



Kurt L. Glitzenstein

Principal
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Overview

Kurt Glitzenstein is an experienced intellectual property litigator with a reputation for innovative strategy and impeccable preparation in complex, high-value matters.

His engineering background gives him perspective as a technological historian and informs his foundation in the ever-evolving world of technology—proficiencies he uses to help clients achieve both their litigation and business objectives.

Kurt demands—of himself and his team—meticulous preparation at every stage of a case. Such intense preparation is not only laser-focused on winning at trial and defending those wins on appeal, but also gives him extraordinary control to entertain settlement negotiations from a position of strength.

Kurt's formidable courtroom experience is best illustrated by the extremely complex, high-stakes disputes some of the world's most innovative companies entrust to him. He has won numerous cases involving novel litigation strategies throughout patent law. He has also led the appellate teams in two precedent-setting cases—one modifying patent law to make it easier to avoid infringement or argue invalidity for many thousands of overbroad patents (*Williamson v. Citrix*), and another rejecting the use of the 25% rule-of-thumb for calculating a reasonable royalty for infringement damages (*Uniloc v. Microsoft*).

Kurt's innovation extends to his approach to the business aspects of the practice, bringing unprecedented creativity and entrepreneurialism—as well as a willingness to share risk with clients—to the fee aspects of litigation engagements. Years before most law firms were thinking about alternative fee arrangements, Kurt began tailoring AFAs to meet clients' business needs. In 2009, long-time Fish client Microsoft established a fixed-fee pricing approach for patent cases that formed the basis of Microsoft's 2017 announcement that it planned to move 90% of its legal work to AFAs.

Kurt is one of the architects behind the renowned Fish teamwork approach—developing customized, seamless, scalable groups with deep fluency across technologies and venues for each case. This technique helps Fish dominate across venues—U.S. District Courts, the U.S. Court of Appeals for the Federal Circuit, the U.S. International Trade Commission, and the Patent Trial and Appeal Board.

Kurt first-chairs trials and key hearings, including *Markman* hearings, and stays on the front lines of his cases.

He has a deep understanding of myriad technologies, such as mechanical and electrical products; autonomous vehicles; industrial devices; lasers and fiber optics; robotics; computer software technologies; embedded systems; and electrotherapeutic, diagnostic, and coronary technologies.

Experience

U.S. International Trade Commission cases

Won a closely watched ITC patent infringement case—part of a massive, high-stakes global litigation—for client Carl Zeiss AG (ZEISS) and its customer ASML Netherlands BV against Nikon. The case, which resulted in excluding numerous Nikon digital cameras from the U.S., was the first big win in the series of U.S. cases. It was particularly challenging because every decision needed to align with a carefully developed global litigation strategy to ensure that no position taken would jeopardize any other international litigation. (International Trade Commission, 337-TA-1059)

Scored a major ITC victory for client Aspen Aerogels, Inc. after two overseas competitors, Guangdong Alison Hi-Tech Co. Ltd. and Nano Tech Co. Ltd., opened knockoff businesses by directly copying everything from Aspen—from products to promotional materials. The ITC issued a limited exclusion order barring the importation of Alison and Nano's aerogel composite insulation blankets into the U.S. market, protecting Aspen's innovative thermal management solutions in the \$3.2 billion energy insulation market. (International Trade Commission, 337-TA-1003)

Federal Circuit cases

Won a precedential Federal Circuit decision upholding the validity of client Aspen Aerogels' patent, which Guangdong Alison Hi-Tech Co. Ltd. (Alison) was found to infringe at the International Trade Commission (ITC). Fish initially won the ITC case which resulted in a limited exclusion order barring the importation of Alison's and Nano's knockoff aerogel composite insulation blankets into the U.S. market. (Guangdong Alison Hi-Tech Co. v. ITC (Federal Circuit, 2018-2042))

