




# Jeremy D. Anderson

## Principal

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“Anchoring the high-tech litigation practice, meanwhile, is Jeremy Anderson, who flexes finely honed trial skills across a broad range of IP and commercial disputes.”

— *2019 IAM Patent 1000*

## Overview

### About Jeremy

Jeremy Anderson, a principal in the Delaware office of Fish & Richardson, leads and tries corporate and complex commercial cases in the Delaware Court of Chancery, a non-jury court that is recognized internationally as the preeminent forum for resolving corporate and technology disputes. Mr. Anderson also litigates matters involving intellectual property rights, including patent, trademark, copyright, and misappropriation of trade secrets.

Mr. Anderson’s practice emphasizes technology-related cases that are brought to protect and defend the intellectual property of companies and stockholders across many industry sectors such as life sciences, computer software, consumer products, manufacturing, and media and entertainment, to name a few. For example, he has successfully represented clients in stockholder derivative lawsuits, temporary restraining orders, preliminary injunctions, and breaches of contract related to license agreements, the fraudulent transfer of intellectual property, and patent and trademark infringement.

As the head of Fish & Richardson’s Corporate Governance and Chancery Litigation Practice, Mr. Anderson also represents corporations in high-profile cases involving mergers and acquisitions, stock

appraisal rights, indemnification of officers and directors, demands for inspection of corporate books and records, and disputes involving members of Delaware limited liability companies and Delaware limited partnerships.

Mr. Anderson is the co-author of *Technology Litigation in the Delaware Court of Chancery*, a treatise that provides comprehensive analysis of technology-related claims such as breach of fiduciary duty, misappropriation of trade secrets, breach of contract, unfair competition, civil conspiracy, and aiding and abetting. He is a thought leader on stock appraisal actions, and has authored articles that have been quoted in the *Wall Street Journal*, *New York Times*, *Financial Times* and *Bloomberg*. He frequently contributes to Fish & Richardson's commercial litigation blog.

Mr. Anderson is a member of the Delaware State Bar Association, and currently serves as Chairman of the Corporate Counsel Section. He founded the Delaware Chapter of the J. Reuben Clark Law Society, a service organization that strives to promote fairness and virtue founded on the rule of law. Mr. Anderson has also been named by *Super Lawyers* as a "Delaware Super Lawyer" for Business Litigation, and by IAM Patent 1000 as a "Leading Patent Professional" in multiple years.

## Focus Areas

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### Services

- Litigation
- Chancery and Corporate Governance
- Commercial Litigation
- Patent Litigation
- Trade Secret Litigation
- Trademark, Copyright, and Media Litigation

### Industries

- Academic Research and Medical Centers
- Aerospace and Defense
- Chemicals
- Cleantech
- Consumer Products
- Digital Health
- Digital Media and E-Commerce

- Electrical and Computer Technology
- Energy and Petro-Chemical
- Financial and Business Services
- Internet
- Life Sciences
- Manufacturing
- Medical Devices
- Nanotechnology
- Telecommunications
- Transportation

## Education

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J.D., Georgetown University Law Center (2002) Senior Editor, *Law and Policy in International Business*

B.A. *cum laude*, English, Brigham Young University (1997)

## Experience

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### Alternative Dispute Resolution

*In re XTend Medical Corp.*, Consol. C.A. No. 5478-VCS (Del. Ch. 2010)

### “Busted Deal” Litigation

*Merisel, Inc. v. American Capital Strategies, LTD*, C.A. No. 3845-VCN (Del. Ch. 2009)

*Rohm & Haas Co. v. Dow Chemical Co.*, C.A. No. 4309-CC (Del. Ch. 2009)

### Complex Commercial Litigation

*Roseton OL LLC v. Dynegy Holdings, Inc.*, C.A. 6689-VCP (Del. Ch. 2011)

*Pfizer Inc. v. Mylan Pharmaceuticals Inc.*, C.A. No. 11-00269-LPS(D. Del. 2011)

*Collections Marketing Center, Inc. v. Apollo Enterprise Solutions, Inc.*, C.A. No. 5331-VCP (Del. Ch. 2011)

*Mitsubishi Power Systems Americas Inc. v. Babcock & Brown Infrastructure Group*, C.A. No. 4499-VCL (Del. Ch. 2010)

*Rohm & Haas Co. v. Smith*, No. 08-29229 (Pa. Ct. C.P. 2008)

*GE Funding Holdings, Inc. v. FGIC Corp.*, C.A. No. 4012-CC (Del. Ch. 2008)

*Young v. Klaassen*, C.A. No. 2770-VCL (Del. Ch. 2008)

