



Richard L. Crisona

Partner

Mr. Crisona is an experienced trial lawyer with extensive experience in complex commercial litigation and intellectual property matters. He has litigated a range of complex cases arising in the commercial context, from securities claims and business torts to the defense of class actions in state and federal courts. Mr. Crisona's practice also focuses on all aspects of intellectual property litigation, including patent, trademark, copyright and trade secret litigation. Mr. Crisona has been admitted to practice before the United States Patent and Trademark Office since 1982, and advises clients on patent infringement, validity and freedom to operate issues, and on intellectual property licensing matters.

While in law school, Mr. Crisona worked first as a chemical engineer and then as a patent agent for the General Foods Corporation, where he prosecuted numerous patent applications. After graduation, Mr. Crisona became an associate in the litigation department at Cravath, Swaine & Moore, and then was a partner in complex commercial litigation and intellectual property firms.

Mr. Crisona practices in the New York and New Jersey state courts, and in federal courts throughout the country. He has participated in litigation at all levels of the federal court system, including pre-trial proceedings and trials in the United States District Courts and appeals in the United States Courts of Appeals and the United States Supreme Court. He is experienced with multi-district and class action proceedings in federal court, and in representing defendants in multi-defendant patent "troll" infringement cases.

Mr. Crisona has considerable mediation experience. In addition to representing clients in numerous court-supervised and private mediations, Mr. Crisona is on the panel of mediators for the United States District Court for the Eastern District of New York and the New York County Supreme Court Commercial Division.

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▼ Academic Background

B.S., Michigan State University, Chemical Engineering, with honors, 1979

J.D., Fordham Law School, *cum laude* (staff member Fordham Law Review), 1984

▼ Bar and Court Admissions

New York
 New Jersey
 Second Circuit
 Federal Circuit
 Eastern District of New York
 Northern District of New York
 Southern District of New York
 District of New Jersey
 District of Colorado
 U.S. Patent and Trademark Office

▼ Professional/Community

Mediator, Eastern District of New York

Mediator, Commercial Division of
 the Supreme Court of the State of New
 York, New York County

Association of the Bar of the City
 of New York

Mr. Crisona edits S.D.N.Y. Intellectual Property Law, a blog about patent, copyright and trademark law in the United District Court for the Southern District of New York.

▼ Representative Matters

Patents

- Represented medical device manufacturer in defense of a patent inventorship dispute involving 15 United States patents and related foreign patents
- Represented leading luggage manufacturer as plaintiff in patent infringement action concerning expandable luggage feature
- Advised university professor in a potential patent inventorship dispute concerning a genetic test to identify a specific disease
- Represented a top manufacturer of robotic pool cleaners as plaintiff and defendant in various patent infringement actions against other robotic pool cleaner manufacturers
- Represented leading luxury hotel chain in two multi-defendant patent “troll” infringement litigations in the Eastern District of Texas

Trademarks

- Represented top broker/dealer as a defendant in a trademark infringement action by a leading investment bank
- Represented largest imported premium jam manufacturer as plaintiff in a trade dress infringement action against one of the largest consumer products companies in the U.S.
- Represented largest tequila manufacturer as defendant in a trademark and contract dispute with one of the leading distilled spirits producers in the U.S.
- Represented manufacturer of a leading brand of hot sauce as plaintiff in a trade dress infringement action against a knock-off manufacturer
- Represented manufacturer of top-selling hoisin sauce in action against importer of counterfeit product
- Represented various clients in opposition and cancellation proceedings before the United States Trademark Trial and Appeal Board

Copyright

- Represented co-writer of New York Times best seller as plaintiff in copyright action against the listed author
- Represented corporate workflow consultant as plaintiff in copyright infringement action concerning computer source code
- Represented top car manufacturer as defendant in a copyright infringement action over a

customized digital font

IP Advice and Counseling

- Rendered various patentability, infringement and validity opinions in areas as diverse as credit card processing methods, sophisticated financial hedging and trading methods, luggage components, and medical devices
- Participated in the IP due diligence in connection with the acquisition of a top manufacturer of robotic pool cleansers
- Represented various clients in patent, trademark and copyright licensing transactions, both as part of a lawsuit settlement, and as stand-alone transactions
- Represented active pharmaceutical ingredient manufacturer in sale of intellectual property portfolio and entry into contract manufacturing transaction

Commercial Litigation

- Represented specialty credit card processor in a series of contractual disputes with major banks and credit card processors
- Represented client in Delaware dissolution proceeding of deadlocked corporation
- Represented debtor-in-possession in Chapter 11 reorganization
- Represented leading nutritional supplement manufacturer in defense of class action lawsuit claiming deceptive trade practices
- Represented claimants and respondents in FINRA arbitrations
- Representation of defendants in California Proposition 65 cases claiming failure to disclose presence of certain chemicals in their products
- Represented FDIC in litigation arising from the savings and loan crisis
- Represented well known designer of fashion jeans in multi-million dollar licensing dispute
- Represented a group of Holocaust survivors and their families in connection with a class action seeking to recover assets from various Swiss banks that were deposited by or looted from victims of the Holocaust
- Represented an investor in his defense of contract and fraud actions arising from the attempted start-up of a high technology venture
- Represented a prominent art gallery in a fraud and conversion action against its former partner

▼ Publications

"Can You Be Sued in Every State in Which Your Site Can Be Viewed?" The Internet Newsletter: Legal and Business Aspects, February 1999

"For Discovery of Settlement Materials, Be Prepared to Show Relevance," New York Law Journal,

January 20, 1999, p. 1

"Do Not Trust the Contract: Phone Service and Filed Tariffs," New York Law Journal, October 30, 1998, p. 1.

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