Convinced the Federal Circuit to go en banc, a rare event, to affirm changing long-standing law on setting the scope of patent claims that are defined largely or wholly by functions that an invention performs. The win makes it easier to avoid infringement or to argue invalidity for many thousands of overbroad patents, particularly in the software area. Fish represented defendants Microsoft, Adobe, and Citrix. (Federal Circuit. *Williamson v. Citrix Online LLC, et al.* (Federal Circuit, 2016-1714))

Recognitions & awards

Best Lawyers in America

Best Lawyers 2014-2025

IAM Patent 1000

IAM 2020-2025

IP Star

Managing IP 2013-2025

Go-To Intellectual Property Lawyer

Massachusetts Lawyers Weekly 2021

Client Service All-Star

BTI Consulting Group Inc. 2020

New England Trailblazer

American Lawyer (AmLaw) 2019

Litigation Trailblazer

National Law Journal (NLJ) 2018

Testimonials

Chambers and Partners 2020 quotes clients who refer to Kurt as, “... **by far the best attorney I have ever worked with,**” noting that he “**understands our business and quickly identifies reasonable positioning in cases.**”

Insights

Q&A | March 18, 2019

Q&A with Kurt Glitzenstein for *Corporate Counsel Business Journal*

News

News | May 30, 2025

Fish & Richardson Receives Top Rankings in 2025 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | October 4, 2024

Fish & Richardson Ranked Highly by *Managing IP*; Attorneys Named IP Stars

News | August 15, 2024

101 Fish Attorneys Included in the 2025 Edition of *The Best Lawyers in America*

News | June 11, 2024

Fish & Richardson Receives Top Rankings in 2024 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | October 5, 2023

Fish & Richardson Ranked Highly by *Managing IP*; Attorneys Named IP Stars

News | August 17, 2023

101 Fish Attorneys Included in the 2024 Edition of *The Best Lawyers in America*

News | July 12, 2023

Medical Device Verdict Secured by Fish & Richardson Team Ranked in the Top 25 in *ALMs* List of 2022 Northeast Top Verdicts & Settlements

News | June 27, 2023

Fish & Richardson Receives Top Rankings in 2023 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | January 30, 2023

Fish & Richardson Names Corrin Drakulich Global Head of Litigation

News | September 8, 2022

Fish & Richardson Receives Top Rankings in 2022 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | August 22, 2022

96 Fish Attorneys Included in the 2023 Edition of *The Best Lawyers in America*

News | June 2, 2022

Fish & Richardson Named a Top ITC and Life Sciences Firm by *Managing IP*; Attorneys Named IP Stars

News | May 25, 2022

Lex Machina Lists Fish & Richardson as Most Active Firm for Defendants and at the PTAB

News | March 21, 2022

Fish Tops List of Most Active Firms for Patent Defense and PTAB Petitioner Work in 2021

News | January 18, 2022

Fish & Richardson Named *Law360* 2021 IP Practice Group of the Year

News | October 21, 2021

Fish & Richardson Secures Rare Win in ITC Trade Secrets Case

News | September 27, 2021

Fish Principal Kurt Glitzenstein Named "Go-To Intellectual Property Lawyer" by *Massachusetts Lawyers Weekly*

News | August 19, 2021

Fish Attorneys Recognized in 2022 Edition of *The Best Lawyers in America*

News | July 7, 2021

Fish & Richardson Receives Top Rankings in 2021 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | April 12, 2021

Fish & Richardson Named 2021 IP Boutique Firm of the Year and ITC Firm of the Year by *Managing Intellectual Property*

Media Coverage | January 27, 2021

Litigation Leaders

The American Lawyer

News | December 14, 2020

Fish & Richardson Principals David Barkan and Kurt Glitzenstein Named 2020 Client Service All-Stars by BTI Consulting Group

News | November 30, 2020

Fish & Richardson Named *Law360* 2020 IP Practice Group of the Year

News | September 9, 2020

Fish & Richardson Clients Granted Rare Summary Determination in ITC Trade Secret Case

News | August 12, 2020

Fish & Richardson Receives Top "Gold" Ranking from *IAM Patent 1000* for National Litigation Practice; National Rankings in the Plaintiff Firm and Prosecution...

