

# Fisher Broyles

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**Practice Areas:** Intellectual Property; Litigation & Risk Mgmt; Technology

**Bar Admissions:** New York; Massachusetts.

**Education:** Georgetown University Law Center, J.D., 1988; Manhattan College, B.E., Electrical Engineering, 1984

**Experience:** Milbank; Winston & Strawn

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Michael Murray focuses his practice on intellectual property disputes, including patent litigation in high technology fields. He has successfully litigated patent cases in federal courts across the United States for more than 30 years and has also appeared in more than a dozen International Trade Commission (ITC) cases. Mr. Murray counsels clients on intellectual property matters, including: the licensing and patentability of technology; the infringement, enforceability, and validity of U.S. patents; patent infringement avoidance; and strategies for developing and exploiting intellectual property assets. His career in intellectual property dates from 1984, when he served as a United States Patent Examiner.

Backed by undergraduate studies in electrical engineering and physics, Mr. Murray handles cases involving complex technologies, including semiconductors, integrated circuits, consumer electronics, telecommunications, software, financial services, and business methods.

Mr. Murray has been registered to practice before the U.S. Patent & Trademark Office since 1987 and routinely appears before the Patent Trial and Appeal Board ("PTAB"), where he handles Inter Partes Reviews and Post Grant Reviews.

## Representative Transactions

- Currently lead counsel on multiple cases for a major electronics company in patent disputes relating to wireless networks and home security systems.
  - Represented a major cable and media company in patent disputes relating to frequency hopping techniques and wireless Internet access protocols.
  - Represented one of the world's largest electronic options exchanges in multiple proceedings before the Patent Trial and Appeal Board, successfully invalidating three patents asserted against the options exchange in the Southern District of New York, where over \$1 Billion in damages had
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been sought. Successfully defended the invalidity rulings on appeal to the Court of Appeals for the Federal Circuit in one of the first proceedings to address the issue of “abstract methods” following the Supreme Court’s *Alice* ruling in 2014.

- Represented five of the world’s leading cable television companies against patent infringement claims relating to the “live pause” functionality of digital video recorders. Argued and won a favorable *Markman* claim construction ruling after which the patent owner stipulated to an entry of judgment of non-infringement. Successfully defended this ruling on appeal to the Federal Circuit.
- Represented one of the world’s largest manufacturers of flash memory in multiple litigations in both the ITC and in the Northern District of California. The cases settled on favorable terms following trial in the ITC.

### Presentations & Teaching Experience

- Hunter College (CUNY), Adjunct Professor, 2010  
Taught an honors-level course in Computer Law, with focus on intellectual property.
- American Intellectual Property Law Association (AIPLA), Instructor, 2002-2009  
Taught AIPLA’s annual “boot camp” for new attorneys, with focus on claim drafting in the electrical arts.
- “Multi-Discipline Management of Technology;” Intellectual Property Training Program, Instructor, September 2015, Washington, D.C.
- “Cost-Effective Management of Patent Litigation;” Panel Moderator at ALM’s 23rd Annual Corporate Counsel Conference, June 7, 2011, New York.

### Publications

- “Understanding the Challenges of Protecting and Enforcing IP in a Global Marketplace;” International IP Issues and Strategies: Leading Lawyers on Managing Intellectual Property Protection and Enforcement Efforts Across Multiple Jurisdictions, Thompson Reuters, pp. 105-115 (2009).
- “Managing the Minefield of Method Claims: A Guide to Recent Decisions for Litigators, Prosecutors and In-House Counsel;” Intellectual Property, Andrews Litigation Reporter (2009).
- “Suppliers and Declaratory Judgment; Even after MedImmune, Two-Prong Test Lives On;” BNA’s Patent, Trademark and Copyright Journal, Vol. 76, No. 1887 (2008).
- “Warn Potential Infringers, But Do Your Homework First;” Patent Strategy & Management (April/May 2009).
- “Preventing Third Parties from Gaining Rights in Your Intellectual Property;” The IP Litigator (2002).
- “The Best Defense is a Good Offense – Better Results in Intellectual Property Disputes with Aggressive Action;” International Legal Strategy, Volume IV-12 (1995).
- “Techniques for Obtaining a Strong U.S. Patent;” Journal of the Japanese Group A.I.P.P.I., Vol. 38, No. 1, pp. 16-22 (1993).