

Charles S. Marion | Partner
Business Litigation

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Charles (Chuck) Marion is an experienced litigator who has tried several cases to verdict, both jury and non-jury, in federal and state courts located throughout the country, and also handled several domestic and international arbitrations. Chuck primarily focuses his practice in the areas of complex business litigation; franchise litigation and counseling; advising and defending businesses whose physical locations, websites, or mobile apps have been accused of violating the Americans with Disabilities Act (“ADA”) and similar state and local statutes; defamation; and intellectual property litigation (including patent and trademark infringement cases, claims for unfair competition and breach of non-compete and/or non-solicitation agreements, and trade secret disputes). Chuck regularly writes and lectures on these subjects.

In the franchise area, Chuck has, for many years, represented franchisors in several different industries (including the quick service restaurant, hospitality, and automotive parts and service industries) in a wide variety of legal matters, including litigating, arbitrating, and resolving disputes with their franchisees, enforcing trademarks and other intellectual property assets and rights, and counseling on ADA issues relating to their physical locations and online/digital activities (websites, mobile applications, ordering kiosks, etc.). Chuck is co-chair of the Philadelphia Bar Association’s Franchise Law Committee and is an active participant of the American Bar Association’s Forum on Franchising, including speaking at its annual conference and contributing articles to its publications (including *The Franchise Lawyer*).

In his complex business and intellectual property litigation practice, Chuck represents corporations, other business entities, and individuals in a variety of industries, and involving a wide range of agreements, technologies, devices,

products (both consumer and industrial), and services.

While Chuck enjoys trying cases and is proud of the results he has achieved in doing so for his clients, he understands the risk, uncertainty, disruption, and expense associated with litigation, and regularly counsels clients on steps they can take to reduce the risk of litigation or, if a lawsuit has been commenced, methods they can utilize and strategies they can implement to resolve the lawsuit at an earlier stage and on the best possible terms. Chuck prides himself on being a creative and effective problem solver for, a trusted advisor to, and a partner of his clients. He takes the time to fully understand the client's business, industry, and objectives, and is always on the lookout for ways to minimize his client's risks and exposure, protect their interests, and to otherwise add value.

Outside The Firm

Chuck enjoys performing, composing, and listening to music (he has played piano professionally for many years and currently plays keyboards in the classic/alternative rock band "Lincoln Drive"); playing tennis; doing yoga and various other types of exercise; reading history, fiction, and other works; and traveling to interesting places.

Select Engagements

- Obtained a multimillion-dollar arbitration award for an international client in a dispute regarding the respondent's performance of its obligations under a software license agreement.
- Represented franchisors in the quick-service and fast casual restaurant and hospitality industries in a wide variety of litigation and arbitration proceedings throughout the United States.
- Obtained dismissal of sensitive Civil Rights lawsuit involving franchisee's claim that franchisor improperly and unfairly denied its chosen site for franchise.
- Defended two separate clients in a patent infringement litigation, and prevailed on post-trial motions to deem the cases "exceptional," entitling the clients to recover millions of dollars in attorney's fees and costs incurred in the lawsuits.
- Obtained a jury verdict on behalf of a clothing manufacturer against the supplier of defective yarn used to manufacture sweatshirts and other items that were then sold to Tommy Hilfiger and others.
- Represented and advised the U.S. subsidiary of an international transportation company in breach of warranty, bid protest, negligence, and other claims and matters.
- Served as outside general counsel of a nonprofit organization that develops and administers licensing examinations for podiatrists.
- Defended a wide variety of manufacturers of consumer products and industrial equipment in product liability litigation throughout the United States.

- Defended a large manufacturer of exercise equipment in a securities class action arising from the client's decision to take itself private.
- Served as active member of a team of lawyers who successfully recovered more than five million dollars in payments that had been paid out by the claims office overseeing the *BP/Deepwater Horizon* oil spill matter based on fraudulent claims.
- Defeated a trade name infringement action, including a motion for a preliminary and permanent injunction, that sought to prevent the client from using the name it chose for its seafood restaurant.

Admissions

- Pennsylvania
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Eleventh Circuit
- U.S. District Court - Eastern District of Pennsylvania
- Florida
- U.S. District Court - Eastern District of Wisconsin
- U.S. District Court - Middle District of Florida
- U.S. District Court - Middle District of Pennsylvania
- U.S. District Court - Southern District of Florida
- United States Court of Appeals for the Federal Circuit

Education

- University of Pennsylvania, BA, with honors
- The Wharton School, University of Pennsylvania, BS
- University of Pennsylvania Law School, JD

Recognitions

- 2024, Litigation - Intellectual Property and Mass Tort Litigation / Class Actions - Defendants in Philadelphia, listed in *Best Lawyers in America*®
- 2021, "Committee of the Year Award," by the Philadelphia Bar Association Business Law Section
- 2020, "Committee Chair of the Year Award," by the Philadelphia Bar Association Business Law Section
- 2007–2019, Pennsylvania "Super Lawyer" in Business Litigation, listed in *Super Lawyers*
- AV Preeminent®, listed by Martindale-Hubbell®

Professional Activities

Over the last several years, Chuck has served as an officer and/or active board or advisory council member of several professional, charitable, educational, and community organizations, including Delaware Valley Habitat for Humanity (President), the Chestnut Hill Community Fund (President), the Salvation Army Kroc

Center, and Settlement Music School. On June 30, 2022, he completed a three-year term serving as president of the Wharton Alumni Club of Philadelphia, where he previously served as board vice president and chair of the club's Alumni Networking Breakfast. He also serves on the board of governors for the Philadelphia Cricket Club, the oldest country club in the United States, and chairs the club's Tennis Committee. He previously founded the 2T Group, a business networking group based in Philadelphia.

In addition to his professional memberships, Chuck mentors diverse law students in the Philadelphia region through the Leadership Council on Legal Diversity. He has been an active member of the Forum on Franchising and the Intellectual Property Litigation Committee of the American Bar Association ("ABA"), and served as an inaugural member of the ABA's Advisory Panel, through which he was asked to provide input on the direction of the ABA and issues affecting its members. With the Philadelphia Bar Association, he co-chairs the Franchise Law Committee; is past chair of the Federal Courts Committee; led several investigative teams for the Commission on Judicial Selection and Retention; served on a special task force studying the economic impact of lawyers on the City of Philadelphia; and was an elected member of the executive committee of the Young Lawyers' Division. Chuck is also a fellow of the Academy of Advocacy of Temple University.