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Erika Birk is an Associate in the firm's Litigation Department. In the Fall of 2021, Ms. Birk served as a Law Clerk at the U.S. Department of State, Office of the Legal Advisor for International Claims and Investment Disputes. She previously served as a Law Clerk at the U.S. Department of Commerce, in the Office of the Chief Counsel for International Commerce, and in the Office of the Chief Counsel for Trade Enforcement and Compliance. Prior to this, she served as a Law Clerk at the U.S. Department of Justice, Civil Division.

Admissions

- New York
- U.S. District Court, Southern and Eastern Districts of New York

Education

- University of Maryland Francis King Carey School of Law (J.D., *magna cum laude*, 2022)
 - Executive Articles Editor, *Maryland Law Review*
 - Order of the Coif
 - Elizabeth Maxwell Carroll Chesnut Prize
- Colgate University (B.A., *magna cum laude*, 2019)

Blog Posts: Misbranded

Misbranded is Patterson Belknap's blog covering false advertising litigation—both consumer class actions and competitor suits—with a particular focus on FDA-regulated products (foods/beverages, pharmaceuticals, cosmetics, and dietary supplements). Writing from the industry perspective, we provide timely updates on important cases, surveys of litigation trends, and in-depth analyses of “hot” legal issues. Our firm pioneered the modern practice of false advertising law more than 40 years ago, bringing the first competitor suits under the Lanham Act. In the decades since, we have continued to practice at the cutting edge, handling many of the field's most groundbreaking cases on behalf of the nation's best-known businesses. Today, led by [Steven A. Zalesin](#), our team advocates creatively, strategically, and efficiently on behalf of our clients at all phases of litigation, from pre-complaint demands to Supreme Court appeals.

March 1, 2023

Nothing Fishy About Expecting Consumers to Read the Ingredient List

Four years ago, in a widely covered decision, the Second Circuit held that the phrases “WHOLE GRAIN” and “MADE WITH WHOLE GRAIN” on the front of Cheez-It cracker boxes could plausibly deceive reasonable consumers into believing “that the grain...

Publications

July 26, 2023

TikTok Ban on Government Contractors’ Devices