



BASSFORD REMELE

Norman M. Abramson

SHAREHOLDER



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PRACTICE GROUPS

Intellectual Property Litigation
Trust and Estate Litigation

INDUSTRY GROUPS

Financial Services
Technology

OVERVIEW

With more than 30 years of experience as a trial lawyer, Norman Abramson focuses his practice on trust and estate litigation and intellectual property litigation.

Norman has substantial experience in trial and appellate work in the areas of trust and estate litigation, fiduciary litigation, will contests and instrument validity disputes, advising trustees and other fiduciaries on duties and actions, account disputes, and other probate proceedings. He has been involved in several high-profile trust and estates lawsuits in Minnesota, including the *Pamela Andreas Stisser Trust* and *In re Williams Trust* matters. He is co-chair of Bassford Remele's Trust and Estate Litigation Practice Group.

Norman has also litigated a wide variety of trademark, copyright, trade secret, unfair competition, false advertising, patent, inventorship, and other intellectual property litigation. He regularly advises clients in building their brands and intellectual property portfolio as well as maintaining, protecting, and defending these assets.

EDUCATION & ADMISSIONS

Education

University of Minnesota Law School, J.D., *cum laude*, 1993
Boston University, B.A., *cum laude*, 1990

Bar Admissions

- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Federal Circuits
- U.S. District Court, District of Minnesota
- U.S. District Court, District of Massachusetts
- U.S. District Court, Northern District of California
- U.S. District Court, Northern District of Illinois
- Minnesota

EXPERIENCE

Trust and Estate Litigation

- Represented at trial and before Supreme Court trustee's opposition to multi-million dollar claims by the personal representative of decedent's estate, resulting in a significant and precedential decision; *In Re Pamela Andreas Stisser Grantor Trust Under the Second Amendment and Restatement of Trust Agreement Dated June 6, 2001*, No. A10-1646 (Minn. 2012).
- Represented at trial and at Minnesota Court of Appeals individual trustee and beneficiaries asserting multiple breaches of trust against corporate trustee related to the failure to diversify trust assets, inform the co-trustees of the need to diversify the trust portfolio, vote to diversify the trust portfolio and use professional skills to educate the co-trustees on the need to diversify the trust portfolio. The matter resulted in significant trial and appellate decisions on duties of trustee, damages for breach of trust and use of attorney/client privilege for lawyers representing trust; *In re Williams Trust*, 631 N.W.2d 398 (Minn. Ct. App. 2001); 2000 WL 1920038 (D. Minn. 2000) 591 N.W.2d 743 (Minn. Ct. App. 1999).

Norman M. Abramson
SHAREHOLDER

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EXPERIENCE

Trust and Estate Litigation

- Successfully tried case to terminate a trust on behalf of surviving grandchild by petitioning that a claimed measuring life for the trust was ambiguous and violated the Rule Against Perpetuities and was therefore invalid. (Ramsey Cty. 2015).
- Represented, and tried to conclusion, charitable beneficiary's claims against trustee during which it was discovered the trustee committed fraud and breaches of fiduciary duties leading to damage awards, liens and seizure of assets on behalf of the charitable beneficiary. (Scott Cty. 2022).
- Tried matter contesting validity of a will due to a claim of lack of capacity. (Henn. Cty. 2011).
- Tried estate dispute over distribution of business assets and the payment of attorney fees. (Dakota Cty. 2007).
- Tried and handled appeal of reformation of will matter due to mistake of drafter pertaining to the terms "children" and "descendants" and obtained reformation. (Minn. Ct. App. 2015).
- Responded to appeal of trustees who were found to have breached their fiduciary duties to charitable beneficiaries. *In re Estate of Neuman*, 819 N.W.2d 211 (Minn. Ct. App. 2012).
- Represented senior bond holder in a bond trust dispute with junior bond holders. (Minn. Ct. App. 2024).
- Represented charitable beneficiary asserting trustee breached his fiduciary duties in failing to timely pay bequest to charitable beneficiary.
- Represented relatives of vulnerable adult in obtaining a temporary conservatorship and litigating against caregiver/new spouse for permanent conservatorship. After vulnerable adult died, litigated against spouse on the validity of new will and trust.
- Represented successor corporate trustee in administering contested trust estate and successfully defended successor corporate trustees decisions and administration at trial. (Dakota Cty. 2021).
- Represented successor corporate trustee in administering contested trusts while beneficiaries and former trustee litigated disputes. (Henn. Cty.).
- Represented corporate trustee in contested proceeding on determining who were appropriate beneficiaries of the trust and denying beneficiary's claims for attorneys' fees from the trust.
- Represented personal representatives and trustees in rejecting a preliminary injunction and overturning a temporary restraining order against them to administer estates and revocable trusts. Also represented personal representatives and trustees in action to remove them.
- Obtained court order establishing clients as qualified beneficiaries of a trust and entitled to accounts and other documents even though trustee planned to exercise a testamentary power of appointment in the future. (Wash. Cty. 2018).
- Represented judgment creditor against personal representative of decedent/creditor's estate and the trustee of decedent/creditor's revocable trust.
- Litigated matter involving the establishment of a constructive trust over real property deeded to one sister by donor for the disputed benefit of three sisters. (Henn. Cty. 2010).

