Austin Padgett

Partner

Atlanta

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Austin helps clients build, protect, and monetize brands and content worldwide. He delivers practical, business-oriented solutions tailored for each client's needs across a wide range of industry sectors.

OVERVIEW

Austin advises clients on trademark, copyright, and advertising matters, helping businesses and individual creators build, protect, and grow their brands across all types of media. He works closely with clients throughout every stage of their business cycle — from launching a new brand to managing international portfolios with thousands of trademarks.

Austin handles both transactional and litigation matters, including trademark and copyright prosecution, registration, licensing, and disputes. He has resolved a significant number of UDRP domain name disputes and proceedings before the TTAB, and counsels clients on a diverse range of agreements. Austin advises clients on music and publishing counseling and agreements, endorsement and sponsorship deals, advertising clearance, and compliance for sweepstakes, contests, and promotions. He also handles due diligence in connection with mergers and acquisitions and IP-related agreements.

Austin is experienced in industries such as consumer products, entertainment, social media, financial services, energy, real estate, health care, and pharmaceuticals. A growing part of his practice focuses on advising social media influencers. Drawing on a thorough understanding of the influencer economy, Austin counsels both influencers and brands in connection with talent and sponsorship agreements.

REPRESENTATIVE MATTERS

- Global company rebrand — Advised a multinational B2C technology company on a full-scale rebrand, including trademark clearance across 30+ jurisdictions, licensing relationships, and development of brand-usage guidelines for international launch.
- Influencer + talent agreements — Drafted and negotiated multiplatform creator agreements for a national consumer brand, addressing FTC-mandated disclosures, content ownership, usage windows, exclusivity, morality clauses, AI-derivative use, and cross-posting rights.
- Advertising claim review — Led pre-clearance review of health and performance claims for health and wellness providers, aligning claim language with substantiation and managing messaging to reduce liabilities and regulatory exposure.

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- AI-generated content risk allocation — Developed contract language for agency to govern use of AI-assisted assets in commercial campaigns, covering training-data representations, output ownership, indemnity carve-outs, and metadata obligations.
- UDRP domain name enforcement — Successfully prosecuted numerous UDRP proceedings involving a confusingly similar domain names and abusive online tactics.
- Sponsorship + co-branding agreements — Negotiated and drafted multiyear sponsorship and co-branding agreements between a national consumer brand and major sports and entertainment partners, addressing brand asset usage, exclusivity, cross-channel activation rights, and charitable commercial co-venture tie-ins.
- Promotions + sweepstakes compliance program — Managed legal review and structuring for hundreds of nationwide promotions and sweepstakes for a consumer brand portfolio, including official rules, regulatory compliance, state registrations and bonds, prize-fulfillment terms, social-platform restrictions, influencer integration, skill-vs-chance analysis, and deceptive-marketing risk mitigation.

AWARDS

- *Best Lawyers in America®:* Advertising Law (2014-2027), Copyright Law (2022-2027), Trademark Law (2021-2027)
- *Best Lawyers in America®:* “Lawyer of the Year,” Atlanta, Advertising Law (2022)
- *World Trademark Review:* WTR 1000 (2020-2021, 2023-2026)

TOP AREAS OF FOCUS

- Domain Name Litigation + UDRPs
- Intellectual Property
- Trademark + Copyright

ALL AREAS OF FOCUS

- Academic + Research Institutions
- Domain Name Litigation + UDRPs
- Intellectual Property
- Litigation + Trial
- Marketing + Advertising
- Technology
- Trademark + Copyright

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of New Hampshire Franklin Pierce School of Law, J.D., *magna cum laude*, 2009
- University of Cincinnati, M. Mus., 2007
- Samford University, B.M., *magna cum laude*, 2004

BAR ADMISSIONS

- District of Columbia

- Massachusetts
- Ohio
- New York
- California

COURT ADMISSIONS

- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Central District of California

SPEAKING ENGAGEMENTS

- Speaker, "Navigating the IP Landscape: Intellectual Property Issues, Strategies, and Management for In-House Counsel," Troutman Pepper Webinar, October 25, 2023.
- Panelist, "When the CEO Calls – Part II," Troutman Pepper CLE Webinar, September 29, 2022.
- Panelist, "When The CEO Calls," Troutman Pepper CLE Webinar, February 24, 2022.

