

Kevin C. May

Partner | Intellectual Property

OVERVIEW

Kevin is a trial lawyer who is keenly adept at turning highly complex legal and technological problems into straightforward issues that can be readily understood by judges and juries. For more than twenty years, Kevin has been applying this skill to win high-exposure intellectual property and commercial disputes throughout the country.

He serves as lead trial counsel in intellectual property cases involving patents, trademarks, copyrights and trade secrets. He has successfully represented clients of all sizes, in a broad variety of industries, and in cases involving a myriad of technologies. Kevin has particular experience in patent litigation, where he represents both plaintiffs and defendants in cases across the country and before the International Trade Commission.

Kevin also has a well-earned reputation for litigating complex commercial cases. This portion of his practice focuses on breach of contract disputes involving licensing and other technology-related issues.

Before joining the firm, Kevin spent 15 years litigating complex cases at one of the world's largest firms. Kevin now leverages the experience and skills he gained during that time to offer the same highly sophisticated level of representation from a far more cost-effective and client-friendly platform.

EXPERIENCE

Energizer Brands, LLC. v. Duracell U.S. Operations, Inc. (E.D. Mo.) – Obtained complete victory on summary judgment for Duracell in trademark infringement matter.



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EDUCATION

University of Pennsylvania Law
School (J.D., 1996) *cum laude*

University of Iowa (B.A., 1993)

ADMISSIONS

Illinois
Indiana

LimeCoral, Inc. v. CareerBuilder, LLC (N.D. Ill.) – Obtained complete victory on summary judgment and awarded attorneys’ fees for CareerBuilder in copyright infringement matter.

In re Certain Products Containing Sintered Rare Earth Magnets, 337-TA-855 – Three days before trial, forced the complainant to withdraw all infringement allegations against our client, Beats Electronics, in an investigation involving sintered rare earth magnets.

PPS Data, LLC v. The SSI Group, Inc., (D. Utah) – Forced a favorable settlement for our client on the eve of the Markman hearing in a case involving health care billing software.

In re Products Having Laminated Packaging, Laminated Packaging, and Components Thereof, 337-TA-874 – Obtained a final determination of no domestic industry in favor of our client, Beats Electronics, in an investigation involving laminated packaging composites.

Flava Works, Inc. v. Gunter (7th Cir.) – Argued and won appeal on groundbreaking legal issue concerning the application of copyright law to Internet linking.

edo Interactive v. TuitionFund, LLC – Filed Covered Business Method Review petitions against three patents relating to consumer funded rewards software.

Van Blarcom Closures, Inc. v. Owens-Illinois, Inc. (U.S. Dist. Court, E.D. N.Y.) – Represented Owens-Illinois in a case involving child resistant closure technology. After seven years of litigation, achieved a complete victory by obtaining a favorable claim construction ruling and summary judgment of non-infringement.

CareerBuilder, LLC v. Stirling Sports Group, Inc., et al. (AAA Arb.) – Won breach of contract arbitration requiring piercing the corporate veil.

Codman & Shurtleff, Inc. v. Integra LifeSciences Corp. (D.N.J.) – Successfully represented patentee in patent infringement lawsuit regarding dural graft products used in brain surgery.

Caterpillar Inc. v. International Truck & Engine Corp. (D. S.C.; Peoria County, IL) – Leveraged favorable global settlement in simultaneous patent infringement and trade secret lawsuits regarding diesel fuel system technology.

Ware et al. v. Costco Wholesale Corporation et al. (U.S. Dist. Court, N.D. Ga.) – Represented Costco in a case involving credit card processing systems. After several years of litigation, obtained voluntary dismissal with prejudice based on favorable claim construction ruling.

RECOGNITIONS

- *The Legal 500 United States*, recommended in “Trademarks: Litigation” 2019-present

NEWS & INSIGHTS

February 27, 2024 Firm News

NGE Wins Jury Verdict for Polaroid in \$285 Million Dispute

02.02.23 Firm News

NGE Team Achieves Trade Secret Victory for Backer-Springfield



June 15, 2020 Firm News

The Legal 500 United States 2020 Edition Recommends Five Neal Gerber Eisenberg Practices and 21 Attorneys

June 11, 2019 Firm News

The Legal 500 USA Recommends Five Neal Gerber Eisenberg Practices and 19 Attorneys in the 2019 Edition

July 9, 2018 Firm News

Kevin A. O'Connor, Ph.D and Kevin C. May File Amicus Brief on Behalf of IPLAC; Reported in *Law360*

July 6, 2018 Firm News

Neal Gerber Eisenberg Secures Victory for Duracell in Trademark Infringement Case