



HEIDI HOWARD TANDY

Partner

(305) 714-4340
htandy@bergersingerman.com

1450 Brickell Avenue
Suite 1900
Miami, FL 33131

Heidi Tandy is a partner in Berger Singerman's Miami office. Board Certified by The Florida Bar in Intellectual Property Law, Heidi has over twenty years of experience. Heidi has handled matters involving the internet, social media, privacy, intellectual property and tech law issues, for large and small corporate clients and individuals, from retail stores to groundbreaking online content creators, as well as hotels, restaurants, jewelry designers, educators, podcasters, website and app developers, novelists, theatrical producers and an Emmy-award winning makeup artist. She's worked with content creators, technology builders, individual business owners, and large corporations to successfully protect websites, apps, copyrights and trademarks. Since the 1990s, Heidi's work has included the creation of terms of service and privacy policies and best practices, as well as creating website accessibility policies and general internet policies and procedures for companies such as The Bump, the Organization for Transformative Works and Delivery Dudes. Heidi Tandy has filed hundreds of trademark applications, litigated before the Trademark Trial and Appeal Board and in federal and Florida courts, created and negotiated license agreements and assignments, and protected the rights of clients around the world.

Education

J.D., Washington College of Law at American University
B.A., University of Pennsylvania

Bar Admissions

Florida
New York

Practice Teams

Business, Finance & Tax
Dispute Resolution

Practice Areas

Intellectual Property

Representative Matters

- Managed hundreds of trademark applications filed with the U.S. Trademark Office.
- Achieved confidential settlements in matters involving alleged trademark infringement.
- Defeated Summary Judgment motion at Trademark Trial and Appeal Board by demonstrating extensive issues of dispute between the parties.
- Convinced the Trademark Office to determine that a mark initially deemed “highly descriptive” had acquired distinctiveness, and was registerable on the Principal Register.
- Successfully negotiated a settlement agreement that obligated a junior user to cease use of a mark that was likely to be confused with the client’s mark.
- Created policies in line with GDPR regulations for corporations and nonprofits
- Successfully defended client in a matter involving a baseless accusation of noncompliance by a website with the ADA by filing a Motion to Dismiss which resulted in the Plaintiff withdrawing the complaint with prejudice.
- Created policies for website community management and social media content creation.
- Developed process for client to determine whether content creation made fair use of third party images and text.

Awards & Honors

Member of Legal Committee for Archive of Our Own, Winner of the Best Related Work Hugo Award, 2019

Prior Affiliations

- Price Benowitz, LLP
- Ziglaw
- Gunster Yoakley
- Carlton Fields
- Ruden McClosky
- Stroock & Stroock & Lavan

Publications

Inside Business, "Make sure your business is compliant with new EU data protection regulations"
May 11, 2018

Events & Speaking Engagements

Heidi Howard Tandy, Moderator, "Fandom Pane," San Diego Comic Con
2018

Heidi Howard Tandy, Speaker, "Fanworks & Copyright," ABA IPLaw West
2018

Heidi Howard Tandy, Speaker, "Reputation Management, Social Media and Teenagers," Women of Tomorrow
2018

Heidi Howard Tandy, Table Topic Host and Academic Day Speaker, International Trademark Association
2018

Heidi Howard Tandy, Speaker, "Social Media Law Basics," ABA
2017

Heidi Howard Tandy, Panelist, "Fair Use," VidCon
2016

Heidi Howard Tandy, Speaker, "Fair Use," International Trademark Association
2016

Heidi Howard Tandy, Speaker, "Fair Use and Online Content," South by Southwest
2016

In the News

How to Keep Fanfiction Legal and Avoid Trouble with Lawyers
November 12, 2019

Berger Singerman Expands Intellectual Property Practice with Addition of Heidi Howard Tandy
September 4, 2019

Doing Business in Florida Blog

Can You Share the Photos Your Employees Took at Your Annual Picnic?
September 27, 2019

Changes at the USPTO for Individual Applicants and Foreign Businesses
September 10, 2019