PUBLICATIONS

- Co-host, *No Infringement Intended* Podcast.
- Co-author, "When Similar Marks Collide: The Role of Coexistence Agreements," *Troutman Pepper Locke*, September 28, 2026.
- Co-author, "'Demon Hunter' IP Suit Highlights Reverse Confusion Perils," *Law360*, September 21, 2026.
- Co-author, "*No Infringement Intended:* Insights on the Legality of Music Sampling," *IP Watchdog*, November 25, 2025.
- Co-author, "*No Infringement Intended:* Is My Guitar Pedal a 'Klone' or a Counterfeit? Insights on the Intricacies of Trademark Law," *IP Watchdog*, November 6, 2025.
- Co-author, "AI in Marketing and Creative: Ownership, Risk, and What Still Belongs to You," *Troutman Pepper Locke*, October 20, 2025.
- Co-author, "Why Do I Need To Register My Copyrights?," *Troutman Pepper Locke*, September 8, 2025.
- Co-author, "*No Infringement Intended*: Can I Clean the Graffiti Off My Walls? When Intellectual Property and Property Rights Clash," *IP Watchdog*, September 4, 2025.
- Co-author, "I Found An "I-Dentical" (or Similar) Trademark! What Now?" *Troutman Pepper Locke*, August 25, 2025.
- Co-author, "*No Infringement Intended:* Can Tattoos Be Copyrighted? The Legal Battle Over Mike Tyson's Iconic Ink," *IP Watchdog*, July 21, 2025.
- Co-author, "Why Should I Register My Trademark?" *Troutman Pepper Locke*, June 18, 2025.
- Co-author, "*No Infringement Intended:* What Brands Can Learn About Trade Dress From the YETI and RTIC Cooler Wars," *IP Watchdog*, June 11, 2025.
- Co-author, "*No Infringement Intended:* "What Were the Cooler Wars? (Part 1)," *IP Watchdog*, May 22, 2025.
- Co-author, "*No Infringement Intended:* Can My Trademark Be a Victim of Genericide?," *IP Watchdog*, May 5, 2025.
- Co-author, "*No Infringement Intended*: Can My Band Cover a Famous Song? A Look at Copyright Law in Music ," *IP Watchdog*, April 7, 2025.
- Co-author, "*No Infringement Intended* – The World Wrestling Federation's Biggest Fight: A Look at Trademark

Law and Global Brand Recognition," *IP Watchdog*, February 10, 2025.

- Co-author, "*No Infringement Intended*: Why Did Taylor Swift Re-record Her Albums? A Look at Music Copyright and Contractual Rights," *IP Watchdog*, January 7, 2025.
- Podcast, "RICO Lawsuit Against Shein," *Rico Report* Podcast, November 1, 2023.

MEDIA COMMENTARY

- Quoted, "Buc-ee's Trademark Fight Escalates to Antitrust Claims—With Rough Road Ahead," *Texas Lawyer*, October 8, 2026.
- Quoted, "WIPO Panel Brands CREDITGPT Complaint a 'Poster Child for RDNH'," *Troutman Pepper Locke*, July 17, 2026.
- Quoted, "FIFA Spat Over Dallas Whale Mural Tests Power of Artists' Rights," *Bloomberg Law*, June 4, 2026.
- Quoted, "How Do You Protect a Brand Like the Super Bowl?," *World Trademark Review*, February 5, 2026.
- Mentioned, "How to Get Creative With Legal Marketing," *Raise the Bar*, January 9, 2025.
- Quoted, "What Scares You? A Few of the Most Frightening Developments in IP Law," *IPWatchdog*, October 31, 2022.