Win-Win Partnership: In-House and Outside Counsel Collaboration on Trademarks in the Restaurant Industry

September 24, 2020

Presenters

- Panda Restaurant Group, Inc. - General Counsel and Senior Vice President of International Development (2007- Current)
- NYU School of Law (1995)
- Dartmouth College (1990)

- Panda Restaurant Group, Inc. – Intellectual Property Counsel (2019 – Current)
- HICKIES, Inc. – Deputy General Counsel and Director of IP (2013 – 2018)
- UNH Franklin Pierce School of Law (2012)
- University of British Columbia (2008)

Panda Culture

ENVIRONMENT

CREATE A SAFE AND EMPOWERING CONVERSATIONAL ENVIRONMENT FOR TEAM PANDA TO LISTEN, APPRECIATE, AND CHALLENGE EACH OTHER IN BRINGING OUR PANDA VISION ALIVE AND IN ACTION.

MISSION

DELIVER EXCEPTIONAL ASIAN DINING EXPERIENCES BY BUILDING AN ORGANIZATION WHERE PEOPLE ARE INSPIRED TO BETTER THEIR LIVES.

VALUES

PROACTIVE
RESPECT / WIN-WIN
GROWTH
GREAT OPERATIONS
GIVING

VISION

BE RECOGNIZED AS A WORLD LEADER IN PEOPLE DEVELOPMENT TO BECOME LOVED BY OUR GUESTS.

THE PANDA WAY™

HEALTHY LIFESTYLE
CONTINUOUS LEARNING
DEVELOPING OTHERS
ACKNOWLEDGING OTHERS

Panda Story

Panda Story

- Our Panda Story is of industry leaders who define American Chinese cuisine as a family owned company on a mission to inspire better lives.
- In 1973, Andrew Cherng and Master Chef Ming-Tsai Cherng, his father, opened the doors to the first Panda Inn in Pasadena, California. After a decade with Panda Inn, Andrew opened the first Panda Express in Glendale, California. Peggy Cherng customized the restaurant's operating systems to assure the very best food and service.
- Panda Restaurant Group, Inc, is the world leader in Asian dining experiences with 2,100+ restaurants in the U.S. and with locations in 11 international markets. Panda is dedicated to becoming a world leader in people development.

Panda's Founding Story

Immigrants' Dream for a Better Life

1973

Andrew Cherng and Master Chef Ming-Tsai Cherng open the doors to the first Panda Inn in Pasadena, California. The menu is inspired by the flavors of Mandarin and Sichuan cuisine.

1983

After a decade of success with Panda Inn restaurants. Andrew Cherng opens the first Panda Express at the Glendale Galleria in Glendale, California. Peggy Cherng customizes the restaurant's operating systems to assure the very best food and service.

1992

The first Hibachi-San opens in Bloomington, Minnesota, delivering a teppanyaki grill experience, as well as sushi, in a retail setting.

1999

Committed to serving the communities in which we operate, Panda Restaurant Group proudly launches Panda Cares. This philanthropic arm is dedicated to providing food, funding and volunteer services to children's organizations and disaster relief efforts.

Panda's Founding Story

Immigrants' Dream for a Better Life

2005

For their continued contributions to the fresh-casual dining landscape, Andrew and Peggy Cherng are inducted into the California Restaurant Association Hall of Fame.

2006

Panda Express opens its 888th restaurant in Sacramento, California. Eight is considered the luckiest number in Chinese culture. Panda Restaurant Group hires its 15,000th active associate.

2007

Guest love and enthusiasm propels Panda Express to open its 1,000th location in Pasadena, California. Panda Restaurant Group achieves $1 billion in revenue for the first time and is named one of the Top 10 Best Places to Work by the *Los Angeles Business Journal.*

2011

Panda Express opens its first global restaurant in Mexico City, Mexico.

Panda's Founding Story

Immigrants' Dream for a Better Life

2013

Panda Restaurant Group celebrates its 40th Anniversary and Panda Express celebrates its 30th Anniversary.

2014

Panda Restaurant Group achieves $2.2 billion in sales and closes the year with 26,000 associates and more than 1,750 restaurants.

