that a party obtaining ownership of property through a contract has the absolute and unrestricted right to use that property in any way it chooses, subject only to express contractual limitations on such use, and that a party is only entitled to compensation for uses of property for which an agreement expressly provides compensation
- Obtained affirmance in the U.S. Court of Appeals for the 2nd Circuit of the lower court's grant of summary judgment to the owner/manufacture of a line of beverages dismissing trade dress, dilution and copyright claims brought by the owner/manufacture of a line of nationally known iced tea beverages
- Obtained affirmance in the U.S. Court of Appeals for the 2nd Circuit of the lower court's grant of summary judgment to a national cable network in a case brought by the purported owners of the rights to the fictional characters Sherlock Holmes and Dr. Watson asserting copyright and trademark violations arising out of our client's use of such characters in a television motion picture
- Obtained reversal in the U.S. Court of Appeals for the 2nd Circuit of the lower court order which had dismissed our client's defamation claim against her former employer, an international celebrity; the case was reinstated and set down for trial, resulting in a favorable settlement on the eve of trial
- Obtained reversal in the N.Y. Appellate Division (1st Dept.) of the lower court order which had granted summary judgment to an insurance company and declared that it had no obligation to defend and indemnify our client, a national cable network, in a copyright litigation; Appellate Court not only

reversed the decision below but also granted summary judgment to our client, which recovered all of its legal fees and expenses in connection with both litigations

- For more highlights of Pryor Cashman successes on appeal, please [click here](#)

Case Descriptions

To read about some of our recent appeals, please [click here](#).

For more detailed descriptions of some of the appeals in which we have successfully represented our clients, please [click here](#).