



Ronald S. Bienstock

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BIOGRAPHY

Ronald S. “Ron” Bienstock, attorney, and musician, joined Scarinci Hollenbeck after running his successful boutique entertainment and intellectual property law firm, Bienstock & Michael, LLC, for 30 years. A corporate, entertainment, and intellectual property practitioner, he represents various businesses as well as music instrument manufacturers and songwriters, producers, recording artists, and musicians. As one of the most influential lawyers in the music business, Ron has a lifetime of accomplishments in the entertainment industry. Among his many landmark legal precedents, both international and domestic, was a trademark victory against Fender Musical Instruments Corporation. Representing 17 guitar manufacturers in the trademark opposition proceeding against Fender, Ron successfully argued that Fender should not be allowed trademark registrations to three key guitar and bass body shapes. It is the leading case on the issue in the U.S. Ron was amongst the first music attorneys to create intraband agreements and bifurcated major label and publishing agreements.

Ron is an adjunct professor at NYU and is a CLE instructor for Lawline.com and the N.Y. and N.J. Bar Associations. Mr. Bienstock has been a guest lecturer for music business programs at Ithaca College, the Alaska Bar Association, USC Thornton School of Music, Benjamin N. Cardozo School of Law, Seton Hall Law School, William Paterson University, Rutgers Law School, Berklee College of Music, Chicago Kent College of Law, Sabian / Sen, NAMM and many other schools and organizations.

Mr. Bienstock has represented such writers, producers, professional esports players, and artists as Billy Joel, Joe Satriani, Living Colour, Goo Goo Dolls, Simple Plan, Dream Theater, Winger, King Diamond, Mercyful Fate, Porcupine Tree, Steven Wilson, Greg Pillinganes, Joe Bergamini, Shawn Patterson (“Everything Is Awesome”), Peggy Stanziale, Beth Hart, King Crimson, Carmine Appice, Darryl Jones, Bernard Fowler, 24/7 Spyz, Steve Morse, Rod Morgenstein, David Ellefson, Steven Haigler, Reverend Barry and the Funk, Leslie West, Mountain, Bobby Sanabria, Quicksand, Sick Of It All, Shelter, Murphy’s Law, Liquid Tension Experiment, HAWA, 22 Brides, DMB the Vibes, Daru Jones, Jane Getter, John Petrucci, Kodiak, Nektar, Doug Wimbish, Warzone, Haken, Little Anthony & the Imperials, Agnostic Front, Richard Howell, Ken Hensley, Atlas Gray, Robeone, Bent Knee, Tony Pasko, Barrett Strong, Gordon Bahary, Thomas “ZooMaa” Papparatto, Chris Buono,

Thank You Scientist, Falset, A Deer A Horse, LLC, Stryper, Mach Five, The Offering, Dixie Dregs, Richard Danielpour among many others.

Former general counsel to Hoshino, the manufacturer of Ibanez Guitars electronics and Tama drums, Ron’s clients include Peavey, Burns of London, Gruhn Guitars, Collings Guitars, Cordoba Guitars, Guild Guitars, Warmoth Custom Guitar Parts, Dean Guitars, Caparison Guitar Co. Ltd., Solo Music Gear Ltd., ESP, Sadowsky Guitars, Hipshot Products, Kyser, Schecter Guitars, EMG, Fishman, Washburn, World Musical Instrument Co. Ltd., John Hornby Skewes & Co. Ltd., EA Amps, Michael Tobias Designs, Framus & Warwick, Xvive USA LLC, Saga Music Instruments, Veillette Guitars, James Trussart Guitars, JHS Pedals, Kala Brand Music Co., DiMarzio, La Bella Strings, Benedetto Guitars, W.D. Music Products, Elrick Bass Guitars, Tradition Guitars, Cannonball Musical Instruments, JAM Industries USA, Inc., The Music Zoo, KMC Music, Novax Guitars, Ltd., Shenzhen Mooer Audio Co., Ltd., NS Designs. Cort Musical Instruments Co., Ltd., Seger Guitars, Mosrite USA, Loknob, Chafin Guitars, Fodera Guitars, Empirical Labs, D’Andrea Inc., Heritage Guitars, Miki Musical Instruments Co. Ltd., Lokai, Carlino Guitars, Fu-Tone, Inc., Fodera Guitar Partners, LLC, F Bass, NBE Corp. s. r. o., Traveler Guitar, Phantom Guitars Works, Eastman Music, AXL Musical Instruments Co., Ltd., Daisy Rock Dynasty, Magnatone, Seger Guitars, Lucky Dog Custom Guitars, Soloette, Win-D-Fender, Artist Guitars, Rockin’ Roll Relics, Phantom Guitar Works, Catedosa Guitars, Roman Guitars LLC, TV Jones, Chapman Guitars, Dingwall Guitars, and JodyJazz, Inc.

