Seth L. Berman

PARTNER



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This biography is provided for informational purposes only and does not constitute legal advice.

PRACTICE AREAS

- Appeals
- Artificial Intelligence (AI)
- Commercial Litigation
- Cannabis Law Group
- Civil Litigation
- Commercial Contracts
- Corporate Governance
- Financing
- Health Law
- Insurance Defense
- Intellectual Property & Entertainment
- Managed Care Plans
- Mergers & Acquisitions
- Not-for-Profit Corporations
- Nursing Homes
- Corporate & Securities Law
- Real Estate Law
- Real Estate Litigation

Seth Berman is a Partner at Abrams Fensterman, LLP in the Commercial Litigation Department and Director of the Intellectual Property and Entertainment Law practice group. He is a nationally recognized litigator and transactional attorney who represents business entities, nonprofits and individuals in a wide variety of complex commercial litigation matters. Seth also provides transactional and general counsel

representation to businesses and individuals in the entertainment, media, fashion and creative industries. Seth's practice focuses on Commercial and Healthcare Litigation/Dispute Resolution and Avoidance, Copyright Litigation, Entertainment and Copyright Law.

Seth represents a wide array of clients, from Fortune 100 companies to individuals, from a wide array of industries including healthcare, entertainment, real estate, banking, finance, manufacturing, communications, retail and more in connection with contract issues, business torts, regulatory issues, intellectual property issues, construction and real estate issues, shareholder issues, employment issues and many other kinds of business related disputes.

Seth also has a depth of experience representing clients in the healthcare field and counseling clients through the difficult patchwork of regulatory and business issues unique to the healthcare industry and healthcare related litigation. Seth has represented hospitals, physician practice groups, individual physicians, nursing homes, pharmacies, home healthcare agencies, ambulatory surgery centers and health insurance companies.

Seth also advises clients on "best practices" and provides guidance and opinions on business processes and insurance coverage to help business proactively prevent lawsuits and obtain proper insurance coverage.

Seth has been recognized as a preeminent copyright litigator with extensive experience representing both plaintiffs and defendants in connection with copyright litigation matters including infringement, registration, fair use and licensing issues. Seth has represented Grammy Award winning musicians, music producers, music publishing companies, record labels, photographers, advertising agencies and websites in several copyright related disputes and was counsel in a landmark copyright "fair use" case.

Seth has extensive experience in the entertainment industry as an accomplished record producer, musician and record label executive. With his unique experience, Seth offers clients an unparalleled level of industry insight and knowledge when dealing with music-related issues and transactions. Seth also represents members of the broader entertainment and media industries including advertising, film, visual arts and fashion. Seth provides counsel to clients regarding general corporate and business issues, copyright and trademark issues, licensing, rights of publicity and moral rights issues concerning all manner of artistic works.

Seth also advises clients on copyright portfolio management and copyright revenue maximization.

Seth is a graduate of the University of Massachusetts at Amherst where he was named to the Dean's List for exceptional course work. Seth is also a graduate of the Hofstra University School of Law where he graduated Cum Laude and was a member of one of the school's honor society moot court teams. Seth was also named to the Dean's List and received two special recognitions for extraordinary coursework. Prior to joining Abrams Fensterman, LLP, Seth spent nearly a decade practicing at a large prestigious international law firm.

REPRESENTATIVE MATTERS

- Successfully represented BMG Rights Management against major toy manufacturer, MGA Entertainment, for copyright infringement of the hit song “My Humps” performed by the Black Eyed Peas.
- Acted as co-counsel to the estate of world renowned hip-hop artist, Christopher Wallace a/k/a the Notorious B.I.G. a/k/a Biggie Smalls and major record label and helped win the complete dismissal of two copyright infringement lawsuits.
- Represented large international beverage company in connection with music licensing and celebrity endorsement agreement with music icon, Stevie Wonder, in connection with NFL advertising campaign and Super Bowl commercial.
- Successfully represented record label against former distributor for copyright infringement resulting in seven-figure settlement.
- Successfully defended newspaper publisher against copyright infringement claim brought by photographer claiming infringement of a series of photographs.
- Successfully defended music publishing company and music distributor against a multi-million dollar copyright infringement claim made by another record label.
- Negotiated favorable record distribution deal between independent record label and Asylum Records.
- Obtained a favorable monetary settlement for a law firm involved in a trademark dispute with another law firm.
- Successfully defended a major hospital system against a multi-million dollar breach of contract claim brought by former consultants.
- Won a motion for summary judgment and obtained a seven figure judgment for a physicians practice group against a former member of the practice.
- Won 3.8-million-dollar award in favor of client at four-day arbitration hearing representing an apparel manufacturing company against its former head of sales for breach of a non-compete agreement.
- Won 1.2-million-dollar judgment for hospital and health care investment group on breach of contract claim.
- Won summary judgment for major petroleum company dismissing entire action brought by plaintiff alleging multi-million dollar property damage allegedly resulting from leak of underground storage tank.
- Successfully opposed a motion for preliminary injunction filed by a healthcare consulting group seeking an 8-million-dollar consulting fee from hospital client. The injunction was defeated after oral argument and the matter was successfully settled for client after discovery.
- Lead counsel on successful negotiation of multi-million-dollar pre-litigation settlement and “Unwinding Agreement” between European based luxury beauty product manufacturer client and its U.S. based manufacturer and packager. Matter involved very complex issues of contractual interpretation, transfer and ownership of intellectual property rights, product liability indemnifications, ownership and transfer of physical goods and European Union beauty product regulations.

