

M. Lawrence Oliverio

SENIOR PARTNER

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For over 40 years, Larry Oliverio has successfully brought and defended dozens of infringement suits in courts around the country (see Key Matters link above). Larry represents clients as both lead and supporting counsel at the trial and appeal levels and has also served as director of select corporate entities.

Larry also works to help clients achieve their objectives inside and outside the courtroom. In addition to litigation management, he prepares and manages the filing, prosecution and maintenance of large and small IP portfolios in the arts of bio and polymer chemistry (large and small molecule), electronic and mechanical devices, including medical devices, software, robots, injection molding equipment and physical exercise machines.

Education

- Boston College Law School (J.D., 1980)
- Yale University (M.S., 1975)
 - Yale Fellow; Physical Organic Chemistry
- University of Massachusetts (B.S., 1974)
 - Chemistry; Phi Beta Kappa; Olin Charitable Trust Fellowship

Bar Admissions

- Massachusetts, 1980
- New York, 1981
- Admitted to practice before the United States Patent and Trademark Office, 1981

Court Admissions

- United States Supreme Court
- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, First Circuit
- U.S. District Court, District of Massachusetts
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York

Capabilities

- Biotechnology & Life Sciences Patent Prosecution
- Intellectual Property
- Intellectual Property Litigation
- Life Sciences
- Patent Preparation & Prosecution

Memberships

- New York Intellectual Property Law Association, 1981-present
- Boston Patent Law Association, 1983-present

Matters

- Lead appellate and USPTO counsel in precedential Federal Circuit appeal reversal of Patent Office Appeal Board's conclusions of patent anticipation, obtaining opinion reversing P.T.A.B. and order resulting in issuance of patent, reported at *In Re Giannelli*, 739 F.3d 1375, Federal Circuit 2014.
- Lead trial counsel obtaining precedential holdings issuing Preliminary injunctions against infringers of multiple client patents shutting down importation and domestic sale of infringing products, reported as *Rosen v. Eiger Vision, Icon et al.* at 343 F.Supp.2d 908 (C.D. California 2005) and 359 F.Supp.2d 902 (C.D. California 2005).
- Lead trial and Federal Circuit appeal counsel litigating the invalidation of multiple of plaintiff's patents-in-suit and findings of client's non-infringement, reported as *Buehler v. Ocrim*, 836 F. Supp. 1291 (N.D. Texas 1993), *aff'd* 34 F.3d 1080 (Federal Circuit 1994).
- Lead trial counsel obtaining successful Markman claim construction encompassing infringer's accused products and upholding validity over prior art, *Synventive v. Husky Injection Molding*, reported at 2009 WL 2516115, D.Vermont 2009).
- Trial counsel in multiple suits obtaining Ex Parte Seizure Orders and Preliminary injunctions against infringers of clients' Live Nation, Universal Studios, Atlantic Recording et al. musicians' trademarks and rights of publicity (Cher, Bruno Mars, Jimmy Buffet, Aerosmith, Dead & Co. et al.)
- Lead trial counsel successfully enforcing registered and common law trademarks against direct infringers as well as against web hosting companies, including cases against: Verisign, GoDaddy, Rackspace et al., (D.Mass. 2012 -present).
- Lead trial counsel enforcing plaintiff-client's patents resulting in removal from market of infringing products, case captioned: *Cybex v. TuffStuff*, 2011 WL 6917373 (D.Vt.).
- Co-trial counsel representing defendant accused infringer in landmark *Polaroid v. Kodak* patent infringement litigation resulting in invalidation of five of six mechanical patents allegedly encompassing Kodak's instant film camera. *Polaroid v. Kodak*, 641 F.Supp. 828 (D.Massachusetts 1980-1985).