2015

Panda Restaurant Group is named one of the Best Employers by Forbes magazine and is honored with the Golden Chain Award by the National Restaurant Association.

2016

Panda Express opens restaurants in Guatemala and Japan. Currently, Panda operates in 11 countries outside of U.S. (Aruba, Canada, El Salvador, Guatemala, Japan, Mexico, Philippines, Russia, Saudi Arabia, South Korea, and UAE).

2019

Founders Andrew and Peggy Cherng were inducted into the Carnegie Corporation of New York's 2019 Class of Great Immigrants, celebrating outstanding individuals who enrich our communities and culture, strengthen our economy, and invigorate our democracy.

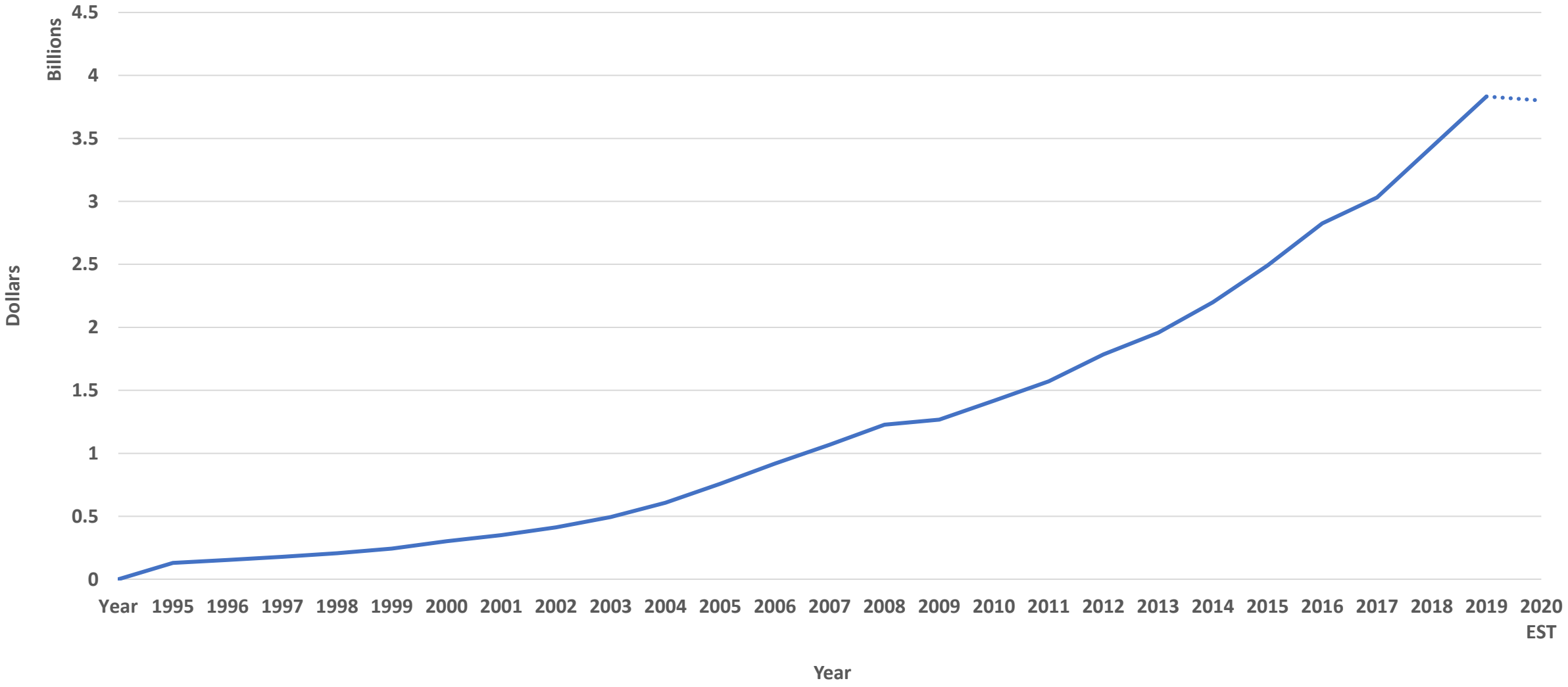
Global Presence

International Locations

COUNTRY	TOTAL STORES
Aruba	2
Canada	10
El Salvador	5
Guatemala	17
Japan	8
Mexico	27
Philippines	1
Russia	5
Saudi Arabia	1
South Korea	1
UAE	4
Total:	**81**

