



Kristan B. Burch
Partner

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Kristan is a partner in the firm's Litigation Section and Co-Chair of the Intellectual Property & Franchising Practice Group. Her practice focuses on construction and intellectual property. She handles a broad range of civil litigation matters including construction disputes regarding faulty workmanship and design; construction payment disputes and bond claims; patent, trademark, and copyright infringement actions; opposition and cancellation proceedings before the Trademark Trial and Appeal Board; franchise disputes; general commercial disputes; and appeals to the Supreme Court of Virginia and the Court of Appeals for the Fourth Circuit.

practice areas

- Government Contracts & Construction
- Intellectual Property
- Litigation

representative matters

- Represented municipality in disputes with contractor and architect regarding construction of new courthouse
- Represented builder during remediation of projects with Chinese drywall and in related litigation
- Represented developer in construction contract dispute, obtaining favorable decision in federal district court which was affirmed by Fourth Circuit
- Represented owner of environmental projects in dispute with engineer regarding defective engineering, surveying, and environmental services
- Represented general contractor during construction of municipal facility, addressing construction issues and disputes with owner, engineer, and subcontractor
- Represented general contractor regarding defective construction and warranty claims in multi-party litigation involving exterior installation and finish systems on condominiums
- Drafted and negotiated contracts for owners, general contractors, and subcontractors
- Defended municipality in trademark infringement action, securing nuisance value settlement after favorable summary judgment ruling
- Represented franchisor in multiple federal court actions to enforce terms of franchise agreement and obtain injunctive relief
- Participated in patent infringement cases in federal court, including trials, through which plaintiff sought monetary damages and injunctive relief
- Represented parties in trademark opposition and cancellation proceedings before the Trademark Trial and Appeal Board
- Represented domain name holders in arbitration proceedings under the Uniform Domain Name Dispute Resolution Policy

representative matters (cont.)

- Represented trademark holders in disputes with other entities using confusingly similar trade names, drafting cease and desist letters and negotiating settlement agreements
- Served as local counsel in patent and trademark infringement actions in the United States District Court for the Eastern District of Virginia, Norfolk and Newport News Divisions

recognition and honors

- Virginia's Legal Elite; *Virginia Business Magazine*, 2004–2010
- Virginia Rising Stars; *Law & Politics*, 2007–2011
- Top 40 Under 40; *Inside Business*, 2007
- Lead Hampton Roads, 2006
- Law Clerk to The Honorable James E. Bradberry; Magistrate Judge, United States District Court for the Eastern District of Virginia, Norfolk Division

associations

- Virginia State Bar; Construction and Public Contracts Section, Chair
- Virginia State Bar; Intellectual Property Law Section, Past Chair
- Virginia Bar Association; Intellectual Property & Information Technology Section, Past Chair
- Tidewater Chapter of the Federal Bar Association; Past President
- Virginia State Bar Special Committee on Communications
- Norfolk & Portsmouth Bar Association; CLE Committee

admissions

- Virginia State Courts
- U.S. District Court for the Eastern District of Virginia
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Federal Circuit
- Supreme Court of the United States

education

- University of Virginia; B.A., 1995
- College of William & Mary School of Law; J.D., 1998

press and publication

- Domain Name Disputes: Why Are So Many Disputes Resolved Administratively?
- Arbitration: Another Option for Resolving Domain Name Disputes
- 53 Kaufman & Canoles Attorneys Named Virginia Business Magazine's Legal Elite 2011
- 36 K&C Attorneys Named as Super Lawyers 2011 and 14 Named as Rising Stars 2011
- Knowledge is Power: A Review of the American Arbitration Association's Rules for Construction Disputes
- 39 Kaufman & Canoles Attorneys Named Virginia Business Magazine's "Legal Elite" 2010
- Has Chinese Drywall Affected the Economic Loss Rule?
- 31 K&C Attorneys Named as Super Lawyers & 11 Named as Rising Stars 2010
- 39 K&C Attorneys Named *Virginia Business Magazine's* Legal Elite 2009
- A Modern Day Fairy Tale: Injunctive Relief in a Post eBay World: The More Things Change, the More They Remain the Same
- 30 Attorneys Named Super Lawyers, 12 Named Rising Stars
- A Contractor's License: Who Needs One and Why
- 36 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* Legal Elite 2008
- 28 Kaufman & Canoles Attorneys Named as Super Lawyers & 8 Named as Virginia Rising Stars 2008
- 20 Kaufman & Canoles Attorneys Named to *Virginia Business Magazine's* Legal Elite 2007
- 10 Kaufman & Canoles Attorneys Named in Virginia Rising Stars 2007
- 34 Kaufman & Canoles Attorneys Named to *Virginia Business Magazine's* Legal Elite 2006
- Kaufman & Canoles Names Shuford & Burch Partners
- 27 Kaufman & Canoles Attorneys Named to *Virginia Business Magazine's* Legal Elite
- 31 Kaufman & Canoles Attorneys Named to *Virginia Business Magazine's* Legal Elite