

GEORGE D. MOUSTAKAS

PRINCIPAL / DETROIT METRO OFFICE

George represents clients in all aspects of intellectual property disputes. With 30 years of experience, he offers pragmatic advice aimed at advancing his clients' business objectives. He develops and implements complex legal strategies for companies in a variety of industries, serving clients as diverse as Amcor Rigid Plastics, Behr Process Corporation, Delta Faucet Company, Emerson Electric Co., Globus Medical Inc. and Under Armour, Inc.

George's practice includes strategic counseling, IP litigation and due diligence. His litigation experience emphasizes the handling of complex patent cases, while he also represents numerous clients in trademark, trade dress, copyright, trade secret, unfair competition, and false advertising matters. He is the chair of the firm's litigation group and has served as lead counsel on multiple trials before the Patent Trial and Appeal Board.

In addition to his practice at Harness Dickey, George is an Adjunct Professor at Michigan State University College of Law where he teaches Advanced Patent Law.

PRACTICE AREAS

Patents; Trademarks & Service Marks; IP Litigation; PTAB Proceedings; Copyrights; IP Transactions

INDUSTRIES

Automotive, Aerospace & Transportation; Chemistry & Materials Science; Clean & Green Technology; Consumer Products; Electrical, Computer & Internet; Energy Production & Delivery; Image Processing, Lasers & Optics; Manufacturing; Mechanical & Electromechanical; Medical Devices; Pharmaceutical & Biotechnology; Semiconductor Processing & Devices

KEY MATTERS

REPRESENTATIVE PATENT MATTERS

- Kingspan Insulated Panels, Inc. v. Centria GP and Centria, Inc. (W.D. Mich.)(Pending)
- Joseph D. Stern v. Globus Medical, Inc. (D. Del.)(Pending)



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- Interlink Products International, Inc. v. Delta Faucet Company and Peerless Faucet Company (D. N.J.)
- DiamondOP, LLC v. Delta Faucet Company and Masco Corporation of Indiana d/b/a Delta Faucet Company d/b/a Brizo (E.D. Tex.)
- Sportstar Athletics, Inc. v. Under Armour, Inc. (S.D. Tex.)
- The Viking Corporation v. Victaulic Company (W.D. Mich.)
- InterMetro Industries Corporation v. Capsa Solutions, LLC (M.D. Pa.)
- InterMetro Industries Corporation v. Howard Industries, Inc. d/b/a Howard Medical (M.D. Pa.)
- InterMetro Industries Corporation v. Enovate Medical, LLC (M.D. Pa.) (Pending)
- InterMetro Industries Corporation v. Ergotron, Inc. (M.D. Pa.)
- InterMetro Industries Corporation v. Rubbermaid Incorporated, d/b/a Rubbermaid Healthcare (M.D. Pa.)
- OptimizeRx Corporation v. PIH and Skyscape.com, Inc. (E.D. Mich.)
- Capital Security Systems, Inc. v. JPMorgan Chase, et al. (E.D. Tex.)
- AS America v. Masco Corporation of Indiana, d/b/a Delta Faucet Company (D.N.J.)
- Hunts Point Ventures, Inc. v. Epson America, Inc. (W.D. Wis.)
- Warrior Sports, Inc. v. Under Armour, Inc. (E.D. Mich.)
- Extang Corporation and Advantage Truck Accessories, Inc. v. Yukon Trail, Inc. (E.D. Mich.)(Judgment)
- Extang Corporation and Advantage Truck Accessories, Inc. v. U.S. Auto Parts Network, Inc. (E.D. Mich.)
- Emerson Climate Technologies, Inc. v. Bitzer US, Inc. (N.D. Ga.)
- Process Controls International, Inc., d/b/a Automation Service v. Emerson Process Management, et al. (E.D. Mo.)(Verdict)
- Agri-Cover, Inc. v. Truxedo, Inc. (D. Minn.)
- CTB, Inc. v. Thorp Equipment, Inc. (E.D. Mich.)
- CTB, Inc. v. Integrity Metal Solutions, Inc. (D. Minn.) (Judgment)
- Certain Automotive Multimedia Display and Navigation Systems, Components Thereof, and Products Containing Same (ITC Decision)
- KV Pharmaceutical Co. v. Breckenridge Pharmaceutical, Inc. (E.D. Mo.)
- BorgWarner TorqTransfer Systems v. New Venture Gear Inc. (N.D. Ill.)
- North American Container, Inc. v. Schmalbach-Lubeca Plastic Containers USA, Inc., et al. (Summary Judgment of Invalidity of reissue claims based on impermissible recapture; Summary Judgment of Non-Infringement of original claims) (Affirmed on Appeal - 75 USPQ 2d 1545 (CAFC 2005))