News | August 4, 2020

32 Fish & Richardson Attorneys Named 2020 "IP Stars" by *Managing Intellectual Property* Magazine

Media Coverage | January 21, 2020

Mastering the Art of Pricing in Complex Litigation

Corporate Counsel Business Journal

News | December 18, 2019

Fish & Richardson is the U.S. Patent Elite's Top Law Firm for Litigation Over the Past Decade

News | November 4, 2019

Fish & Richardson Principal Kurt Glitzenstein Named "New England Trailblazer" by *AmLaw*

News | October 30, 2019

Fish & Richardson Named Most Innovative Law Firm Operations Team of the Year

News | September 19, 2019

Fish & Richardson Named IP Litigation Powerhouse in BTI 2020 Survey of In-House Counsel

News | May 22, 2019

Fish & Richardson Announces 32 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

News | April 8, 2019

Fish & Richardson Named #1 Outside Counsel for IP Litigation In *Corporate Counsel's* "Best of 2019" Survey

Media Coverage | March 29, 2019

These Firms Crushed It At The Federal Circuit In 2018

Law360

News | January 31, 2019

Fish & Richardson Named #1 Patent Litigation Firm for Defendants in the U.S. for 2018 by *Managing Intellectual Property*

News | January 15, 2019

Fish & Richardson Named *Law360* IP Practice Group of the Year

News | October 18, 2018

Fish & Richardson Named IP Litigation Powerhouse in BTI Survey of In-House Counsel

News | August 15, 2018

47 Fish Attorneys Named to The Best Lawyers in America 2019 List

News | August 1, 2018

Fish & Richardson Principal Kurt Glitzenstein Named "Litigation Trailblazer" by *The National Law Journal*

News | May 21, 2018

Fish & Richardson Announces 39 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

News | March 30, 2018

Fish & Richardson Named No. 1 Patent Litigation Defense Firm for Past Five Years; Ranks Among Top Firms Representing Trademark Defendants

Media Coverage | July 14, 2017

Patent Cases To Watch In The 2nd Half Of 2017: Part 2

Law360

News | June 23, 2017

Fish & Richardson Announces 36 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

Media Coverage | June 5, 2017

Patently Powerful: When Complicated Tech, Facts and Law Intersect, Clients Call Fish

Metropolitan Corporate Counsel

Media Coverage | March 16, 2017

These Law Firms Dominated At The Federal Circuit In 2016

Law360

News | January 26, 2017

Fish & Richardson Named *Law360* IP Practice Group of the Year for Fifth Straight Year

News | September 15, 2016

Fish & Richardson Receives ILTA's 2016 "Innovative Project of the Year" Award

News | August 4, 2016

Fish & Richardson Named Litigation Powerhouse by *Law360*

News | June 8, 2016

Fish & Richardson Named to *NLJ*'s "2016 Intellectual Property Hot List" for Fifth Straight Year

News | June 7, 2016

Fish & Richardson Named #1 Top Patent Litigation Firm for 13th Consecutive Year by *Corporate Counsel Magazine*

News | June 2, 2016

Fish & Richardson Announces 36 Attorneys Named "IP Stars" by Managing Intellectual Property Magazine

News | March 24, 2016

Fish & Richardson Named Top Patent Litigation Defense Firm

News | March 23, 2016

Fish & Richardson Awarded "Milestone Case of the Year" at *Managing Intellectual Property*'s North America Awards 2016

Media Coverage | March 16, 2016

The Firms That Landed The Most Patent Suits Last Year

Law360

News | January 29, 2016

Fish & Richardson Named *Law360* IP Practice Group of the Year for Fourth Straight Year

Media Coverage | January 12, 2016

New Fish Litigation Leader Says AIA Has Reshaped IP Strategy

Law360

Media Coverage | April 17, 2013

Q&A With Fish & Richardson's Kurt Glitzenstein

Law360

Media Coverage | November 23, 2012

Law Firms Address New Fee Structures In-House

Boston Business Journal

Additional insights

Publications

- "A Normative and Positive Analysis of the Scope of the Doctrine of Equivalents," *Harvard Journal of Law & Technology*, 7(2) (1994)

