



## *Timothy D. Syrett*

**PARTNER**

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BOSTON

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Tim Syrett is an intellectual property and antitrust litigator. Mr. Syrett has particular experience with disputes at the intersection of antitrust and intellectual property law. He has litigated through trial a variety of issues relating to standard-essential patents, including antitrust and contract claims, the determination of FRAND royalties, patent exhaustion and license defenses, as well as defenses to infringement arising from standard-setting participation. Mr. Syrett also has extensive experience litigating damages issues in patent infringement cases involving a variety of technologies and products, such as cellular communications, microprocessors, content delivery networks and electricity meters. He has represented clients before federal and state courts, the International Trade Commission and the Federal Trade Commission.

In addition to his litigation practice, Mr. Syrett counsels clients on intellectual property and antitrust issues, including regarding licensing, participation in standard-setting organizations, patent assertion entities and patent pools.

Mr. Syrett is also a frequent speaker and author on standard setting and FRAND issues.

## *Community Involvement*

Mr. Syrett is a member of the Board of Directors of Boston Scores, a nonprofit that provides an after-school program integrating soccer, creative writing and community service.

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## *Solutions*

Antitrust and Competition  
Intellectual Property Litigation  
Trials

Antitrust Litigation  
Intersection of Antitrust and IP

Commercial Litigation  
Litigation

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## Experience

- Successfully defended a leading consumer electronics company at trial in the Eastern District of Texas. The plaintiff, a non-practicing entity, initially accused our client of infringing 14 patents alleged to be essential to cellular standards. At trial, the jury found each of the five remaining patents not infringed. The judge also refused to instruct the jury on the plaintiff's contract claim alleging that our client was obligated to license the asserted patents because they were subject to FRAND commitments.
- Represented a leading consumer electronics company in a dispute that spanned the Northern District of California, the International Trade Commission, and several foreign jurisdictions and involved claimed-essential cellular patents. The issues litigated through multiple trials included antitrust and contract claims as well as defenses to infringement arising from participation of the patent-holder at ETSI.
- Member of trial team in a multiple patent ITC action on behalf of three Fortune 500 technology companies. The ITC found in favor of our clients, terminating the investigation with a finding of no violation that was later affirmed by the Federal Circuit on appeal.
- Represented a leading manufacturer of semiconductor chips in Federal Trade Commission Part 3 litigation, where the FTC alleged unlawful monopolization of markets for computer microprocessors and graphics processing.
- Asserted antitrust and breach of contract claims in the Northern District of Texas on behalf of a handset vendor arising out of a competitor's refusal to license patents declared essential to ETSI and IEEE on FRAND or RAND terms.
- Member of trial team defending a software company in a four-month antitrust trial in state court on claims of overcharging consumers through monopolization.
- Represented pretrial detainee in a bench trial of a Section 1983 suit in the District of Massachusetts challenging pretrial segregated confinement for lack of due process.

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## Recognition

- Named a 2021–2022 “Massachusetts *Super Lawyer*” and 2013–2015 “Massachusetts *Super Lawyers*’ ‘Rising Star’” in the area of intellectual property litigation.
- Recognized in the 2017–2019 editions of *Chambers USA: America's Leading Lawyers for Business* for his Massachusetts antitrust practice, with clients noting that he is “extremely intelligent, proactive and very client-oriented.”
- Recommended in the 2016–2018 editions of *The Legal 500 United States* for his antitrust litigation practice.
- Named to the Lawdragon 500 Leading Litigators in America list.

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## Credentials

### EDUCATION

JD, Harvard Law School, 2004

*cum laude*

BA, English, Wesleyan  
University, 1999

*Phi Beta Kappa*

### ADMISSIONS

Massachusetts

New York

US Court of Appeals for the  
Federal Circuit

US Court of Appeals for the  
First Circuit

US District Court for the  
District of Massachusetts

US District Court for the  
Eastern District of Michigan

### CLERKSHIPS

The Hon. Nicholas Garaufis,  
US District Court for the  
Eastern District of New York,  
2004 - 2005