



Contact

**Joseph Drayton**

**Partner**

**New York**

**+1.212.969.3479**

**jdrayton@proskauer.com**

A first-chair trial lawyer, Joe Drayton has represented some of the nation's most prominent companies across a wide array of industries in all facets of intellectual property (IP) litigation before both state and federal courts, as well as the International Trade Commission and American Arbitration Association.

Joe has more than two decades of experience specializing in both domestic and international intellectual property and complex commercial disputes, including patent, trade secrets, copyright, trademark and trade dress and false advertising across diverse industries. He also counsels clients in all aspects of IP acquisition, transfer, protection and enforcement.

Joe is a trusted advisor for several corporate executives and a national leader in the legal community. He is regularly recognized as one of the top lawyers in the U.S., having consistently been named to the *IAM Patent 1000* list. Most recently, Joe received the C. Francis Stadford Award by the National Bar Association, the highest award bestowed by the association that is given to a member whose leadership, integrity, legal skills and devotion have inspired colleagues and contributed greatly to the legal profession. A longtime bar leader, Joe served as the 76th president of the National Bar Association and is also a former vice president and Board chair of the New York City Bar Association.

## Matters

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### Patents

- Represented Bumble in the successful resolution of multiple disputes related to patent, trademark and trade secrets dispute in the Western District of Texas
- Represented Bloomberg in successful pre-trial dismissal of patent and trade secrets dispute in the Southern District of New York
- Represented a cohort of leading technology companies in successful pre-trial dismissal of patent dispute in the Eastern District of Texas
- Represented Motorola Mobility in successful resolution of patent infringement action at trial before the International Trade Commission.
- Represented a major semiconductor chip manufacturer in a patent infringement action at trial before the International Trade Commission. The Administrative Law Judge and the Commission found that the asserted patent was not infringed in favor of the client.
- Represented Blackhawk Network, a subsidiary of Safeway, at trial in a patent infringement suit brought by Incomm concerning stored value card network systems. The jury returned a verdict favorable to Blackhawk Network, and the company was found not to infringe Incomm's asserted patents.
- Represented Pier 1 Imports in a patent infringement suit brought by Alexsam concerning Pier 1's gift card system. The jury returned a verdict finding that Pier 1 did not infringe either of Alexsam's two patents.
- Represented a leading cable company in a patent infringement action relating to video-on-demand and other remote content delivery systems.
- Represented International Voice Over IP telecommunications manufacturer in a patent infringement action at trial towards a favorable settlement.
- Represented a Fortune 500 information technology and computer networking multinational company in a patent litigation towards a favorable settlement.

- Represented a leading manufacturer of lighting controls worldwide in a patent litigation resulting in securing a favorable license of our client's technology.

## Trademarks, Copyrights and Advertising

- Represented a leading manufacturer of blades and cutting tools for the home and health industry in a patent, trademark, and trade dress litigation against its major competitor.
- Represented a leading multinational pharmaceutical company in trademark, comparative advertising proceeding and false advertising proceedings.
- Represented a leading clothing brand conglomerate in connection with pre-litigation trademark, copyright, and trade dress issues.
- Handled a resolution of an authorship dispute over the manuscript of Hedge Fund Wives.
- Represented a leading research institute in connection with pre-litigation copyright disputes.

*\*Aforementioned matters handled at prior firms.*

### Practices

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Litigation, Trials, Intellectual Property, Patent Law, Copyright, False Advertising & Trademark, Restrictive Covenants, Trade Secrets & Unfair Competition

### Industries

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Asset Management, Life Sciences, Entertainment, Private Capital, Private Equity, Technology, Media & Telecommunications

### Market Solutions

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Proskauer+Tech

### Education

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University of Pennsylvania Law School, J.D.

University of Maryland at College Park, B.S.

(Electrical Engineering)

#### Admissions & Qualifications

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District of Columbia

Maryland

New York

#### Court Admissions

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Supreme Court of the United States

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. District Court, New York, Eastern District

U.S. District Court, New York, Southern District

U.S. District Court, New York, Western District

U.S. District Court, Texas, Western District

U.S. District Court, Eastern District of Texas

U.S. District Court, Maryland

#### Memberships

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National Bar Association

American Bar Association

Federal Bar Council

New York State Bar Association

Maryland State Bar Association

New York City Bar Association

Metropolitan Black Bar Association

#### Awards & Recognition

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Super Lawyers: Top Intellectual Property Lawyer (2015–2023)

Lawdragon 500 Leading Lawyers in America (2022–2024)

Legal 500: Dispute Resolution – General Commercial Disputes; Intellectual Property:

Patents - Litigation; Trade Secrets – Litigation and Non-Contentious Matters)

BTI Client Service Allstar

IAM Patent 1000

Savoy Magazine, Most Influential Black Lawyers

New York Law Journal: Distinguished Leader 2018

National Bar Association” Nation’s Best Advocate: 40 Lawyers Under 40

The New York City Bar Association: Diversity and Inclusion Champion Award (2014)

Leadership Council on Legal Diversity, Fellow (2013)