



Nate A. Garhart

Special Counsel

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Nate Garhart's practice centers on protecting and maximizing the value of intellectual property, namely trademarks, copyrights, and trade secrets, which often represent important assets and major revenue sources for organizations ranging from startups to public companies and nonprofits.

Nate's work includes selecting and registering trademarks, protecting and enforcing copyrights, and negotiating strategic IP licenses and agreements. He also works with clients to minimize the legal risks related to their branding, advertising, and publicity strategies. Online, he counsels clients on internet issues and e-commerce topics and drafts website terms of use and privacy policies with a focus on helping clients comply with Europe's GDPR and California's CCPA, as well as other national and state privacy laws. His experience with numerous clients in the food and wine, technology, healthcare, and nonprofit industries equips him with a business background essential for delivering the most effective legal advice.

IP law is constantly evolving, whether from new advancements such as open-source software and AI, or new legislation such as the Trademark Modernization Act (TMA), and Nate makes sure he is on top of the latest developments, frequently writing and speaking on current issues.

Clients retain Nate because while he specializes in the protection of intellectual property, he counsels with an eye on the business as a whole. The best strategy for—and results from—pursuing a trademark registration, drafting a demand letter, or negotiating a licensing agreement cannot be achieved without an understanding of the business and goals associated with the given task. After making sure he has this essential knowledge, Nate is able to identify the right legal strategy for the situation and manage deals and disputes in the most efficient and advantageous manner.

In short, Nate delivers value to clients by making sure he is working to use legal strategy as a tool to achieve the client's business goals.

Experience

Represent Miller Family on Sale of The Silverado Vineyards

Represented the Miller family on the sale of Napa Valley luxury wine producer The Silverado Vineyards to Foley Family Wines. The sale included a 73,000-square-foot winery and 300 acres of vineyards across Napa's Stags Leap District, Coombsville, and Yountville wine regions.

ACE Cider Sale to Vintage Wine Estate

Represented ACE Cider, The California Cider Company, the top independently owned hard cider brand in the U.S., in its sale to Vintage Wine Estates, Inc.

Far Niente Family of Wineries & Vineyards

Represented Napa Valley luxury wine producer Far Niente Family of Wineries & Vineyards in its acquisition of the Provenance Vineyards real estate in Rutherford, Calif. from Treasury Wine Estates. Far Niente

Services

- Business Transactions
- Consumer Products + Manufacturing
- Data Analytics
- Internet Law
- Mergers & Acquisitions
- Privacy and Cybersecurity
- Technology
- Trademark Counseling + Litigation
- Family-Held Enterprises
- Wine

Education

- Duke University School of Law (J.D., 1996)
 - . *cum laude*; research editor, *Duke Journal of Comparative & International Law*
- University of Pittsburgh (B.A., 1993)
 - . with honors

Bar Admissions

- California
- New York

purchased the property as the new home for its Bella Union brand. Farella also advised Far Niente on the concurrent sale of the Provenance brand and inventory to Lodi, Calif.'s Thomas Allen Vineyard & Wines.

Data Management and Brand Protection

Established website privacy policy to conform with evolving legal landscape; prepared nondisclosure agreement; advised clients on overall brand protection through trademark registration and enforcement.

Publications

April 10, 2024

Court Reinstates CPPA Enforcement Authority and Confirms No Delay Necessary for Enforcement of Future CCPA Regulations

The Recorder

February 12, 2024

California Appeals Court Empowers Privacy Agency to Immediately Enforce CCPA Regulations

Privacy Blog

November 22, 2023

It Wasn't Me, It Was the AI: Intellectual Property and Data Privacy Concerns With Nonprofits' Use of Artificial Intelligence Systems

Board & Administrator

September 1, 2023

Life Is Too Short for Bad Wine Distribution Agreements: 10 Key Considerations

Wine Business Monthly

August 21, 2023

Nonprofits' Use of Artificial Intelligence Systems: Intellectual Property and Data Privacy Concerns

