

## Andrew T. O'Connor

*Counsel*

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Andrew O'Connor's practice focuses primarily on securing and protecting clients' intellectual property rights. With extensive experience in matters concerning patents, design patents, trademarks, trade dress, false advertising, product disparagement, trade secrets and copyrights, Andrew devotes extensive strategic planning and skilled advocating both in and out of the courtroom in order to assist clients with successfully navigating the constantly evolving intellectual property law landscape. Andrew also prosecutes and manages the trademark portfolios of clients before the U.S. Patent and Trademark Office.

Andrew focuses on the broader goals of each client's business model and overall brand, negotiating intellectual property license agreements, corporate mergers and intellectual property asset management projects for a broad array of companies, ranging from entrepreneurs, start-ups and laboratories to Blue Chip multi-national corporations. Andrew's extensive experience in the pharmaceutical, medical device, retail, software and video gaming industries has produced consistent and successful implementation of each individual client's specific goals and interests in highly sophisticated industries. In addition, Andrew is a member of the Goulston & Storrs Professional Liability practice, with experience defending lawyers and law firms in a wide variety of claims of professional misconduct and legal malpractice, with a particular focus on defending against claims involving intellectual property rights.

Andrew is the Chair of the Intellectual Property Litigation Committee of the Massachusetts Bar Association and a frequent speaker and panelist at industry events with judges and other leading members of the IP community, including a recent [Intellectual Property Insights Roundtable](#) hosted by Goulston & Storrs and published in *Massachusetts Lawyers Weekly*. In 2017, Andrew was appointed by the judges of the U.S. District Court for the District of Massachusetts to a committee charged with drafting proposed revisions to the local rules governing patent infringement cases.

### **Affiliations**

- Boston Bar Association
- Massachusetts Bar Association, Chairman, IP Litigation Committee

- Boston Patent Law Association
- Boston IP American Inn of Court, Barrister

### **Admissions**

- Massachusetts
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Federal Circuit

### **Education**

- Villanova University School of Law (J.D., 2005)
- Boston College (B.A., 1998)

## **Representative Matters**

### **Claims of Design Patent and Trade Dress Infringement**

Representation of client against claims of design patent and trade dress infringement of office supply designs. Successfully dismissed all claims, which was affirmed by the U.S. Court of Appeals for the Federal Circuit.

### **Claims of Misappropriation of Trade Secrets and Inequitable Conduct**

Representing patent attorneys against claims of misappropriation of trade secrets and inequitable conduct, was successful in having the federal court dismiss the plaintiff's claims with prejudice.

### **Claims of Patent Infringement by a Non-Practicing Entity**

Representation of client against claims of patent infringement by a non-practicing entity brought against nearly fifty companies and successfully negotiated the dismissal of all claims without any payment or conditions

### **Claims of Trademark Infringement and Unfair Competition**

Representing a multi-national retail chain, successfully defeated claims of trademark infringement and unfair competition brought by a competitor and obtained award of attorneys' fees, which was affirmed by the U.S. Court of Appeals for the Federal Circuit, and enabled client to continue marketing products under its valuable brand.

### **Digital Millennium Copyright "Takedown" Enforcement**

Representation of an international video game developer in Digital Millennium Copyright "takedown" enforcement and litigation concerning the scope of copyright and trade dress protections for online video game software, server code and website display, and successfully obtaining permanent injunctions and awards of damages and attorneys' fees.

**Hatch-Waxman/ANDA Litigation**

Representation of client in protecting its patent covering life-saving therapeutic drugs from claims of invalidity in Hatch-Waxman/ANDA litigation and secured an award of client's attorneys' fees, which was affirmed by the U.S. Court of Appeals for the Federal Circuit.

**Patent Covering a Popular Over-the-Counter Pharmaceutical**

Representing a world-renowned teaching hospital assert its patent covering a popular over-the-counter pharmaceutical against a generic pharmaceutical company, the jury found the patent was valid and willfully infringed, awarding client over \$10 million.

**Patent Infringement Litigation Involving 29 Patents and Over 200 Products in a "Rocket Docket" Jurisdiction**

Representation of a multi-national corporation in a patent infringement litigation involving 29 patents and over 200 products relating to photocopier technology in a "rocket docket" jurisdiction.

**Trademark and Trade Dress Rights Associated With Medical Devices**

Representation of client in successfully enforcing the valuable trademark and trade dress rights associated with its medical devices.

**Trademark Rights and Brand Recognition**

Representation of publishing company in enforcing its valuable trademark rights and brand recognition in litigation that resulted in successfully preventing the launch of a competing line of products from another publisher.