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FASHION



Spotlighting the industry's innovators and influencers

Mark Brutzkus: EBG's Connoisseur of Copyright Law

Mark Brutzkus, partner in the legal firm Ezra Brutzkus Gubner LLP, came into the apparel arena 27 years ago and hasn't left. The graduate of the University of Illinois and DePaul University College of Law and legal lecturer has a diverse practice representing apparel, footwear, retail, and financial clients on industry-specific issues. A past president of the City of Hope Apparel Industries Group and past honoree for National Jewish Health, Brutzkus is involved in a number of charitable organizations, a vocation he says is "a big part of my life." Another big part—enjoying travel and great food with his wife, 19-year-old twin son and daughter, and 16-year-old son.

We were told you'd give us a good restaurant recommendation for tonight. Quite the connoisseur, you are, by reputation.

We are fortunate to live in one of the greatest places in the world to eat.

What's your taste?

I like to find the restaurants that nobody else knows about. I like to try new places. I particularly like places that have small plates, so you can try different types of dishes.

Such as?

Let me just say that we live in an area with many great restaurants.

Do you like the downtown vibe these days?

I do. I like urban environments. My wife is the complete opposite. We just got back from Europe. I loved the cities—London, Barcelona, and Venice. I like urban environments with crowds of people and many restaurants and commotion. That's what I grew up with in Chicago.

But much better with no wind.

Did you do anything before law school?

I worked for a short time for VMS Realty, which was a large real estate syndicator in Chicago, doing due diligence on properties they were acquiring. Worst job I ever had in my life. Prior to law school, I worked at the Chicago Mercantile Exchange on the trading floor. That was a job that I really liked. It was during the time that the commodity markets were starting to trade financial futures, not just commodities. I was working on the trading floor as a trading clerk, and the company offered to rent a seat for me so I could start trading. I came close to not going to law school.

So what happened?

The feeling was that if I didn't go to law school then, I would never go. It was a tough decision. Many of my friends from high school and college went to work at the Chicago Mercantile Exchange at that time and made a lot of money. Then the market crashed in 1985, which hurt a lot of traders, but a lot of traders made a lot of money staying in the business 10, 15 years, who then got out.

Any regrets?

No. I absolutely love what I do. At EBG, I practice law with apparel and finance giants, and I love the apparel industry and its players.

Speaking of which, what's life like at EBG?

When Bob Ezra and I first got together, the practice was small enough that we did a lot of different things. I was a generalist for a long time. We've grown to a point that the practice areas are more defined, and I manage client work in an outside general counsel

role. For example, I delegate work to EBG attorneys who handle brand enforcement and others who handle leases. We're representing companies involved in all facets of the apparel and textile industry, i.e., manufacturers, retailers, domestic and overseas factories, fabric and trim suppliers, and financial institutions. We also rep small- to mid-tier companies in the consumer product category. A lot has changed for us over the past 25 years.

What kind of cases do you handle?

We handle everything from corporate transactions and intellectual property matters to bankruptcy matters, real estate matters, and litigation. Seventy percent of our litigation practice is in the prosecution and defense of intellectual property issues involving copyright and trademark. A big part of EBG's litigation practice has been the defense of copyright infringement cases brought by fabric suppliers against manufacturers, retailers, and other fabric suppliers. We have also prosecuted and defended several large trademark and trade dress cases.

Really? That's somewhat surprising.

Over the last seven or eight years, fabric design copyright infringement cases have exploded because several fabric suppliers have filed hundreds of these cases. The West Coast has a huge print-driven juniors business. Several fabric suppliers have determined that they can make more money litigating fabric designs than selling fabric.

Is this work exciting for you?

Yes, it is. I've been drawn to the fashion industry. For instance, I attend the MAGIC and Project shows twice a year, primarily to network with other professionals in the industry. It's important for me to walk key trade shows to understand the marketplace. I have to keep up with the market and trends. People hire me because I understand the business and I'm a facilitator with extensive industry connections. Those intangibles plus my lawyering acumen differentiate me from other counsel. I'm of the industry.

Switching gears completely here, let's talk about your family. What are you guys into?

Different things. I'm a big golfer.

Handicap, please.

You don't want to know and I don't want to say. Don't want that published.

A common interest in my family is food. When we're on vacation, as a typical Jewish family, our days are usually planned by what our next meal will be. My kids are tasked with finding good restaurants. We're also a pretty active family and do a lot of outdoor activities such as paddleboarding, hiking, and kayaking.



Mark Brutzkus of EBG represents apparel, footwear, and retail industry clients facing unique, industry-specific issues.

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