Speaking engagements

- "MIP European Patent USA Forum" New York, New York (December 2019)
- "Arthur J. Gajarsa and Boston IP Inns of Court & Contested Matters Committee Present: Decision Makers" Boston, Massachusetts (September 2018)
- "Intellectual Property Litigation: United States and Europe," *STC Conference*, Hangzhou, China (May 2018)
- "Leadership in Transition: The Practice Group Chairs Evolving Role in Driving Revenue," *23rd Annual Marketing Partner Forum*, Orlando, Florida (January 2016)

Media mentions

- ["Four firms reveal how they meet in-house fee demands,"](#) *Managing IP* (May 13, 2021)
 - ["These Firms Landed The Most Patent Litigation Work In 2020,"](#) *Law360* (March 12, 2021)
 - ["Litigation Leaders: Fish & Richardson's Kurt Glitzenstein on Being the Busiest Patent Litigation Firm in the Land and Keeping it That Way,"](#) *The American Lawyer* (January 25, 2021)
 - ["Plaintiffs Consider Bench Trials to Combat Litigation Backlog,"](#) *Managing Intellectual Property* (January 22, 2021)
 - ["Patent Litigation Trends To Watch In 2021,"](#) *Law360* (January 3, 2021)
 - ["The Go-To Big Law Firms Behind Apple, Microsoft Patent Victories,"](#) *Bloomberg Law* (December 8, 2020)
 - ["Mastering the Art of Pricing in Complex Litigation,"](#) *Corporate Counsel Business Journal* (January 2020)
 - ["The Biggest Patent Rulings Of 2019,"](#) *Law360* (December 19, 2019)
 - ["Leading IP Firm Pioneers Data-Driven Alternative Fee Structures,"](#) *Corporate Counsel Business Journal* (March 2019)
 - ["How To Beat The Crowd When Chasing Defensive Patent Work,"](#) *Law360* (October 18, 2019)
 - ["These Firms Crushed It At The Federal Circuit in 2018,"](#) *Law360* (March 26, 2019)
 - ["The Firms That Fielded The Most Patent Cases,"](#) *Law360* (February 7, 2018)
 - ["These Law Firms Dominated At The Federal Circuit In 2016,"](#) *Law360* (March 1, 2017)
 - ["Patent Cases To Watch In The 2nd Half Of 2017: Part 2,"](#) *Law360* (July 10, 2017)
 - ["Patently Powerful,"](#) *Metropolitan Corporate Counsel* (November 2016)
 - ["The Firms That Landed The Most Patent Suits Last Year,"](#) *Law360* (March 15, 2016)
 - ["3 Reasons IP Specialists Have An Edge at Trial,"](#) *Law360* (March 14, 2016)
 - ["Fish & Richardson puts Boston Lawyer in Charge of Litigation,"](#) *Boston Business Journal* (January 12, 2016)
 - ["New Fish Litigation Group Leader Says AIA Has Reshaped IP Strategy,"](#) *Law360* (January 11, 2016)
 - ["Law firms address new fee structures in-house,"](#) *Boston Business Journal* (November 23, 2012)
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Services

Trade Secret Litigation
Patent Litigation
Litigation
Appellate
Post-Grant

Industries

Software & Internet
Medical Devices
Optics
Semiconductors

Telecommunications
Manufacturing
Transportation, Aerospace & Defense
Electrical & Computer Technology

Admissions

U.S. Patent and Trademark Office (1996)
Massachusetts (1994)
Supreme Court of the United States
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the First Circuit
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Western District of Wisconsin
U.S. District Court for the District of Colorado

Education

J.D. *magna cum laude*, Harvard Law School (1993) Executive Editor, *Harvard Journal of Law & Technology*, 1992-1993 Managing Editor, *Harvard Journal of Law & Technology*, 1991-1992
M.S., Mechanical Engineering, Controls, University of California (1990)
B.S. *Phi Beta Kappa*, *Tau Beta Pi*, Mechanical Engineering, Massachusetts Institute of Technology (1988)