- Globe Motors, Inc. v. Intier Automotive Seating of America, Inc. (N.D. Ohio)
- Dana Corp. v. American Axle & Mfg., Inc. (Summary Judgment of Invalidity for client) (Appellate decision – 61 USPQ 2d 1609 (CAFC 2002)) (Markman hearing on remand resulted in Summary Judgment of Non-Infringement) (Appellate decision – 2004 WL 2030125 (Fed. Cir. 2004))
- Laughlin Products, Inc. v. Magic Tan, LLC (44 cases – MDL)
- Kennametal v. Cerametal s.a.r.l. and International WaterJet Parts, Inc. (Summary Judgment of Non-Infringement – 2002 WL 1602912 (E.D. Mich. 2002))
- Cadillac Products v. Primex Plastics Corp. & Creative Foam Corp. (E.D. Mich.)(Consent Judgment)
- Stimsonite Corp. v. Nightline Markers, Inc. (Summary Judgment of Non-Infringement – 33 F. Supp. 2d 703 (N.D. Ill.; 1999)) (Affirmed on appeal – 232 F. 3d 908 (2000))

REPRESENTATIVE TRADEMARK MATTERS

- 5.11, Inc. v. Under Armour, Inc. (S.D. Cal.)
- Emerson Power Transmission Manufacturing v. Power Drive (E.D. Ky.)(Consent Judgment)
- Fishbones – Sand Lake Road, Inc. v. Outback Steakhouse, Inc., et al. (M.D. Fla.)(Consent Judgment)
- Intersport Fashions West, Inc. v. Marco Distributing and Randy Robison (C.D. of Cal.)
- C.A. Muer Corp. v. Big River Fish Co. Holdings, et al. (E.D. Pa.)
- Straight Shot, Inc. v. Brass Eagle, Inc. (E.D. Mich.)
- Industrial Wire Products, Inc. v. Emerson Electric Co. (E.D. of Mo.)
- Kellogg North America Company v. H. E. Butt Grocery Company, LP, et al. (N.D. Ga.)
- Kelly Properties, INC. v. The Kelly House (D. Kan.)
- CoverX Corporation v. Coverex Corporate Risk Solutions, LLC (E.D. NY)

REPRESENTATIVE COPYRIGHT MATTERS

- Wolf v. Oakland University Board of Trustees, et al. (Summary Judgement on Sovereign Immunity – 2016 WL 7048812 (E.D. Mich.))
- Niemi v. American Axle Mfg. & Holding Inc., 2008 WL 905558 (E.D. Mich. 2008)
- Richard K. Niemi, et al., v. American Axle Mfg. & Holding Inc., et al., – Appellate decisions: 2007 Mich. LEXIS 1392 (Mich. App. 2007); 478 Mich. 930 (2007)

- Town & Country Cedar Homes, Inc. v. Donald Henry, Barbara Henry, and Kerry Smith (Verdict)
- RGIS, LLC A.S.T., Inc., et al., (E.D. Mich.)

NEWS/EVENTS

IN THE NEWS

- “High Octane: Lawyer Scores Key Win in Supreme Court Case”, *LegalNews.com*, May 28, 2014

BACKGROUND

George’s experience extends to a broad array of technologies and products, including: computer hardware, firmware, software and systems; telecommunications networks and global positioning systems; optical locating and scanning; medical devices; biologics; hematology controls and testing; sintering of cemented carbides; polymer chemistry and syntheses; ceramics; nutritionals and supplements; gaming and toys; automotive vehicle active seating; drive trains; fuel systems and methods of assembly; design and manufacturing of polyethylene terephthalate containers; and fire suppression systems.

AWARDS & DISTINCTIONS

- *Best Lawyers*, Litigation – Intellectual Property, 2013-2020
- *Best Lawyers*, Litigation – Patent, 2020
- *Managing Intellectual Property*, “IP Stars,” 2014-2019
- *Leading Lawyers*, named a “Leading Lawyer” for Intellectual Property and Patents, 2014-2019
- *DBusiness Magazine*, “Top Lawyer,” Litigation – Intellectual Property, 2014, 2016-2017
- American Jurisprudence Awards, Jurisprudence and Estate & Gift Taxation
- Moot Court National Team

EDUCATION

J.D., *cum laude*, Michigan State University, 1988

B.S., Biology, Wayne State University, 1984

BAR & COURT ADMISSIONS

Michigan

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. Patent and Trademark Office

Eastern District of Texas

Western District of Wisconsin