

Michael D. Pegues

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Michael Pegues draws upon 30 years of patent litigation and Federal Circuit experience to advocate on behalf of his clients. Michael believes that technology and intellectual property are the core assets of every industry. He also believes that advances in technology take place at a rapid pace, and more than ever before, there is a need to protect intellectual property and technology assets. Michael works to thoroughly understand the client's business and culture to help him design a comprehensive strategy to protect the client's technology while achieving its business objectives. He also actively consults and works closely with clients in a variety of industries on matters related to the protection of the economic value of their intellectual property portfolio. His litigation skills have resulted in him representing clients in courts from California to New York and Illinois to Texas. His extensive litigation experience includes advocating on behalf of both domestic and foreign clients. He uses his understandings of these clients to achieve the desired litigation outcome at trial, on both sides of the aisle, or to leverage trial strategy to position cases for settlement prior to trial or after appeal. Prior to starting his legal career, Michael was a stress analyst in the aerospace industry. Upon graduating from law school, Michael was a judicial law clerk for the Honorable Richard A. Schell of the United States District Court for the Eastern District of Texas.

Michael currently serves as Adjunct Professor at Southern Methodist University Dedman School of Law and Texas A&M University School of Law where he teaches a course entitled, "Race and Intellectual Property." The course examines the relationship between race and intellectual property law, policy and principles through a critical race theory lens. Michael also teaches a course entitled, "Intellectual Property." The course is an overview of intellectual property law for both students with a general interest in the area and students who are pursuing specialized fields with IP.

Education

- Tulane University Law School (J.D., 1991)
- Southern Methodist University (B.S.M.E., 1984)
 - Mechanical Engineering

Bar Admissions

Capabilities

- Intellectual Property
- Intellectual Property Litigation
- Litigation
- Patent Litigation
- Trademark, Copyright & Branding
- Trademark, Copyright & Branding Litigation
- Restrictive Covenants & Trade Secrets Litigation
- Technology
- Trademark Clearance & Prosecution
- Solare Brand Protection Program

- Texas
- Admitted to practice before the United States Patent and Trademark Office

Court Admissions

- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, District of Arizona
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Northern District of Indiana
- U.S. District Court, Eastern District of Oklahoma
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas
- United States Supreme Court
- U.S. District Court, Eastern District of New York

Memberships

- Dallas Bar Foundation, Life Senior Fellow
- Texas Bar Foundation, Life Fellow
- American Bar Foundation, Fellow

Recognition

- Named to the Lawyers of Color 2023 Power List
- Selected for inclusion in *Best Lawyers in America*® for:
 - Litigation - Patent, 2024-2026
 - Litigation - Intellectual Property, 2021-2026
 - Patent Law, 2020-2026
- Judicial clerk, United States District Court for the Eastern District of Texas
- *Martindale-Hubbell AV Preeminent Rating*
- Selected for inclusion in *Texas Monthly*, Corporate Counsel Edition, Intellectual Property Litigation Super Lawyers, 2003-2007 and 2011-2020, 2023
- Selected for inclusion in Thomson Reuters, *Texas Super Lawyers*, 2003-2007; 2011-2014, 2016
- Awarded Black Alumni of Southern Methodist University History Maker, 2014
- Selected for inclusion in *D Magazine's* "Best Lawyers in Dallas," 2007, 2008, 2015, 2016, 2018, 2020-2022, 2024
- Selected by *Eclipse magazine*, as Inaugural African American Dynamic Lawyer, 2006
- Awarded Southern Methodist University's School of Engineering's Hall of Leaders' Emerging Leader, 2006
- Sam Winstead Volunteer of the Year Award for the Town North YMCA of Dallas, Texas, 2012
- Texas Minority Counsel Program (TMCP) Trailblazer of the Year, 2018

Matters

- David Newton and Tomas Bustos v. Artes de la Rosa, et al. Representation of plaintiffs in a copyright infringement matter for the illegal distribution of derivative works owned by the plaintiffs. (Northern District of Texas)
- Contemporary Visions, LLC v. Maxim Lighting International, Inc. et al., Representation of defendants in a contemporary lighting fixture family copyright and design patent infringement lawsuit (Southern District of New York)
- Datatreasury v. NexBank Capital, Inc. et al., Representation of NexBank entities in a patent infringement lawsuit related to online banking security (Eastern District of Texas)
- Datatreasury v. First National Bank Texas et al., Representation of FNBT in a patent infringement lawsuit related to online banking security (Eastern District of Texas)
- Joao Bock Transaction Systems of Texas, LLC v. First National Bank Texas et al. Representation of FNBT in a patent infringement lawsuit related to online banking security (Eastern District of Texas)
- Vapor Point, LLC, et al. v. Elliott Moorhead, et al. Representation of plaintiffs in inventorship and infringement dispute relating to degassing technology. (Southern District of Texas)
- Secure Axxess, LLC v. Bank of America Corp., et al. Representation of banking entities in patent infringement litigation relating to online banking software. (Eastern District of Texas)
- Gooseberry Natural Resources LLC v. Advance Magazine Publishers, Inc., et al. Representation of defendants in patent infringement litigation relating to software used in connection with online news publications. (Central District of California)
- AutoStar Solutions, Inc. v. Auto Master Systems, Inc. Representation of plaintiff in copyright infringement matter relating to software utilized to facilitate transactions between automotive finance companies and automobile purchasers. (Northern District of Texas/Northern District of Indiana)
- Tech Pharmacy Services, Inc. d/b/a Advanced Pharmacy v. Provider Meds, LP, et al. Representation of plaintiff in patent infringement litigation relating to software and systems for facilitating the provision of medication in hospitals and other care facilities. (Eastern District of Texas)
- Merial Limited, et al. v. Virbac SA, et al. Representation of defendants in patent infringement litigation involving a patent relating to leading flea preventative for dogs and cats. (Northern District of Texas)
- FPS Investments, LLC v. Azteca Milling, L.P., et al. Representation of plaintiff in patent infringement litigation relating to a large-scale industrial fall-protection system. (Eastern District of Missouri)
- Minka Lighting v. Maxim Lighting International, Inc., et al. Representation of defendants in design patent infringement litigation relating to designs for outdoor lighting fixtures. (Northern District of Texas)

Publications

March 2025

Not All Works Are Created Equally: An Examination of the Entanglement Between Copyright and Artificial Intelligence

Co-Author, 39th Texas Forum for Paralegals and Attorneys: Brave New (Legal) World

June 9, 2023

Re-Setting the Balance: Jack Daniels' Properties, Inc. v. VIP Products, LLC

March 24, 2023

Relax Jack...It's Only a Joke!

February 2, 2023

Design Patent Holders Rejoice, but Challengers Face an Uphill Battle