As a performing and recording musician, Ron has performed extensively with various major recording artists. He co-founded “The Suits” and has appeared on Conan O’Brien and CNBC. Ron’s Blue East ensemble performs throughout the Metro area. He also records and performs with former Renaissance guitarist, Ryche Chlanda, in Ryche Chlanda and Flying Dreams. They have released two LP’s on Sony / The Orchard / TransGlobal Records.

ACCOLADES AND HONORS

Ron has appeared in numerous newspapers, magazines, and online publications across the country, including the ABA Journal, Arizona Republic, California Chronicle, SmartMoney, Forbes, Bergen Record, Yahoo! Finance, Entrepreneur.com, Res Ipsa Magazine, Music and Sound Retailer, and New Jersey Savvy Living.

In 1991, Ron was voted one of the top 100 “Most Influential People in The Music Business” by BAM Magazine and in 2016 was voted one of the “Most Influential People” by 201 Magazine. Ron is one of the few attorney voting members for the Grammys (NARAS).

WRITTEN WORK

Ron has been published in the New York Law Journal, on musicplayer.com, and NYSBA’s Entertainment, Arts, and Sports Law Journal. He has written a monthly column for Guitar Magazine and GetSigned.com and has also written guest editorials for Musical Merchandise Review (MMR) Magazine. Interviews, editorials, and other articles featuring Ron appeared in NJ Biz, Music Inc. Magazine, Performer Magazine, MusicianCoaching.com, Premier Guitar Magazine, Playback Magazine, MusicRadar.com, and The Morning Call.

TEACHING/LECTURING

Ron teaches Entertainment Law as an adjunct professor at New York University and is a frequent guest lecturer for various graduate and undergraduate schools at NYU. Ron has also been a music business commentator for CNN, NPR, Air America Radio, WBAI, Barely Legal Radio, Tech TV and has been a guest lecturer, instructor and panel moderator for BMI, ASCAP, CMJ, NEMO, SXSW, NAMM, PMA, RPYMA, the New Jersey Videographers Association, the Florida Music Conference, Miami Music Conference, Atlantic Records’ A&R University, the On-Line Music Conference, Lawline the New York State Bar Association, the New Jersey State Bar Association, the Alaska State Bar Association, Benjamin Cardozo School of Law, St. John’s School of Law, Rutgers School of Law, Seton Hall Law School, Ithaca College, William Paterson University, and many other organizations and universities.

MUSIC

As a performing and recording musician, Ron has appeared

with various major recording artists. Ron is co-founder of “The Suits,” whose LPs on Viceroy Records secured them numerous national tours and TV appearances, including Late Night with Conan O’Brien. The Suits were also were the house band for a popular show on CNBC, and over the last twenty years, have played on bills with the Doobie Brothers, Spin Doctors, Blues Traveler, Billy Joel, Blue Oyster Cult, Jim Messina, Nils Lofgren, Taj Mahal, Curtis Mayfield, Gov’t Mule, Ziggy Marley, The Doobie Brothers, Rory Gallagher, Hot Tuna, Foreigner, Leslie West, Robben Ford, Eric Burden and the Animals, among many others.