Current Period

Panda Sales by Year



During COVID-19 Pandemic

FAST COMPANY FOLLOW

04-07-20 | RESTAURANT DIARIES

'Our company is unapologetically American Chinese': How Panda Express is fighting COVID-19 racism

As the COVID-19 pandemic hits the United States, the cofounders and co-CEOs of Panda Express are confronting economic turmoil and rising xenophobia at the same time.

Panda Express donates $77K worth of PPE to Phoenix Children's Hospital

PANDA CARES

The donation included 9,600 KN95 particulate respirators and 80,000 single-use surgical masks. The equipment was donated May 11 at the hospital, 1919 E. Thomas Road in Phoenix.

70° KTSM.com

Panda Express to offer a discount for healthcare workers, first responders for the rest of the year

How Panda Express is Taking Charge of Delivery

The 2,200-unit chain accelerated its plans for direct delivery amid pandemic.

FAST FOOD | JUNE 2020 | BEN COLEY

PANDA EXPRESS

The news comes as Panda Express appears primed for growth

Three months ago, the COVID pandemic tested the agility of restaurants and forced the industry to ramp up its off-premises business.

As more brands delved into third-party delivery, operators voiced their displeasure over fees that sometimes reach 30 to 40 percent. In response, locations like Seattle, New York City, Chicago, San Francisco, and Washington, D.C., issued emergency caps to aid restaurants with thinner margins amid the pandemic.

yahoo! sports SEARCH_PLAYERS_TEAMS

Sports Home Fantasy NFL NBA MLB NHL NCAAF

This Is the Safest Restaurant Chain Right Now, New Survey Finds

Mura Dominko

Eat This, Not That! Sep 2, 2020, 9:59 AM

A new national survey conducted by global research firm Ipsos has determined that Panda Express is currently the safest restaurant chain for consumers. The survey was aimed at evaluating COVID-19 health and safety

Panda Cares

Community Engagement
1999-2020 Impact Highlights

$167 Million+
raised, impacting millions of underserved youth

1.9 Million+
meals served

$6 Million+
worth of in-kind food donated

323,000+
hours volunteered

Panda Cares

Caring for Our Community During COVID-19 Pandemic

FOOD INSECURITY FOR FAMILIES

$2.25 Million

donated to Feeding America and Boys & Girls Clubs across the country to alleviate food insecurity

PERSONAL PROTECTIVE EQUIPMENT

5 Million

life-saving masks donated to hospitals in 50 states, Puerto Rico and Guam

FOOD FOR FRONTLINE WORKERS

60,517

meals donated to frontline medical workers and first responders

(as of 8.30.2020)

TREATMENT FOR COVID-19

$3 Million

donated to support the development of a treatment for COVID-19

What trademark issues matter most to you?

Panda Restaurant Group, Inc.

PANDA EXPRESS CHINESE KITCHEN

PANDA INN CHINESE CUISINE 聚豐園

HIBACHI·SAN JAPANESE KITCHEN

- **Building the Trademark Portfolio**
- **Protecting the Brands**
- **Educating Partners**

WOK SMART

PANDA EXPRESS CHINESE KITCHEN ANTI SOCIAL SOCIAL CLUB

YAKIYA

UNCLE TETSU

Raising Cane's CHICKEN FINGERS

PIEOLOGY pizzeria

Urbane Cafe HAND-CRAFTED • FIRE-BAKED

How do you manage a global trademark portfolio?

- Know-How & Process
- Technology
- Relationship with Internal & Worldwide Partners

How do you identify trademark infringers?

Trademark Infringers

One Panda Trademark Infringer: Before and After

What do you look for in outside counsel?

SUITS

We are a FAMILY Founded by…

THE “AND” IN “PANDA”

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NEW Product
NEW Product
CONTROL
AVC
BEP
FC

Q&A

Thank you