



## Michael Albert

### Shareholder

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Michael Albert focuses his practice on patent litigation. He has trial experience before federal and state courts across the US and has prevailed in appellate practice before the US Courts of Appeal for the First and Federal Circuits and the Massachusetts Supreme Judicial Court.

Michael's clients include high-tech companies in the software, internet, biotechnology and engineering industries, as well as Fortune 500 retail businesses and leading research universities. Michael has litigated IP cases successfully against some of the largest law firms and corporations in the world. In addition to patent cases, Michael litigates in the areas of trademark, copyright and internet law. He also serves as an arbitrator for internet domain name disputes through the World Intellectual Property Organization, the National Arbitration Forum, and the South China International Economic and Trade Arbitration Commission. Michael has also handled numerous pro-bono cases, winning injunctive and monetary relief for a range of clients.

Michael served as the chair of the Litigation Group for more than 15 years. While at Harvard Law School, Michael served as a research assistant to Professor Laurence Tribe on constitutional and telecommunications law. He also served as a law clerk for Judge Leonard I. Garth of the US Court of Appeals for the Third Circuit.

### Experience

- Won \$17M patent infringement settlement from Kraft for client Keurig on eve of trial for infringement of patent relating to brewer cartridges.
- Won Massachusetts' largest jury verdict of 2007 in patent infringement case as lead counsel for medical device company

### Education

Harvard University, AB,  
*magna cum laude*

University of California at  
Berkeley, MA

Harvard Law School, JD,  
*cum laude*

### Practice Groups

#### Litigation

Trademark & Copyright

Diomed, Inc. in trial against two infringers of Diomed's patent on method for laser vein treatment.

- Obtained eight-figure settlement of multi-patent dispute between arch-rivals in growing field of computer-based technology.
- Assisted major university and two medical device companies in asserting successful biotechnology patent infringement case, resulting in multi-million dollar jury award, trebled by trial court, and upheld on appeal by Federal Circuit.
- Obtained summary judgment, sustained on appeal, in leading trade dress and copyright cases in First Circuit, as well as seven-figure award of fees and costs.
- Won permanent injunction against Fortune 500 company in complex copyright and breach of contract case, followed by successful mediation of past damages.
- Obtained substantial settlement on behalf of software developer in copyright dispute against multi-billion dollar publishing company.
- Defended major consumer products company in multi-patent trial and won Federal Circuit reversal of damages award.
- Successfully defended Fortune 500 manufacturer against copyright infringement suit.

## Activities

- Association of University Technology Managers (AUTM)
- Boston IP Inn of Court, Founding member
- Boston Patent Law Association
- Harvard Extension School, Adjunct Professor, IP Law
- Harvard Law School Association of Massachusetts, Vice President

## Recognition

- Repeatedly named to *The Best Lawyers in America*©
- Repeatedly recommended by the *IAM Patent 1000*
- Repeatedly named to the Massachusetts Super Lawyers list

- Repeatedly named to Top 100 Lawyers, Massachusetts and New England, Massachusetts Super Lawyers
- *Corporate LiveWire's* Lawyer of the Year, Patent Litigation
- *Corporate LiveWire* Global Award, Litigation & Dispute Resolution in Massachusetts
- Fellow, Litigation Counsel of America (invitation-only Trial Lawyer Honorary Society)
- *World's Leading Trademark Professionals 2015* (Enforcement and Litigation)
- Phi Beta Kappa
- Editor, *Harvard Law Review*
- Michael was featured on the cover of Super Lawyers New England 2012. View [here](#).