#### Partnership, LP & LLC Disputes

*In re Alternative Strategies LLC v. O'Connell*, C.A. No. 5452-VCS (Del. Ch. 2010)

*Fleischer v. MacQaurie Invest., Inc.*, C.A. No. 5391-CC (Del. Ch. 2010)

#### Patent Litigation

*Mosaid Technologies Inc. v. International Business Machines Corporation*, C.A. No. 09-00510-GMS (D. Del. 2009)

*St. Clair Intellectual Property Consultants, Inc. v. Research In Motion Ltd.*, C.A. No. 08-371-GPS (D. Del. 2008)

*Netcraft Corporation v. AT&T Inc.*, C.A. No. 07-00651-GMS(D. Del. 2007)

#### Statutory Actions (Appraisal, Indemnification, Demand for Books and Records)

##### Appraisal of Stock

*In re Appraisal of The Aristotle Corp.*, C.A. No. 5137-VCS (Del. Ch. 2010)

*Clark v. Esurance Inc.*, C.A. No. 2393-VCN (Del. Ch. 2008)

*Cede & Co. v. Penn Engineering & Mfg. Corp.*, 2007 WL 7076659 (Del. Ch. July 17, 2007)

##### Demand for Books and Records

*Rock Solid Gelt Ltd. v. The SmartPill Corporation*, C.A. No. 7100-VCN (Del. Ch. 2012)

*Texas Torah Inc. v. Alliance Distributors Holding*, C.A. No. 5951-VCL (Del. Ch. 2011)

*Carefree LLC v. Datatresury Corp.*, C.A. No. 5543-VCN (Del. Ch. 2010)

*Seinfeld v. Verizon Commn's Inc.*, No. 624,2005 (Del. 2006)

*Niagara Corp. v. Wynnefield Partners Small Cap Value Inc.*, No. 385,2006 (Del. 2006)

#### Indemnification/Advancement

*Southpac Trust International, Inc. v. Crutcher-Tufts Resources, L.P.*, C.A. No. 4315-VCS (Del. Ch. 2010)

*Barrett v. American Country Holdings Inc.*, C.A. No. 3071-VCS (Del. Ch. 2008)

*CMN Inc. v. Colliers International Property Consultants USA, Inc.*, C.A. No. 3057-VCL (Del. Ch. 2007)

#### Stockholder Class Actions and Derivative Suits

*In re Barnes & Noble Stockholders Deriv. Litig.*, C.A. No. 4813-VCS (Del. Ch. 2011)

*Blackthorn Partners, L.P. v. John C. Malone et al.*, C.A. No. 5260-VCS (Del. Ch. 2011)

*City of Roseville Employees' Retirement System v. Horizon Lines, Inc.*, C.A. No. 08-00969-HB (D. Del. 2010)

*In re InfoUSA Inc. Shareholders Litigation*, C.A. No. 1956-CC (Del. Ch. 2008)

## Insights

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### Speaking Engagements

Moderator: “Federalism and Its Impact on Dispute Resolution” with Judge Thomas L. Ambro, U.S. Court of Appeals for the Third Circuit Judge Kent A. Jordan, U.S. Court of Appeals for the Third Circuit, Judge Cheryl Ann Krause, U.S. Court of Appeals for the Third Circuit, Judge William C. Carpenter, Jr., Delaware Superior Court, Judge Joseph M. Cosgrove, Commonwealth Court of Pennsylvania, and Vice Chancellor Joseph R. Slights III, Delaware Court of Chancery, 2017 J. Reuben Clark Law Society Annual Conference (February 17, 2017 – Philadelphia, PA).

Speaker: The Interplay of Patents and Trade Secrets: In the Wake of the American Invents Act and Supreme Court Decisions, Why Companies Should Look to Trade Secret Law, AIPLA Trade Secrets Section Annual Meeting (December 2014 – Menlo Park, CA).

## Recognition

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Named to “The Best Lawyers in America” list by *The Best Lawyers in America*© (2019-2021).

Named to *IAM Patent 1000: The World’s Leading Patent Professionals* list (2017-2020).

Recognized by *Super Lawyers* as a Rising Star (2012-2013) and a Delaware Top-Rated Business Litigation Lawyer (2016-2018).

## Clerkships

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U.S. District Court for the District of Delaware, The Honorable Kent A. Jordan, 2003 - 2004

## Memberships & Affiliations

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Delaware State Bar Association, current Chair of the Corporate Counsel Section, past Executive Committee Member

Delaware Public Integrity Commission, appointed as a Commissioner (2011-2018) by Governor Jack Markell

American Bar Association

American Intellectual Property Lawyers Association

Federal Bar Association

Richard S. Rodney Inn of Court