Norman M. Abramson
SHAREHOLDER

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EXPERIENCE

Intellectual Property Litigation

- Represented Swiss doll maker against retailer, distributor and manufacturer for making knock-off dolls, inter alia trade dress infringement, false advertising and trademark dilution. *Heidi Ott A.G. v. Target Corp. et al.*, 153 F.Supp.2d 1055 (D. Minn. 2001).
- Defended travel agency in trademark infringement lawsuit brought by the producers of the Lord of the Rings movies. Matter decided in the defendant's favor on the grounds of laches. *Saul Zaentz Co. v. Wozniak Travel, Inc.*, 627 F.Supp.2d 1096, 89 U.S.P.Q.2d 1665 (N.D. Cal. 2008).
- Copyright infringement matter involving work used in a televised advertisement. (D. Minn. 2011-2012).
- Defended copyright, counterfeiting, trademark infringement and RICO matter for retailer involving the sale of videos. (E.D. Cal. 2010).
- Represented plaintiff in gray market/counterfeiting unfair competition matter regarding auto parts sold under plaintiff's trademark. (D. Minn. 2006-2009).
- Defended trade dress infringement claim based on the plaintiff's registration of a color blue for ice fishing shelters. (D. Minn. 2008).
- Defended trade dress infringement claim involving surgical devices. (D. Minn.).
- Brought declaratory judgment against trademark registrant asserting infringement claim and counterclaimed for cancellation of trademark registration pertaining to use of mark on firearms and silencers. (D. Minn.).
- Brought declaratory judgment against trademark registrant asserting infringement and opposing a trademark registration for snack chip. (D. Minn.).
- Brought declaratory judgment against estate of John Dillinger pertain to claims of trademark infringement regarding use of DILLINGER as a trademark. (D. Minn.).
- Brought declaratory judgment against trademark registrant asserting infringement regarding mark for and opposing a trademark registration for chocolate candies. (D. Minn.).
- Patent inventorship dispute. *Stern v. Columbia University*, 434 F.3d 1375 (Fed. Cir. 2006).
- Prosecuted breach of contract claims and defended trademark infringement and cyber-squatting claims. *Convey Compliance Systems, Inc. v. 1099 Pro., Inc.*, 443 F.3d 327 (4th Cir. 2006).
- Prosecuted and tried successor liability claims and in post-trial established an equitable lien on trademark portfolio. (D. Minn. 2002).
- Defended patent infringement claim involving method of reusing containers in the semiconductor industry. (D. Minn. 2004).
- Represented plaintiff in patent dispute over locking mechanisms. *Cargo Protectors, Inc. v. American Lock Co.*, 92 F. Supp. 2d 926 (D. Minn. 2000).

Norman M. Abramson
SHAREHOLDER

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EXPERIENCE

Publications

- *Trusts and Conflict of Laws Problems*, co-author with S. Gary, Bogert's The Law of Trusts and Trustees, Ch. 16, 2014

Seminars

Trust and Estate Litigation

- *Navigating Into the Eye of the Fiduciary Storm*, presenter, American Bar Association, July 14, 2022
- *A Deeper Dive Into Fiduciary Responsibilities*, presenter, Minnesota State Bar Association Probate and Trust Law Section Conference, June 10, 2019
- *Legal Update: Payment of Fiduciary Attorneys' Fees*, presenter, Minnesota Lawyers Mutual, May 2018
- *The Estate Planning & Probate Trust Law 40 Cases Every Probate Lawyer Must Know Inside and Out*, presenter, Minnesota Continuing Legal Education, September 2014 and February 2016
- *How An 18th Century Term of Art That 'Really Means Nothing' Led to Ten Years of Litigation: The Minnesota Supreme Court's 2012 Decision on the Effect of General Directives to Pay Debts in Trust Instruments*, presenter, August 2013

Intellectual Property Litigation

- *Standing out in a Crowd and Introduction to Trademark Law*, presenter, University of Minnesota Carlson School of Business, 2002-2014

PROFESSIONAL & CIVIC

Bar Associations

- Federal Bar Association
- Minnesota State Bar Association
 - Trust and Estates Litigation Subcommittee
 - Subcommittee on drafting Minnesota Trust Code, article 4 and decanting, member, 2013-2015
 - Probate, Trusts and Estates Section
- Ramsey County Bar Association

Civic Involvement

- Cardozo Society
 - Executive Steering Committee, 2004-present
 - Co-Programming Chair, 2004-2007
- Minnesota Jewish Community Center
 - Foundation Board President, 2023-present
 - Foundation Board Member, 2021-present
- St. Paul Jewish Community Center
 - Board Member, 2000-2009
- Temple Israel
 - Board Nominating Rules Committee, 2014-2015
 - Co-Chair, 5-Year Plan Subcommittee on Social Action/Justice

ACCOLADES

Honors & Awards

- *The Best Lawyers in America*®, Intellectual Property Litigation, 2024
- North Star Lawyer, Minnesota State Bar Association, 2014-2017
- Minnesota Rising Stars list, *Minnesota Law & Politics*, 2002-2007