



# NORTH TAMPA BAR ASSOCIATION

October 2019

## NTBA MONTHLY UPDATE

### 2019 Attorney Member Survey

Coming to your inbox soon - our 2019 attorney member survey. We want to know how we can improve your membership with NTBA. The survey will only take a few minutes of your time so please be sure to complete it.

### December 12th - Save the Date for NTBA's Holiday Party!

This year's 2019 Holiday Party will be at Carrollwood Country Club - details and invitations will be circulated soon. We look forward to celebrating the end of 2019 with you!



### Thank you Nancy Gordon of First Citrus Bank for organizing the October Power Lunch!

We'd like to extend our thanks and appreciation to Nancy Gordon for organizing October's Power Lunch. We learned so much about the attendees and their backgrounds.

*Next month's speaker:*

[Jim Ballowe, CIO](#)

*Esquire Deposition Solutions*



"Vulnerable Vendors - The Critical Role of Service Providers to Law Firm & Corporate Legal Department Cybersecurity"

1 CLE Credit  
November 14, 2019  
11:45 am - 1:00 pm  
Carrollwood Country Club

*Next month's attorney roundtable meeting:*

November 21, 2019  
12:00 pm - 1:00 pm  
Carrollwood Country Club

*Join us at our Holiday*



## Personal Liability for the Company's Intellectual Property Infringement

by [Jim Matulis](#)

Your client calls up in a panic because her startup company has just been sued for copyright infringement. From her prior jobs, she has dealt with lawsuits before. But this one is different - this time she has been personally named as a defendant, along with her company. She remembers you once told her about the corporate veil doctrine, which protects individual business owners from liability for claims against their company. So why has she been named as a defendant? Do the plaintiff's lawyers not know the law? Well, they might...



### ***Party!***

December 12, 2019 5:00 PM  
Carrollwood Country Club

### ***Future Events:***

Attorney Roundtable Meetings:  
December 19, 2019



### ***Sponsorships:***

NTBA offers a variety of sponsorship opportunities. Anyone interested in sponsoring NTBA should contact Angie at [angelica@corteshodzlaw.com](mailto:angelica@corteshodzlaw.com) and she will assist you in determining the appropriate level of sponsorship to meet your goals and fit your budget.

### ***Submissions:***

Hey North Tampa Bar members! Are you doing good things in our community? Do you have a charitable or professional event coming up? Were you a speaker at a recent legal education event? We want to know, and to share!

Tag @NorthTampaBar in your Facebook post or send us a message with some info and a photo so we can get the word out! We love to hear from you!

### ***Profile updates:***

If you have changes to your membership profile, email [norhtampabarassociation@gmail.com](mailto:norhtampabarassociation@gmail.com) to make sure your changes are made to our membership records and to NTBA's website.

### ***Listserve:***

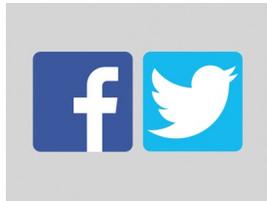
Attorneys - do you have a question or a notice for your fellow attorneys and cannot wait

Copyright infringement claims, like patent and trademark claims, are torts. As a result, if your client personally participated in the infringement – for example, by “actively and knowingly” causing her company to commit the infringement –then she can be personally liable. As with any intentional tort, the corporate veil doctrine does not protect her from personal liability.

But what if it was her employee, not her, that knew about and caused the infringement? She can still be liable under “secondary” theories of liability. For example, she can be vicariously liable for infringement if she personally profited from her company’s infringement, such as by receiving a higher year-end distribution, while declining to exercise a right to stop or limit the infringement, even if she didn’t initially know about it. She can be liable for contributory infringement if she had knowledge of the infringing activity and she “caused or materially contributed to the infringement by another,” such as her company. In short, your client’s personal assets are exposed, beyond her investment in the company.

And if that isn’t bad enough, depending on the facts, any judgment entered against your client may not be dischargeable in bankruptcy, as willful and malicious acts of infringement are exceptions to discharge under section 523(a)(6) of the Bankruptcy Code.

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for roundtable? Email NTBA's attorneys at [listserv@ntba.topicbox.com](mailto:listserv@ntba.topicbox.com).

*Thank you to our sponsors!*

## INSURANCE AND TRUST



Lutz Title & Escrow



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