July 31, 2023

Nonprofit Data and Artificial Intelligence

EO Radio Show – Your Nonprofit Legal Resource

March 14, 2023

I Always Feel Like AI Is Watching Me: Artificial Intelligence and Privacy

Privacy Blog

January 23, 2023

Privacy Policy Best Practices for Nonprofits

EO Radio Show – Your Nonprofit Legal Resource

January 9, 2023

Nonprofit Websites and Terms of Use - Best Practices and Common Pitfalls

EO Radio Show – Your Nonprofit Legal Resource

October 31, 2022

Copyright Issues for Nonprofits

EO Radio Show – Your Nonprofit Legal Resource

October 4, 2022

Employee Data under the CCPA: Expiration of Employer Exemptions Requires Compliance as of January 1, 2023

Privacy Blog

May 4, 2022

Platform Ecosystems – The Landscape of US and EU Legislation (Webinar)

September 1, 2021

How to Guard Against 3 Cannabis Cyber Attack Risks

mg Magazine

August 30, 2021

No Quarter: What Claims Doesn't Section 230 of the Communications Decency Act Protect Platform Companies Against?

The Recorder

June 1, 2021

Cyber Insurance for the Cannabis Industry

Cannabis Industry Education Series

April 29, 2021

Employment Law Issues to Consider Before Including Work Made for Hire Clauses in Contractor Agreements

ABTL Report - Spring 2021

March 31, 2021

PSDcast – Is Energy Companies' Customer Data a Trade Secret?

Power Systems Design

January 28, 2021

Cannabis Advertisements Prohibited on California Interstates and State Cross-Border Routes

January 26, 2021

IP Law up for Best Supporting Role in the COVID-19 Relief Spending Bill and Other New Legislation

The Recorder

January 26, 2021

Cannabis IP: Using Intellectual Property to Protect Your Assets and Grow Your Business

Cannabis Industry Education Series

December 03, 2020

Top 10 Practical Business Implications Arising From the Passage of the CPRA

The Recorder

November 10, 2020

Electric Fence: Protecting Proprietary Rights in Collected Energy Data

October 22, 2020

The CCPA and Nonprofits_ Privacy and IP Hot Topics

Nonprofit Education Series

August 27, 2020

Twists in the Plot: California AG Releases Final CCPA Regulations

July 9, 2020

Reopening Wine Businesses: Employee and Consumer Data Privacy

Wine Industry Education Series

June 3, 2020

Reopening Businesses Must Consider Employee and Consumer Privacy

Wine Business Monthly

May 20, 2020

Reopening Plans and Recommended Protocols Beg New Privacy Issues

May 19, 2020

Senate Democrats Release Competing COVID-19 Privacy Bill

May 14, 2020

Trademark Office Deadlines and Coronavirus-Related Delays (Updated)

May 8, 2020

Signatures Submitted for Inclusion of New California Privacy Law on November Ballot

May 7, 2020

Federal “COVID-19 Consumer Data Protection Act” Proposed

May 5, 2020

Private Rights of Action and the CCPA—Unlimited Limitation?

The Recorder

April 1, 2020

Public Ends From Private Means: Privacy Rights and Benevolent Use of Personal Data

March 18, 2020

Data Scraping Under the Revised CCPA Regulations

February 20, 2020

Time to Check Your Cyber Insurance

TAG Cyber Law Journal

February 7, 2020

Data Breach Disclosure Requirements Implicate More Than Privacy Law

January 24, 2020

Data Security: Are you looking at your third party software?

November 22, 2019

Is your company covered by California's new privacy law?

North Bay Business Journal

June 20, 2019

Nonprofits and the California Consumer Privacy Act

May 14, 2019

Cannabis Companies and the California Consumer Privacy Act

April 25, 2019

Is Your Wine Business Ready for the California Consumer Privacy Act?

Outside the Office

Nate enjoys being in motion. He is an avid motorcyclist, enjoying both touring and track riding. He is also a skier. And after a decade of ski patrolling, he continues to serve as the legal advisor to the Eastern Sierra Region of the National Ski Patrol. Finally, Nate is always ready to talk about his favorite Peloton instructors and classes!

