



Peter A. Sullivan

Partner, Chair, IP Department

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Areas of Concentration

Peter Sullivan is Chair of the IP Department, and he is a partner in the Litigation Department. Peter counsels clients in a variety of legal disciplines, applying his technical and legal skills to develop creative solutions to complex legal issues. Peter litigates and counsels clients in the areas of intellectual property (patents, copyrights, trademarks and trade secrets), products liability, and complex commercial litigation and arbitration.

As an intellectual property litigator, Peter litigates actions through trial and appeal, and he counsels clients with respect to pending and threatened actions. He also handles temporary restraining order and preliminary injunction hearings. He has worked on patent appeals in the Supreme Court and the Federal Circuit as counsel for a party and as counsel for *amicus curiae*. Recently, Peter represented AIPLA in *In re Volkswagen*, a case that established a standard for venue transfer in the patent hot-bed Eastern District of Texas. He also represented several large corporations who filed *amicus* briefs in the U.S. Supreme Court in *KSR International v. Teleflex*, a case that changed the test for obviousness under patent law. Peter is the Past Chair of the Patents Committee at the Bar Association of the City of New York, and he is a member of the AIPLA and the Federal Circuit Bar Association. His cases have involved a variety of different technologies, including gas turbine engines, military simulators, electrical generating switchgear, computer technology, video compression technology, pharmaceuticals and microfine particle compounds.

As a products liability and toxic torts litigator, Peter litigates actions through trial and appeals in federal and state courts across the country. He is currently litigating a complex maritime action in federal court involving an oil spill off the coast of Spain. Peter also counsels domestic and foreign corporations with respect to product liability actions. He has handled cases involving workplace exposures to chemicals, automobiles, industrial cranes, die cast machines and asbestos-containing materials.

Practice Groups and Other Information

Construction
eDiscovery
Intellectual Property
Litigation
Patents

Education Information

Brooklyn Law School, J.D., 1992, *cum laude*, Brooklyn Law Review
New York University, B.S., 1986,
Physics
Cooper Union, B.S., 1986, Mechanical
Engineering

Bar Admissions

New Jersey, 1992
New York, 1993
U.S. Patent & Trademark Office, 1994

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In the complex commercial litigation and arbitration area, Peter litigates construction cases. He has handled cases involving a flue gas desulphurization unit on a coal-burning power plant, a large pulp paper mill, an iron ore refinery, a power plant electricity distribution system, a waste treatment facility, a gas turbine engine power station and several commercial construction projects.

Court Admissions

- U.S. Supreme Court
- Appellate Courts: 2nd Circuit, 5th Circuit, Federal Circuit
- District Courts: S.D.N.Y., E.D.N.Y., W.D.N.Y., D.N.J.

Professional Activities

- Past Chair, Patents Committee, Association of the Bar of the City of New York
- Member, American Intellectual Property Lawyers Association
- Member, Federal Circuit Bar Association
- Member, New York Intellectual Property Law Association

Appearances & Papers

- In re Bilski Roundtable, Bar Association of the City of New York (2008)
- "Assessing the Impact of Seagate," IMS Expert Services (2007)
- Preparing for Oral Argument, Federal Circuit Bar Association 8th Annual Bench & Bar Conference (2006)
- "The Economic Duress Doctrine – A U.S. Perspective," IBA Annual Conference (Prague 2005)
- "Harmonizing the Civil and Common Law Traditions in Prehearing Document Disclosure in Commercial Arbitration," Construction Projects from Start to Finish, IBA Construction Section (Brussels 2004)

Selected Briefs

- *In re Volkswagen*
- *In re Seagate*
- *KSR International v. Teleflex (certiorari)*
- *KSR International v. Teleflex (merits)*

Recent Posts

- ["In re Volkswagen of America: Grounding the Marshall, Texas Patent Rocket Docket?" \(October 2008\)](#)
- ["Patent Validity Challenges After KSR" \(June 2007\)](#)
- ["Need for Patent Protection," Letter to the Editor featured in the *New York Times* \(March 2006\)](#)
- ["Major Patent Law Decision Provides Greater Protection for Attorney-Client Privilege but Raises New Questions" \(September 2004\)](#)