BAR ADMISSIONS

- New York
- New Jersey
- Federal District Court of New Jersey
- U.S. District Courts
 - Northern District of New York
 - Southern District of New York
 - Eastern District of New York

EDUCATION

- California Western School of Law, J.D.
- Hobart College, B.A.
- Also Attended Cambridge University (Graduate Program)

PROFESSIONAL MEMBERSHIPS

- Member, International Law Journal
- National Association of Recording Arts and Sciences (Voting Member)
- New York State Bar Association
- American Bar Association
- New Jersey State Bar Association
- Washington State Bar Association

AWARDS & RECOGNITIONS

- Bergen Magazine, Bergen County Top Lawyers, 2021

Ron also performs and records with “Blue East” and “QT Jazz Collective” (Transglobal Records). One of his latest projects is with Ryche Chlanda & Flying Dreams (Transglobal Records). Their new LP is scheduled to be released in May 2017.

REPRESENTATIVE MATTERS

(Trademark Trial and Appeal Board, USPTO)

- Represented numerous guitar manufacturers in one of the largest United States trademark oppositions to applicant’s registration for product configuration trademarks in three guitar body shapes. Successfully opposed Applicant’s registrations by proving that the body shapes were not distinctive and had become generic. No appeal was made to this precedential TTAB decision.

(United States District Court, Southern District of New York)

- Represented client in consolidated cases over federal trademark infringement. Successfully had opponent’s declaratory judgment case transferred from California to New

York on grounds that opponent made an improper anticipatory filing before our client filed a federal trademark infringement lawsuit. During discovery, negotiated a substantial favorable settlement for client.

(United States District Court, District of New Jersey)

- Represented musical instrument manufacturer in a patent and trademark infringement lawsuit against audio equipment manufacturer. Obtained favorable settlement for Plaintiffs.

(United States District Court, Central District of California)

- Represented musical instrument manufacturer against audio accessory manufacturer in federal and common law trademark infringement suit. Obtained favorable settlement for client after start of trial.

(United States District Court, Western District of North Carolina)

- Represented Defendants in trademark ownership dispute for marks federally owned by Defendants and passed down to Plaintiff by testamentary instrument. Obtained dismissal for lack of personal jurisdiction, improper venue and insufficient service of process. Decision was not appealed.

(NJ Superior Court)

- Represented founding band member and shareholder in a precedential suit against other band members and the corporate entity for breach of shareholder agreement and for failure to distribute profits. Obtained both money damages and attorney's fees.

(United States District Court, Middle District of Florida)

- Represented a US musical instrument distribution company in a precedential lawsuit against a foreign musical instrument manufacturer for breach of distribution contract. Successfully defeated a motion to dismiss for lack of jurisdiction and negotiated favorable settlement for client.

(United States District Court, Central District of California)

- Successfully defended toy manufacturer in product configuration trademark infringement lawsuit by prominent doll manufacturer.

(United States District Court, Eastern District of New York)

- Successfully obtained dismissal for clients – studio, producer and engineer – in landmark music sampling litigation.

(United States District Court, Central District of California)

- Obtained favorable post mediation settlement for plaintiff in suit over unauthorized use of music instrument manufacturer's federally registered trademarks on clothing.

(United States District Court, Southern District of New York)

- Successfully defended clients sued by giant entertainment conglomerate and achieved favorable settlement from Plaintiffs for copyright infringement.

(Trademark Trial and Appeal Board, USPTO)

- Successfully fought in the Trademark Trials and Appeals Board to recover and secure federal trademark registration for the name for one of the founding rock bands from the 1950's.

(UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF NEW YORK)

- Successfully defended foreign custom guitar parts builder in trademark litigation against large guitar manufacturer.