

## Anthony J. Biller

Managing Partner, Raleigh Office

### Overview

Clients rely on Tony for the skills and insight he has gained in his over 20 years of Intellectual Property litigation practice. He has experience in patent, trademark, copyright, and trade secret litigation in trial and appellate courts across the country.

Clients additionally look to Tony to assist with managing their intellectual property assets. He advises on trademark selection and registration, content management, trade secret issues, as well as licensing and other inter partes review contracts. Tony works with clients and legal colleagues to understand and anticipate how new technologies affect their businesses, the practice of law and legal strategies, and the progression of intellectual property laws and precedent. As an active member of the firm's Blockchain, Digital Currencies & Smart Contracts industry group, he is analyzing how distributed ledger technology can be leveraged to more efficiently use, manage, and monetize intellectual property assets.

Prior to joining Michael Best, Tony was a partner in the North Carolina office of a patent law firm where he focused on intellectual property litigation. Before entering the private practice, Tony served as a United States District Court judicial clerk to the Honorable William L. Osteen, Sr., in the Middle District of North Carolina. Tony Biller began his legal career after serving four years as an Army Airborne Ranger in the 82nd Airborne Division where he advanced to the rank of Captain.

### Experience

- Certified Specialist in Trademark Law, North Carolina State Bar
- Former Chair, American Bar Association, Trademark Litigation and Trademarks and the Internet Committee
- Lead litigation counsel in patent, trademark, copyright, and trade secret lawsuits in all North Carolina federal districts, North Carolina business and general trial courts, as well as District Courts in South Carolina, Virginia, West Virginia, Tennessee, Maryland, Kentucky, Georgia, Florida, Alabama, Texas, California, Colorado, California, Washington, Wyoming, Minnesota, Wisconsin, Michigan,



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### Industries

Blockchain, Digital Currencies &  
Smart Contracts  
Higher Education  
Water

### Practices

Copyright  
Enforcement, Clearance & Defense  
Intellectual Property  
Licensing & Technology  
Agreements  
Litigation  
Trademark  
Unfair Competition & Trade Secrets

Pennsylvania, New York, Delaware, the U.S. Court of Claims, and the USPTO Trademark Trial and Appeal Board.

- Argued appeals before the North Carolina Supreme Court as well as the U.S. Courts of Appeals for the Federal, Fourth, Sixth, and Eleventh Circuits.
- Obtained a finding of willful patent infringement, permanent injunction and \$3 Million award at summary judgment against a Fortune 100 retailer on behalf of a textile manufacturer in the Eastern District of North Carolina.
- Led seizure of counterfeit health supplement products and counterfeiter's computers, decryption of which led to prompt and beneficial settlement in the Middle District of North Carolina.
- Co-chaired jury trial where obtained verdict of willful trademark infringement and cybersquatting for luxury destination and retail brand client against competitor retailer in the Western District of North Carolina.
- Won summary judgment of non-infringement in trademark lawsuit between restaurant chains in the Southern District of Florida; argued and won appeal at 11th Circuit Court of Appeals.
- Defended trade secrets lawsuit involving over 1,000 alleged trade secrets in the Middle District of Georgia and obtained favorable settlement for client.
- Defeated preliminary injunction and won summary judgment in trademark lawsuit between dentists in North Carolina Business Court.
- Successfully enforced patent against key competitor in water purification industry for client; defeated antitrust license, and covenant not to sue counterclaims and obtained favorable claim construction which led to favorable settlement for client.
- Successfully defended copyright lawsuit against fintech client in the District of Minnesota.
- Litigated numerous architectural works copyrights in the North District of Alabama to successful results for client.
- Enforced arbitration agreement in the Northern District of Kentucky to consolidate and successfully resolve trademark disputes in multiple countries between nonprofit organizations; argued and won appeal at 6th Circuit Court of Appeals.
- Won TTAB trial involving insurance coverage entities and successfully argued appeal at the Federal Circuit.

## **Honors & Recognitions**

- Intellectual Property, Legal Elite Hall of Fame (2013), Business North Carolina
- Best Lawyers in America 2018, NC Lawyers Weekly

## **Professional Activities**

- Member, American Bar Association
- Member, American Bar Association, Litigation
- Member, American Bar Association, Intellectual Property
- Member, International Trademark Association

- Member, Federalist Society

## **Education**

- Campbell University, Juris Doctor (J.D.), *magna cum laude*, managing editor, Campbell Law Review, 1997
- Purdue University, Bachelor of Arts (B.A.), Distinguished Military Graduate
- Erasmus University Rotterdam, 1989

## **Admissions**

- North Carolina
- United States Court of Claims
- United States District Court, Middle District of North Carolina
- United States District Court, Eastern and Western Districts of North Carolina
- United States District Court, Western District of Michigan
- United States Court of Appeals, Federal Circuit
- United States Court of Appeals, Fourth Circuit
- United States Court of Appeals, Sixth Circuit
- Court of Appeals, Eleventh Circuit
- United States Supreme Court
- United States District Court, Eastern District of Michigan
- United States District Court Colorado

## **Community Involvement**

- Former Intellectual Property Adjunct Professor, Campbell University, Norman Adrian Wiggins Schools of Law
- Former Intellectual Property Adjunct Professor, Handong International Law School
- Youth Club and High School Varsity Soccer Coach
- Chief, YMCA Guide/Indian Princess Program, Mighty Twirling Tulips Tribe

## **Related News**

### **EVENT**

March 27, 2019

The Impact of Distributed Ledger Technology on Commerce

### **NEWS**

March 14, 2019

Michael Best Scores Another Trademark Infringement Win for Custom Dynamics

**EVENT**

February 20, 2019

Lessons Learned: Best Practices for Drafting Agreements for Technology Companies

**NEWS**

February 20, 2019

Crown Laboratories, Inc. Partners with Michael Best & Friedrich LLP to Support Niswonger Children's Hospital

**NEWS**

February 11, 2019

*World Trademark Review*

Michael Best Pedals To Victory

**NEWS**

February 5, 2019

Michael Best IP Team Leads Custom Dynamics to a Trademark Infringement Win

**PUBLICATION**

November 2018

*Journal of Internet Law*

Distributed Ledger Trademark Registry? A proposal for One Ledger to Rule Them All!

**EVENT**

October 25, 2018

2018 Michael Best Technology + the Law Symposium

**BLOG**

#BlockLegalTech 2018 - Blockchain Tech is Legal Tech

**BLOG**

One Blockchain Trademark Ledger to Rule Them All!

**BLOG**

One Blockchain Trademark Ledger to Rule Them All!

**NEWS**

July 6, 2018

*Triangle Business Journal*

Billier quoted in, Millions evaporate as trade secrets lawsuits fly across NC

**EVENT**

June 9, 2018

The Intellectual Property Law Institute's Copyright & Trademark Bootcamp



**PUBLICATION**

April 24, 2018

*Law360*

Michael Best Adds Managing Partner From Coats & Bennett

**NEWS**

April 23, 2018

Michael Best Adds New Managing Partner and Intellectual Property Attorney in Raleigh