

MORRIS NICHOLS ARSHT & TUNNELL



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PRACTICE AREAS

Intellectual Property Litigation
Patent Litigation
Trade Secret Litigation
Trademark & Copyright Litigation

EDUCATION

J.D., cum laude, Order of the
Barristers, 2009, Tulane University
Law School
Tulane Moot Court Board, Appellate
Chairman
American Bar Association National
Appellate Advocacy Moot Court Team
James A. Wysocki Award for Trial
Advocacy
B.A., political science, 1997,
Swarthmore College

ADMISSIONS

Delaware, 2009
U.S. District Court for the District of
Delaware, 2010
U.S. Court of Appeals for the Federal
Circuit, 2015
U.S. Supreme Court, 2017

Michael is a partner in the Intellectual Property Litigation Group and serves on the Firm's Diversity Committee. He represents clients as lead or Delaware counsel in litigation in the District of Delaware in a wide variety of industries, with a particular focus on web-based technology, networking, biotechnology and consumer products. Representative clients include Amazon.com, Aruba Networks, Cisco Systems, Freal Foods, Gillette, Nespresso, Orbitz, Rite Aid, Sprint, Staples, Symantec, Thermo Fisher Scientific, Trend Micro, UCB, and Xilinx. In 2016 and 2017, Michael was named an "associate to watch" in the *Chambers USA* category for Delaware Intellectual Property.

Prior to law school, Michael worked as a consultant on public policy and legislative advocacy on local, statewide and national issues with an emphasis on technology, environmental issues and strategic business development. For several years, he hosted a public affairs radio program on Delaware's leading news station, and frequently appeared on radio and television news shows.

As an entrepreneur, Michael has owned and managed several businesses, including an Internet applications firm that developed web solutions for Fortune 500 companies, regional banks and national retailers. In that role, Michael gained technical experience in web-based solutions for customer retention and integration between online and bricks-and-mortar businesses.

Professional Activities

- American Bar Association (Intellectual Property Law, Business Law, and Litigation Sections)
- American Intellectual Property Law Association
- Delaware State Bar Association
- Federal Bar Association
- Federal Circuit Bar Association
- Richard S. Rodney Inn of Court
- 2017 Federal Trial Practice Seminar, sponsored by the U.S. District Court for the District of Delaware and the Federal Bar Association

Representative Matters

- Successfully represented API Industries in patent infringement case concerning elastic drawstring trashbags. Represented client as lead counsel in district court, in the Federal Circuit, and in Supreme Court proceeding. *Poly-America, L.P. v. API Industries, Inc.*
- Representing UCB, Inc. in Hatch-Waxman ANDA cases concerning patent covering Neupro® rotigotine transdermal system.
- Representing D&M Holdings Inc. in two patent litigation actions involving Denon's wireless home audio products.
- Represented biotechnology company Thermo Fisher Scientific Inc. in multiple patent infringement actions concerning PCR systems.

- Obtained successful jury verdict for C.R. Bard in case concerning stent graft devices. *W.L. Gore & Associates Inc. et al v. C.R. Bard Inc.*
- Represented Agilent Technologies Inc. as lead counsel in case involving nucleic acid arrays. *Enzo Life Sciences Inc. v. Agilent Technologies Inc.*

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