SpencerFane®

Johanna Hyman

Of Counsel

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Overview

Johanna Hyman advises, counsels and advocates for clients across various industries in support of their unique business objectives. Her work spans a range of industries, including financial institutions, manufacturing, real estate, technology, art, media, and entertainment.

Johanna prides herself in using creative, and, when necessary, aggressive strategies to address disputes through negotiation and mediation, and in the courtroom to achieve the best possible outcomes. She has experience representing clients before federal courts, bankruptcy courts, state courts, appellate courts, and the Trademark Trial and Appeal Board. She also takes on the role of outside general counsel for many of her clients by assembling and leading teams of professionals to address her clients' legal needs.

Education

- Illinois Institute of Technology Chicago-Kent College of Law, 2012 (J.D.)
- University of Wisconsin-Madison, 2008 (B.A.)

Bar Admissions

- Illinois, 2012
- Minnesota, 2015

Court Admissions

- U.S. District Court for the District of Minnesota
- U.S. District Court for the Northern District of Illinois
- Minnesota Supreme Court

Community Involvement

- Hopkins Public Schools, Board Member
- Minnesota's Springboard for the Arts, Volunteer Attorney
- Advocates for Human Rights, Volunteer Attorney
- Jewish Family and Children's Service of Minneapolis, Volunteer Attorney
- Twin Cities Cardozo Society, Committee Member

Distinctions

- *Best Lawyers in America*, Ones to Watch, Commercial Litigation; Litigation – Banking and Finance, 2021-2024
- *Minnesota Super Lawyers*, Rising Star, Business Litigation, 2023-2026

Memberships

- Minnesota Women Lawyers, Member & Partner Leadership Council Representative
- American Bar Association Forum on Sports and Entertainment Law

Related Experience

Transactional

- Advised a craft beer company on the negotiation of merchandising deals, brand activations, and event sponsorships, including indemnity, insurance, and waiver considerations.
- Represented the author of a prominent musician's biography in contract negotiations with a major film studio to secure IP rights for a biopic, advising on licensing, promotional uses, and ancillary rights.
- Served as IP counsel for high-profile visual artist, fashion designer, influencer, and architectural firm, including negotiation of collaboration and branding agreements with international apparel and retail brands and with sports and entertainment venues.
- Served as general outside counsel for a Chicago-based music, sports, media, and entertainment company, preparing non-disclosure and confidentiality agreements; negotiating licensing, sponsorship, and promotions agreements; reviewing vendor agreements; advising on employment issues; and drafting and advising sports- and entertainment-related management and agency agreements.
- Served as lead production counsel for an independent film company, completing IP clearance, drafting media releases, assessing fair use issues, and coordinating with insurers for E&O review.
- Served as trademark counsel for a diversified holding company that is the owner of commercial properties in Chicagoland with major interests in real estate, hospitality, and entertainment and venture start-ups.
- Performed contract review and environmental due diligence for a renewable energy developer acquiring solar projects in rural Minnesota, including title, lease, and zoning assessments.

Intellectual Property & Media Litigation

- Defended public relations firm from third-party claims for consumer fraud and unfair competition related to the development of brand design and slogan development.
- Defended sports-tech company against competitor's claims related to false advertising and deceptive practices while affirmatively alleging misappropriation by competitor of client's name, image, and likeness.

- Defended national retail company against claims for patent and trade dress infringement and brought affirmative claims for false designation of origin and consumer fraud.
- Represented a multinational company in a trademark dispute related to the design of instant film for instant cameras.
- Represented wine company in TTAB cancellation proceeding and subsequent federal trademark litigation.
- Defended restaurant delivery company in trademark dispute, successfully resolving matter prior to hearing on preliminary injunction.
- Served as trademark counsel defending concert promoter's use of band name for promotional purposes.
- Represented IT consulting firm in a copyright and IP ownership dispute with its overseas outsourcing affiliate.

General & Commercial Litigation

- Regularly serve as local counsel to Am Law 100 firms in a variety of general commercial litigation matters in Minnesota Federal Court.
- Represent heirs of deceased musician and public figure in business- and estate-related disputes.
- Represent health care companies in breach of contract litigation with vendors and service providers.
- Represent restaurant and event venue pursuing claims for trespass, nuisance, defective construction, and negligence.
- Defend large communications company against claims for violations of Telephone Consumer Protection Act.
- Represented music producer in dispute with former manager and management company.
- Represented international mining company in numerous business, contract, and land disputes in federal and state courts and in arbitration.
- Represented luxury department store in landlord-tenant dispute and related Minnesota state court litigation.
- Represented Minnesota real estate developer before the U.S. Department of Housing and Urban Development in resolving a disability discrimination claim.
- Represented defendant newspaper publishing company against breach of industrial lease related to claims of contamination of real property.

Financial Services Litigation

- Obtained complete defense verdict at trial for claims brought by insurance company against a national bank as trustee for breach of contract, breach of fiduciary duty, conspiracy, and negligent misrepresentation.
- Defended a national bank against aiding and abetting breach of fiduciary duty claims related to a criminal fraud in Delaware Court of Chancery.
- Defended a national bank against fraudulent transfer claims brought by an assignee for the benefit of creditors for transfers made by agricultural cooperatives' criminally convicted former manager.
- Represented a global investment bank against claim alleging violations of the Telephone Consumer Protection Act.