



Gabriela Bersuder

Associate

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Gabriela Bersuder is an Associate in the Firm's Litigation department. Ms. Bersuder represents clients in false advertising class actions and complex commercial cases filed throughout the country. She also counsels clients with sensitive employment-related questions and higher education clients on student conduct issues and Title IX compliance.

Prior to joining the Firm, Ms. Bersuder served as a law clerk to the Hon. Christopher F. Droney of the United States Court of Appeals for the Second Circuit and to the Hon. John G. Koeltl of the United States District Court for the Southern District of New York.

Representative Matters

False Advertising

Represented a leading confections company in a putative consumer class action challenging various statements on labels for chocolate products.

Successfully defended a leading confections company in a putative consumer class action alleging that product packaging contained nonfunctional slack fill in violation of state consumer protection laws.

Representing an internet provider in connection with state attorney general false advertising investigation.

Representing a leading beverage company in case alleging deceptive advertising concerning flagship products.

Complex Commercial

Represented a large publishing company in a putative class action filed by authors concerning payments of royalties.

Representing a supplier of manufacturing parts in long-running commercial dispute against its counterparty.

Employment

Representing a higher education institution in litigation alleging reverse-Title IX discrimination.

Pro Bono

Representing client in state prison in petition seeking clemency to the Governor of New York.

Patterson Belknap

Represented a group of faith organizations filing an amicus brief challenging Texas fetal tissue regulations before the Court of Appeals for the Fifth Circuit.

Representing individuals in federal court litigation alleging discriminatory treatment by their landlord.

Education

- Duke University School of Law (J.D., *magna cum laude*, 2014)
 - Order of the Coif
 - Staff Editor and Articles Editor, *Duke Law Journal*
- Duke University School of Law (LL.M., *magna cum laude*, 2014)
 - International and Comparative Law
- Columbia University (B.A., 2010)
 - Co-editor, *Columbia Daily Spectator*, *La Página*

Admissions

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

Languages

- Spanish

Publications

- Contributor to the [NY Commercial Division Blog](#)
- Co-author, New York Commercial Division Practice Guide, Chapter VII: Motion Practice in the Commercial Division (available on Bloomberg Law)
- Co-author, *Court Confirms Hedge Funds Did Not Act In Bad Faith, Affirms Large Judgment*, New York Law Journal (February 2017)
- *Following on the Foreign Corrupt Practices Act*, 63 DUKE L.J. 199 (2013)
- *Comparative Perspectives on Negotiated Justice*, Warwick School of Law, No. 2013/15 (2013)

Publications

October 8, 2018

The Time is Now: New York-Compliant Sexual Harassment Prevention Policies Must be Implemented by October 9, 2018

March 1, 2018

New Limits on Whistleblower Protection: SCOTUS Makes SEC Reporting a Mandatory Requirement

February 8, 2017

Court Confirms Hedge Funds Did Not Act In Bad Faith, Affirms Large Judgment

Misbranded Blog

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.

Acids Lawsuits with No Base

February 28, 2019

Many recent consumer class actions against food and beverage manufacturers have related to label claims that a particular category of ingredient is not used in the product—e.g., “No Preservatives,” “No Artificial Flavors.” These lawsuits follow a predictable formula: the plaintiff,...