



Melissa E. Scott

Partner

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An experienced litigation attorney, Melissa counsels clients on a wide array of complex commercial litigation matters, including claims for negligence, professional negligence, breach of contract, breach of fiduciary duty, tortious interference with contractual relations, civil conspiracy, products liability and mass tort, consumer protection, fraud and debt collection.

In the area of intellectual property law, Melissa's practice focuses on trademark prosecution and trademark opposition matters—both domestic and foreign. She has prosecuted multiple trademark applications and has litigated numerous trademark opposition and cancellation matters before the U.S. Patent and Trademark Office. Melissa has served as counsel in several patent litigation matters, and regularly advises clients on protecting and enforcing their intellectual property rights.

Melissa has grown her practice to include Pennsylvania state court appellate matters. She served in key roles on multiple appellate teams that recently secured decisions effecting significant changes in Pennsylvania law.

Representative Matters

- Secured the precedential decision in *Andrews v. Cross Atlantic Capital Partners, Inc.*, 158 A.3d 123 (Pa. Super. Ct. 2017), overruling *Signora v. Liberty Travel, Inc.*, 887 A.2d 284 (Pa. Super. Ct. 2005) and holding that an employee's receipt of prejudgment interest for his breach of contract claim for unpaid wages did not preclude the employee's recovery of liquidated damages under Pennsylvania's Wage Payment and Collection Law.
- Secured the 84-page precedential decision in *Krishnan v. The Cutler Group, Inc.*, 171 A.3d 856 (Pa. Super. Ct. 2017), clarifying the standard of proof required for claims under Pennsylvania's Unfair Trade Practices and Consumer Protection Law, reaffirming that a plaintiff need not leave his home to demonstrate a violation of the implied warranty of habitability, requiring that any disclaimer of implied warranty rights be explicitly stated, and reaffirming that a trial court should calculate an award of attorneys' fees using the lodestar approach.
- Defended a major consumer lending company against unfair trade practices and consumer protections claims brought by the Pennsylvania Attorney General's Office in connection with a line of credit product.
- Defended the world's largest Internet domain name registrar against allegations of infringing upon a patent purportedly claiming a device and method for communicating client due date reminders and receiving replies to the reminders over the Internet.



- Represented a leading juvenile products manufacturer in an infringement action against a competitor, alleging infringement of a patent covering multiple aspects of a folding children's stroller.
- Defended a major stock exchange against allegations of infringing upon a patent purportedly claiming a method for valuing "expiration-less" stock options.
- Defended a major pharmaceutical company in a private product liability arbitration involving more than 600 personal injury claims related to a pharmaceutical product.
- Defended a general contractor against Occupational Safety and Health Administration (OSHA), contract, personal injury and class action claims arising from a parking garage collapse.

Before Fox Rothschild

Prior to joining Fox Rothschild, Melissa was an associate at two national law firms as well as an international law firm.

While in law school, Melissa served as executive editor for the *Temple Law Review* as well as a teaching assistant for the Director of Legal Research and Writing Program.

Practice Areas

- Intellectual Property
- Litigation
- Appellate Practice
- Trademarks

Bar Admissions

- Pennsylvania
- New Jersey

Court Admissions

- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania
- U.S. District Court, District of New Jersey

Education

- Temple University James E. Beasley School of Law (J.D., *cum laude*, 2004)
- George Washington University (B.A., 2001)

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