

Telecommunications Litigation

Polsinelli's litigation team has extensive experience assisting clients in navigating the complex and ever-changing laws, regulations, common law, and industry standards that govern the telecommunications industry. Polsinelli has assembled a deep, inter-disciplinary team of litigators who partner with our business and regulatory attorneys to assist telecommunications clients with consumer class actions, data security and privacy litigation, dealer and partnership litigation, consumer small claims and arbitrations, intellectual property litigation, and cell site and lease litigation, among other matters. Our litigation clients provide local, wireless, long-distance wireline, wholesale/intermediate and backbone services to businesses, consumers, and government entities nationwide and internationally.

BTI Consulting Group recently singled out our Class Action, Commercial Litigation, Complex Commercial Litigation, Cybersecurity Litigation, IP Litigation, and Products Liability Litigation practices as being among the best in the country. Our experience includes:

Consumer Class Actions

Our team has significant experience identifying and utilizing early exit ramps for class litigation, including success with motions to dismiss, motions for summary judgment, discovery motions, and defeating motions for class certification. Should a case go the distance, Polsinelli's litigation team is highly experienced in trying complex cases to successful conclusions.

Data Security and Privacy Litigation

Polsinelli attorneys are experienced in data incident response, management of government investigations, and the defense of both single-plaintiff and class actions. Our firm has an excellent track record of managing alleged hacking, fraud, account takeover or other compromising of data by unknown actors, inadvertent data loss or compromise, and alleged failure to supervise outside contractors, among other situations.

Dealer, Vendor, and Partnership Litigation

The telecommunications industry involves an intricate patchwork of dealer, vendor, and partner relationships. Polsinelli has successfully handled dozens of dealer, vendor, and partnership cases on behalf of our telecommunications clients over the past five years, ranging from mid-level payment disputes to high-stakes litigation.

Intellectual Property Litigation

Our IP litigators prosecute and defend intellectual property cases on behalf of our telecommunication clients, including matters related to patent infringement (including PTAB proceedings); copyright, trademark and branding; anti-counterfeiting and gray markets; and restrictive covenants and trade secrets.

Cell Site and Lease Matters

Our team has deep experience representing major wireless carriers and many of the largest tower companies in regulatory, land use, permitting and other legal issues involved in deploying wireless infrastructure and technology. Our lawyers have an in-depth understanding of the municipal and agency regulatory processes, and we have represented well over 1,000 tower site applications before regulatory boards in numerous jurisdictions.

Fraud and Trafficking Litigation

We have pursued and efficiently resolved hundreds of claims involving handset trafficking (including by jury and court trials in some cases) in New York, Kansas, Michigan, California, Maryland and Florida against individuals and companies involved in acquiring and reselling wireless handsets using fraudulent and otherwise unlawful strategies and tactics.

Consumer Cases and Arbitrations

Polsinelli attorneys manage high-volume litigation and arbitrations on behalf of our telecommunications clients. Our team successfully defends thousands of small claims cases and arbitrations each year in all 50 states. Our proprietary and customizable reporting tool provides telecommunications clients in-depth analysis of case trends and costs.

Matters

- Successfully defended dozens of consumer class action claims involving:
 - consumer protection statutes,
 - commercial and consumer contracts,
 - pricing and taxation,
 - service quality and coverage, and
 - Telephone Consumer Protection Act (TCPA) and other quasi-regulatory statutes.
- Successfully defended and prosecuted numerous contract and tort claims, such as negligence, breach of contract, unjust enrichment, breach of fiduciary duty, and invasion of privacy.
- Successfully defended claims under state statutory schemes such as state Consumer Protection Acts, state Deceptive and Unfair Trade Practices Acts, and the California Consumer Privacy Act and federal statutory schemes such as the Fair Credit Reporting Act and the Federal Trade Commission Act.
- Successfully defended and settled a \$500 million action for alleged breach of contract and bad faith brought by a bankruptcy trustee against a major telecommunications company arising out of a major electronics retailer's bankruptcy.
- Developed innovative case and document management systems and analytical reporting mechanisms on behalf of large telecommunications clients for the successful and cost-efficient defense of high-volume litigation and consumer arbitrations.
- Successfully defended a bet-the-company TCPA class action in federal court in West Virginia against a telecommunications and technology company. Plaintiff's theory – that failing to block calls from "invalid" telephone numbers could create TCPA liability – threatened to subject the entire industry to crippling exposure.
- Successfully defended multiple claims brought against a national telecommunications company by terminated retail and B2B dealers in federal court, AAA, and JAMS arbitrations.
- Secured dismissal of a multimillion-dollar patent and trademark case for a telecommunications client in federal court.
- Secured summary judgment in federal court involving invalidating a call waiting and caller ID patent under 35 U.S.C. § 101, and successfully defended the judgment in the Federal Circuit.

- Secured dismissal in favor of a major telecommunications carrier and a major handset provider in an antitrust case alleging a conspiracy to convert plaintiff's alleged intellectual property.
- Secured summary judgment for a telecommunications carrier in a significant trademark infringement case filed by a former retail dealer in the Eastern District of Virginia.
- Presented zoning entitlement cases to local governing bodies and planning boards and pursuing Telecommunications Act (TCA) appeals when required, and negotiated zoning ordinances and telecommunication regulations.
- Assisted in Federal Communications Commission (FCC) licensing and regulatory compliance.
- Drafted lease agreements for new towers, rooftops, co-location, distributed antenna systems (DAS), and right-of-way use agreements.

Publications

September 16, 2025

Texas Expands Its Mini-TCPA: Text Messages Now Covered, Litigation Risk Rises

August 13, 2025

TCPA Class Actions Challenge Companies for Not Scrubbing Against the FCC's Reassigned Numbers Database

July 29, 2025

Federal Court Finds Text Messages Not Subject to TCPA's DNC Requirements

June 27, 2025

In TCPA Case, SCOTUS Rules District Courts Are Not Bound by Final FCC Orders

February 6, 2025

2025 Technology Transactions & Data Privacy Report

January 29, 2025

Eleventh Circuit Overturns FCC's One-to-One Consent Rule

January 24, 2024

2024 Tech Transactions & Data Privacy Report

February 2, 2023

Tech Transactions & Data Privacy 2023 Report