

Michael T. Piery

Associate

Mike Piery is an intellectual property litigator with a focus on patent litigation. He has litigated cases in many federal district courts, the U.S. Court of Appeals for the Federal Circuit, and the Patent Trial and Appeal Board.

His litigation experience consists of a full range of services, from pre-filing investigations through appeal, including:

- Conducting pre-suit due diligence investigations;
- Developing case strategies and managing discovery;
- Taking and defending depositions;
- Drafting pleadings, motions, and pre-trial briefings;
- Arguing evidentiary motions, claim construction, and dispositive motions; and
- Drafting appeal briefs.

Mike works with diverse clients in a variety of technologies, including mechanical devices, medical devices, optical imaging equipment, telecommunications, software, snowplows, and product packaging.

Prior to joining Quarles & Brady, Mike applied his chemical engineering background to serve as a patent examiner at the U.S. Patent and Trademark Office for over five years. As a patent examiner, he reviewed applications across various technologies, including polymers, semiconductors, medical devices, fuel cells, chemical compositions, and plastics processing.

Drawing on his patent examiner experience at the USPTO, Mike has successfully represented patent owners and petitioners in post-grant proceedings before the USPTO's Patent Trial and Appeal Board. The combination of USPTO and litigation experience allows him to advise clients on the merits and desirability of instituting proceedings before the USPTO simultaneous to pending district court actions and to advise clients on defending their patents during these parallel proceedings.

Mike also counsels clients in intellectual property acquisition strategies, including design protection. His knowledge of both the process for acquiring patent rights and issues that may arise in litigation allows him to guide clients to optimal solutions that align with and advance their business objectives.

Representative Experience

- Obtained multiple denials of institution for telecommunications patent owner in *inter partes* review proceedings;



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- Defeated motion for preliminary injunction brought against a drug disposal product manufacturer in a false advertising case;
- Defended a meat products company in design patent litigation in federal court;
- Defended German genetic testing company in federal court jury trial and Federal Circuit appeal;
- Obtained appellate judgment affirming validity of claims while representing water-treatment company in multiple Federal Circuit appeals relating to pump technology;
- Representation of water treatment company in federal court patent litigation and related *inter partes* review proceedings;
- Representation of digital scanner company in federal court patent and Lanham Act litigation and parallel *inter partes* review proceedings;
- Obtained jury verdict of validity and infringement of eight patents while representing telecommunications company in patent litigation against its primary competitor; and
- Obtained summary judgment of infringement and no invalidity for plow and truck manufacturer in federal court patent litigation.

Legal Services

- [Intellectual Property Litigation](#)
- [Patent Litigation](#)
- [Inter Partes Review Proceedings](#)
- [Design Patents](#)
- [Trade Secrets and Unfair Competition](#)

Education and Honors

- George Washington University Law School (J.D., 2013)
 - *American Intellectual Property Law Association Quarterly Journal* (staff member)
- University of Notre Dame (B.S., 2007)
 - Major: Chemical Engineering

Bar Admissions

- Wisconsin

Court Admissions

- U.S. Court of Appeals, Federal Circuit, 2016
- U.S. District Court, Eastern District of Wisconsin, 2014
- U.S. District Court, Western District of Wisconsin, 2014
- U.S. Patent and Trademark Office, 2013

Professional and Civic Activities

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- American Intellectual Property Law Association, member
 - State Bar of Wisconsin, member
 - Eastern District of Wisconsin Bar Association, member
 - Milwaukee Young Lawyers Association, member