





Thomas “Monty” Fusco

Of Counsel

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Overview

About Monty

Thomas S. “Monty” Fusco is of counsel in the Washington, D.C., office of Fish & Richardson P.C., where his practice focuses on Section 337 matters at the U.S. International Trade Commission (ITC). Prior to joining the firm, he worked at the ITC for 25 years, focusing for the majority of that time on Section 337 matters covering a wide variety of technologies. He held several attorney positions at the ITC, including, most recently, six years as a supervisory attorney in the office of unfair import investigations, and twelve years as an investigative attorney in the same office.

Prior to law school, Mr. Fusco was a Peace Corps volunteer in the West African country of Niger.

Focus Areas

Services

- Litigation
- ITC Litigation

Education

J.D., American University Washington College of Law (1985)

M.A., University of California, Los Angeles (1981)

B.A., University of Arizona (1977)

Insights

Publications

Mr. Fusco is a contributing author to Fish's IP Law Essentials.

"ITC Litigation: Introduction to Trade Secret Protection at the ITC," co-authored with Esha Bandyopadhyay, Elizabeth Connors, *Fish's IP Law Essentials* (February 5, 2021).

"ITC Litigation: How Discovery in the ITC is Different from Federal Court," co-authored with Joseph Dorris, Jacqueline Tio, *Fish IP Law Essentials Blog* (July 31, 2020).

"ITC Litigation: Domestic Industry Requirement," co-authored with Joseph Dorris, Jacqueline Tio, *Fish IP Law Essentials Blog* (July 13, 2020).

"ITC Litigation: The Section 337 Investigation Timeline," co-authored with Jacqueline Tio, Elizabeth Connors, *Fish IP Law Essentials Blog* (July 8, 2020).

"ITC Litigation: The Rise in Popularity of Section 337," co-authored with Joseph Dorris, Jacqueline Tio, *Fish IP Law Essentials Blog* (May 26, 2020).

"Sufficiency of ITC Complaint Established By Commission Institution," *Fish Litigation Blog* (January 2019)

"ITC Proposes New Rule Authorizing Multiple Investigations from One Complaint," *Fish Litigation Blog* (October 2015)

"ITC Proposes New Rules Governing Section 337 Investigations" *Fish Litigation Blog* (October 2015)

"Final determination in *Laminated Packaging*," *Fish Litigation Blog* (October 2013)

"ITC pilot program announced," *Fish Litigation Blog* (June 2013)

Speaking Engagements

“Recent Developments in Patent Litigation” (panel member), IP Enforcement and Litigation 2012, Practising Law Institute, New York, NY (March 2012)

“The ITC Pre-Hearing Process” (panel member), ITC Litigation & Enforcement, American Conference Institute, Washington, DC (February 2012)

“Section 337 Developments at the USITC: Recent Developments,” IP Enforcement and Litigation 2011, Practising Law Institute, New York, NY (March 2011)

“Enforcing Intellectual Property at the U.S. International Trade Commission” (panel member), Webinar, American Bar Association (May 2009)

“Role of OUII in Section 337 Proceedings,” BIO International Convention, San Diego, CA (June 2008)

“Working with the Staff in Section 337 Investigations,” Linn Inn of Court, Chicago, IL (October 2007)

“Intellectual Property Matters and the USITC” (panel member), Rutgers University School of Law, New Brunswick, NJ (October 2007)

“Enforcement of Intellectual Property Rights,” Law Seminars International, San Francisco, CA (June 2007)

“Border Protection of Intellectual Property Rights by Customs and USITC” (panel member), New York State Bar Association, Intellectual Property Law Section, Bolton Landing, NY (October 2005)

“Patent Litigation at the USITC,” Pittsburgh Intellectual Property Law Association, Pittsburgh, PA (February 2004)

“Patent Litigation” (panel member), Pennsylvania Bar Institute, Pittsburgh and Philadelphia, PA (October 2002)

Memberships & Affiliations

ITC Trial Lawyers Association