BAR ADMISSIONS

- State of New York
- U.S District Court, Southern District of New York

- U.S District Court, Eastern District of New York
- U.S. Court of Appeals 2nd Circuit

EDUCATION

- Maurice A. Deane School of Law at Hofstra University, J.D., *Cum Laude*
- University of Massachusetts at Amherst, Dean's List

PRESENTATIONS AND SEMINARS

- "Legal Landmines: How to Protect Your Business and Minimize Risk" Presentation – February 2018
- Winter Music Conference, Legal Issues Panel Moderator, 2012-2016
- New Music Seminar 2014, Entertainment Litigation Panel, Panelist

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- Nassau County Bar Association
  - Sports, Entertainment & Media Law Committee Chair
  - Member
- New York State Bar Association , Member
- National Academy of Recording Arts and Sciences (The Recording Academy/Grammys), Member
- Association of Independent Music Publishers, Member
- Copyright Society of the USA (CSUSA), Member
- American Society of Composers, Authors and Publishers (ASCAP), Member
- Professional Photographers of America, Member

IN THE NEWS

Media Interviews

Seth Berman provides legal analysis on prominent intellectual property, entertainment, trademark and consumer-protection disputes making national headlines.



LATEST INTERVIEW · FOX 5 NEW YORK

Ariana Grande’s Lawsuit Against Alleged Hackers

Seth Berman discusses Ariana Grande’s lawsuit against unidentified hackers accused of stealing and distributing unreleased music, photographs and video footage. He explains how a “John Doe” lawsuit and the discovery process can help attorneys uncover the identities of anonymous online actors.



FOX 5 NEW YORK

Nike’s Trademark Lawsuit Against StockX

Seth provides legal analysis of Nike’s lawsuit against StockX involving allegedly counterfeit sneakers and the use of Nike’s trademarks in connection with StockX’s digital Vault NFTs.



Fireball whisky lawsuit

Fireball is finding itself at the center of a liquor lawsuit. Here's why.

The Fireball Whisky Consumer Class Action

Seth comments on a consumer class action alleging that the similar labeling of two Fireball products could cause consumers to purchase a different product than they intended.

FEATURED PUBLICATIONS

- **44 Abrams Fensterman Attorneys Recognized in 2026 New York Super Lawyers® and Rising Stars** — 10/25/2026
  https://www.abramslaw.com/media/awards/44-abrams-fensterman-attorneys-recognized-in-2026-new-york-super-lawyers-and-rising-stars
- **Ariana Grande Hacker Lawsuit Explained – Seth Berman on FOX 5** — 07/30/2026
  https://www.abramslaw.com/media/videos/ariana-grande-hacker-lawsuit-explained-seth-berman-on-fox-5
- **Copyright Infringement Victory for BMG Rights Management** — 07/20/2026
  https://www.abramslaw.com/media/publications/copyright-infringement-victory-for-bmg-rights-management
- **Meet Seth Berman: The Business Behind the Brand** — 01/12/2026
  https://www.abramslaw.com/media/publications/meet-seth-berman-the-business-behind-the-brand
- **40 Abrams Fensterman Attorneys Named in 2025 New York Super Lawyers** — 10/29/2025
  https://www.abramslaw.com/media/awards/40-abrams-fensterman-attorneys-named-in-2025-new-york-super-lawyers
- **Seth Berman Featured in LIBN on AI Copyright Battles Shaping Entertainment Law** — 10/21/2025
  https://www.abramslaw.com/media/notable-cases/seth-berman-featured-in-libn-on-ai-copyright-battles-shaping-entertainment-law
- **Video: IP & Entertainment Law Case Study: Unlicensed Music and Copyright Issues** — 07/24/2025
  https://www.abramslaw.com/media/videos/video-ip-entertainment-law-case-study-unlicensed-music-and-copyright-issues
- **Major Music Copyright Victory by Attorney Seth Berman** — 10/05/2023
  https://www.abramslaw.com/media/news/major-music-copyright-victory-by-attorney-seth-berman
- **Fireball Whisky Lawsuit** — 01/27/2023
  https://www.abramslaw.com/media/news/fireball-whisky-lawsuit
- **BMG Suing Toymaker for Turning Black Eyed Peas‘ ’My Humps‘ into ’My Poops’ Ad** — 01/20/2023
  https://www.rollingstone.com/music/music-news/bmg-lawsuit-toymaker-black-eyed-peas-my-humps-my-poops-1234664931/
- **‘My Humps’ v. ‘My Poops’: BMG Sues Toymaker Over Black Eyed Peas Parody Song** — 01/20/2023
  https://www.billboard.com/pro/bmg-lawsuit-my-poops-my-humps-parody-song-unicorn-poop/
- **Black Eyed Peas’ ‘My Humps’ Ripped Off by Pooping Unicorn Toy, Lawsuit Claims** — 01/20/2023
  https://variety.com/2023/music/news/black-eyed-peas-my-humps-poopsie-slime-surprise-1235496721/
- **Nike Claims Marketplace Site Is Selling Fake Sneakers – Fox5 News – Seth Berman interviewed** — 05/31/2022
  https://vimeo.com/711306412