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**NEW YORK CITY'S WORLD-FAMOUS IL MULINO RESTAURANT PREVAILS
IN TRADEMARK LAWSUIT AGAINST BENEFIT STREET PARTNERS LLC**

New York, NY - The owners of the Il Mulino restaurant brand and intellectual property, and entrepreneur Gerald Katzoff, secured a major victory against alternative-asset-management firm Benefit Street Partners LLC and related entities (“BSP”) in an adversary proceeding in the United States Bankruptcy Court for the Southern District of New York, Adv. Pro. No. 21-01006 (MG). In that action, BSP challenged IM-I, LLC’s use and ownership of its own intellectual property and the use of that intellectual property by the original Il Mulino restaurant that is currently celebrating its 40th year in business. The Il Mulino entities were represented by Marks & Klein, LLP. BSP was represented by Quinn, Emanuel Urquhart & Sullivan, LLP.

The case centered around the world-famous Il Mulino restaurant located in the heart of New York’s Greenwich Village, and various entities related to the expansion of Il Mulino New York restaurants. In Summer 2020, as a result of the COVID-19 pandemic, several Il Mulino entities were forced into bankruptcy when BSP alleged a default of a 2015 credit agreement made in connection with the Il Mulino New York franchise expansion. Through the bankruptcy, BSP acquired selected assets owned by the debtors including a 2004 license agreement for the use of certain Il Mulino New York intellectual property from IM LLC-I in connection with the operation of Il Mulino New York restaurants. BSP then filed the adversary proceeding naming Katzoff, GFB Restaurant Corp., IM LLC-I, and IM LLC-II (“Il Mulino Parties”) as defendants, none of which were debtors in the bankruptcy, and alleged such far-fetched claims as fraud, breach of fiduciary duty and trademark infringement, all of which were either abandoned by BSP just before trial or rejected entirely by the Court.

BSP claimed, among other things, that the Il Mulino Parties hid from BSP documents and information relating to the use and ownership of Il Mulino intellectual property including the trademarks and domain names related to the Il Mulino and Il Mulino New York brand. The Court issued a 75-page opinion (the “Opinion”) in favor of the Il Mulino Parties after a bench trial was conducted.

In the Opinion, which confirmed IM LLC-I’s ownership of the Il Mulino intellectual property and the validity of the license related to the original Il Mulino location, the Court stated, “the Court notes that [BSP] ha[s] attempted to present a narrative in which [Il Mulino] has hidden the [Il Mulino] License—a supposedly secret license—from them, only to spring it upon them in an alleged post-sale ambush.” The Court concluded that “[t]he evidence in the record shows that these allegations are simply false” and “the Court conclude[d] that [BSP’s] trial counsel actively promoted a false narrative.”

Justin M. Klein, Esq. of Marks & Klein, LLP, counsel for the Il Mulino Parties said, “I am extremely proud of the efforts of MK lawyers Brent “Giles” Davis and Mark Fishbein who fought tooth and nail to achieve this result, which we knew was the correct result from the outset. We are satisfied that this matter is now complete and look forward to the world-famous Il Mulino and Il Mulino New York brands quickly recovering from all of the COVID-19 related fallout and their continued offering of elite service and authentic Italian food.”