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Peter M. Lancaster

Partner

Peter M. Lancaster is co-head of Dorsey's Intellectual Property Litigation group. He conducts patent, trademark, copyright, and other unfair competition and technology-related litigation.

Representative Litigation

- ✦ *Nazarian v. Abiomed, Inc.* (D. Mass. and AAA) (obtained payment of over \$2.6 million following award of all requested stock and attorney fees sought in arbitration over Abiomed's use of patented artificial heart technology)
- ✦ *Cargill, Incorporated v. Zeigler Bros., Inc.* (S.D. Fla.) (won \$1 million jury verdict and finding of willful infringement of patent on liquid shrimp feed)
- ✦ *AHT v. Raymedica, Inc.* (S.D. Calif.) (representing defendants, won partial summary judgment and in jury trial defeated multi-million dollar claims for contract-based misappropriation of confidential information claim; won counterclaims for misappropriation of confidential information and conversion; obtained \$170,000 attorney fee award)
- ✦ *Timm Medical Technologies, Inc. v. SOMA BLUE, Inc.* (D. Minn.) (won jury verdict establishing willful trademark infringement, willful false advertising, and violation of nonsolicitation obligations, including damages, injunction, and attorney fees)
- ✦ *KX Industries v. PUR Water Purification Products* (D. Del. and Fed. Cir.) (won summary judgment establishing noninfringement of patent relating to process for manufacturing carbon filters; affirmed on appeal)
- ✦ *Ultrapure Systems, Inc. v. Recovery Engineering* (D. Minn.) (won summary judgment establishing noninfringement of patent relating to faucet-mounted water filter system)
- ✦ *United States National Bank of Red Lodge vs. U.S. Bancorp*, 198 F.3d 256 (9th Cir.) (successfully opposed preliminary injunction motion and then won complete summary judgment, affirmed on appeal, against plaintiff bank seeking to prevent U.S. Bancorp from using US BANK trademark in Montana)
- ✦ *U.S. Bancorp vs. USABanc.com, Inc.* (D. Minn.) (obtained preliminary injunction shutting down competing bank website on trademark infringement grounds and ordering \$200,000 sanction, doubled every hour, for any noncompliance with order)
- ✦ *S Industries, Inc. v. Centra 2000* (N.D. Ill.) (won summary judgment of noninfringement for computer software trademark, along with \$136,000 in attorney fees, affirmed on appeal)
- ✦ *Kepner-Tregoe v. Executive Development*, 79 F.Supp. 2d 474 (D. N.J.) (won summary judgment dismissing copyright claims covering educational materials for decision-making processes, affirmed on appeal)

- ✦ *Strategic Directions Group, Inc. v. Bristol-Meyers Squibb Company* (D. Minn. and Eighth Circuit) (won summary judgment dismissing trade secret and related contract claim, affirmed on appeal)
- ✦ *Tag Line, Inc. v. Mead Johnson & Co.* (D. Minn.) (won complete summary judgment on 11-count complaint alleging copyright, unfair competition, and misappropriation of confidential information claims)

Recognitions, Presentations & Publications

- ✦ "Flat Fees a Growing Trend Among Firms Big and Small," *Minnesota Lawyer*, 2009
- ✦ Designated as "Superlawyer" in Intellectual Property Litigation category by *Journal of Law and Politics*
- ✦ Listed in *Who's Who in American Law*
- ✦ "Trade Secrets," 2009 MSBA Presentation on Business Torts
- ✦ "Construing the Claims: Strategic Checklist for Success," 2006 Midwest IP Institute
- ✦ "Turning Patent Claims into Litigation English: An Update on Claim Construction Principles," *The 2003 IP Book*
- ✦ "Using, Misusing, and Deconstructing Surveys in Trademark Litigation," 2002 Midwest IP Institute
- ✦ "Defending Trademark Preliminary Injunction Motions in Minnesota," 2001 MSBA Conference on Trademark Law
- ✦ "Internet Issues in State Courts," 2000 Minnesota Annual Conference of Judges

Admissions

- ✦ Minnesota
- ✦ U.S. Courts of Appeals for the Federal, Third, Seventh, Eighth, Ninth, and Tenth Circuits
- ✦ Practiced in federal courts in California, Colorado, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Massachusetts, Minnesota, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Texas, Virginia, Washington, Wisconsin, and Wyoming

Education

- ✦ Yale Law School
J.D., 1980
- ✦ Princeton University
A.B., 1976, Woodrow Wilson School of Public and International Affairs

Professional Activities

- ✦ Member, American Intellectual Property Law Association
- ✦ Minnesota Intellectual Property Law Association

Civic and Community Activities

- ✦ Director, Achieve!Minneapolis