

# Michael C Newman

Member - Intellectual Property



Boston  
MCNewman@mintz.com

## BIOGRAPHY

### General/Web:

Michael's practice is focused on his work with the US International Trade Commission (USITC). His cases in federal courts also include patents, trade secrets, and other intellectual property matters. The areas of technology in which Michael has particular experience include biochemistry, biotechnology, chemistry, computer software, mechanical devices, medical devices, semiconductors, and converged devices.

Before joining Mintz Levin, Michael worked with the law firms Pepper Hamilton LLP and Fish & Richardson PC. He has also worked as a software engineer and has conducted biochemical research at Harvard Medical School.

### Representative Matters

- *Certain Sucralose, Sweeteners Containing Sucralose, and Components Thereof* (337-TA-604) – Successfully represented a respondent in an ITC investigation involving patents for making sucralose sweeteners.
- *Certain Probe Card Assemblies, Components Thereof and Certain Tested DRAM and NAND Flash Memory Devices and Products Containing Same* (337-TA-621) – Successfully represented a respondent in an ITC investigation involving patents for semiconductor probe cards. After nine-day trial, obtained complete victory on behalf of client — invalidating one patent and establishing non-infringement and no domestic industry for remaining asserted patents.
- *Certain Electronic Devices, including Handheld, Wireless Communications Devices* (337-TA-667) Represented complainant in three-patent ITC case and in parallel Federal District Court cases. Filed in December 2008, the cases were settled as to all respondents by May 2010 and resulted in successful licensing agreements with each, including some of the largest and most recognized names in the converged device space – HTC, Panasonic, Research in Motion, and more.
- *Certain Electronic Imaging Devices* (337-TA-726) Represented complainant in this three-patent ITC case. Filed in June 2010 against converged device manufacturers and focused on digital camera technology found in cell phones, laptop computers, and personal digital assistants, the matter was fully settled in April 2011. The result was successful licensing programs with three out of four respondents, among which are recognized leaders in the electronics device manufacturing space – HTC, LG, Research in Motion, and more.
- *Certain LED Photographic Lighting Devices and Components Thereof* (337-TA-804) Represented California-based complainant (plaintiff) and its UK parent, companies that make LED lighting systems for use in film and TV production. at the International

Exclusion Order (GEO) against respondents (defendants) based in both China and the United States. The result in this case is particularly notable because it is rare for the ITC to issue a GEO. It is much more common for complainants to seek and receive a Limited Exclusion Order from the court due to the rigorous criteria and careful balancing of interests that apply to requests for GEOs.

- *Certain Portable Communication Devices (337-TA-827)* Represented complainant in the ITC and as plaintiff in multiple parallel District of Delaware cases. Successfully licensed all respondents, including some of the largest and most recognized names in the converged device space – Amazon, LG, Motorola, Pantech Wireless, Research in Motion, Sony, and more. Cases were filed in December 2011 and settled in May 2012.
- *Certain Consumer Electronics and Display Devices and Products Containing Same (337-TA-836)* Represented investors in the patent portfolio of the former Silicon Graphics as complainant in the ITC, and as plaintiff in multiple parallel District of Delaware cases. Cases were filed between late 2011 and early 2012, and all were resolved by the end of January 2013. The technology at issue relates to LCD panels, central processor units, graphics processing units, and other microprocessor technology. Successfully licensed all respondents, including some of the largest and most recognized names in the converged device space – Apple, LG, Research in Motion, Samsung, and Sony.
- *Forbest International USA, LLC, Beijing Forbest Trade Co., Ltd., et. al* – Successfully represented a group of defendants in patent litigation involving a process for making sucralose. Plaintiff voluntarily dismissed its complaint after motions to dismiss for lack of standing and lack of jurisdiction.
- *Repligen et. al. v. Bristol-Myers Squibb* (E.D. Mich. - 2:00cv73690) – Represented a plaintiff in a case relating to the treatment of rheumatoid arthritis. Case settled.
- *Medtronic v. Abbott et. al.* – Represent the defendant in a patent infringement lawsuit relating to cardiovascular stents. Case settled.
- *Insight Technology Inc. v. SureFire, LLC* – Represented the plaintiff in patent litigation involving laser aiming modules for handguns. Case settled.
- *Insight Technology Inc. v. Glock Inc. and Glock Ges.m.b.H* – Represented the plaintiff in patent litigation involving laser aiming modules for handguns. Case settled.
- *Aplix, Inc., v. Velcro Industries B.V. and Velcro USA, Inc.* – Represented Velcro in patent litigation involving hook and loop fasteners. Case settled.
- *Rembrandt Vision Technologies, L.P. v. CIBA Vision Corporation* – Successfully represented the plaintiff in patent litigation related to silicone hydrogel contact lenses. Obtained a \$41 million jury verdict for the patentee.
- *GE Homeland Protection Inc. v. DSA Detection LLC et. al.* – Represented defendants in trade secrets and patent litigation relating to consumables for trace detection instruments, such as ion mobility spectrometers. Case settled.
- Represented Ugandan client pro bono in application for political asylum in the United States. Client granted political asylum
- Represented Tibetan client pro bono through removal proceedings in immigration court. Client granted political asylum

## Recognitions & Awards

- *Massachusetts Super Lawyers: Rising Star: Intellectual Property Litigation (2013 - 2014)*