

# Steven H. Reisberg



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Willkie Farr & Gallagher LLP  
Partner

Steven H. Reisberg is a partner in the Litigation and Intellectual Property Departments of Willkie Farr & Gallagher LLP in New York. Mr. Reisberg's practice is in the areas of commercial litigation, international arbitration, and intellectual property litigation. He has represented clients in a wide range of commercial litigation matters before U.S. federal and state courts and before domestic and international arbitration tribunals.

## **Selected Professional and Business Activities**

Mr. Reisberg is a member of the American Bar Association, the International Bar Association, the Association of the Bar of the City of New York, and the New York Intellectual Property Law Association.

Mr. Reisberg serves on the International Commercial Dispute Resolution Committee of the Association of the Bar of the City of New York, is a member of the North American User's Council of the London Court of International Arbitration, and a member of the International Arbitration Club of New York.

Mr. Reisberg is a member of the panel of arbitrators of the American Arbitration Association and a Fellow of the Chartered Institute of Arbitrators (U.K.).

## **Prior Experience**

Mr. Reisberg served as Law Clerk to Hon. Edward Weinfeld, U.S. District Court, Southern District of New York (1981-82).

## **Selected Significant Matters**

- Counsel to Koninklijke Philips Electronics N.V. and U.S. Philips Corporation in the assertion of and the defense against claims for patent infringement involving several patents related to automatic external defibrillators.
- Counsel to Unilin Beeher B.V. in numerous actions asserting claims for patent infringement and in defending against claims for patent infringement relating to several patents related to mechanical locking floor panels, including proceedings in federal courts in Florida, Delaware, Washington D.C., Georgia, Wisconsin and before the International Trade Commission.
- Counsel to Space/Systems Loral, Inc. in AAA and ICC arbitrations involving contract disputes concerning the construction and operation of communication satellites.
- Counsel to Europ@Web B.V. in an action with respect to termination of a proposed acquisition.
- Counsel to Altos Hornos de Mexico, S.A. in actions to dismiss litigation in the U.S. on the basis of international comity.
- Counsel to Chanel, Inc. in an international arbitration involving disputes under a joint venture agreement.
- Counsel to companies such as Carters, Inc., Putman Investments, Inc. and RenaissanceRe Holdings Ltd. in connection with internal investigations relating to accounting and financial reporting practices and SEC or DOJ investigations.
- Counsel to companies in class actions and derivative suits asserting claims under the U.S. securities laws, RICO and breach of fiduciary duty. See, e.g. *Rolo v. City Investing Co. Liquidating Trust*, 155 F.3d 644 (3d Cir. 1998); *Silverman v. Schwartz*, 248. A.D.2d 332 (1st Dept. 1998).
- Counsel to debtors and creditors in connection with adversary proceedings.

### **Selected Publications and Lectures**

- "Objections to the Jurisdiction of the Arbitration Tribunal Under the U.S. Federal Arbitration Act: How To Preserve the Right To Judicial Review," 13 *International Arbitration Law Review* (Issue 4) 148 (2010).
- "First Department Decision Raises Drafting Issue for Arbitration Clauses," *New York Law Journal* (August 24, 2010).
- "The Rules Governing Who Decides Jurisdictional Issues -- *FirstOptions v. Kaplan* Revisited, 20 *American Review of International Arbitration* 159 (2010).
- "An Introduction to Key Issues and Considerations Related to International Arbitration," chapter published in *Best Practices for International Alternative Dispute Resolutions* (Aspatore Books 2007).
- "CPLR 7502(C) Changes Provide Preliminary Arbitration Remedies," *New York Law Journal* (May 2, 2006).
- "The Scope of Arbitration Clauses: Do They Also Bind Individual Directors, Officers and Employees?" *Metropolitan Corporate Counsel*, (September 2003).

- "A Practical Guide To Purchase Price Adjustment Disputes," New York Law Journal (October 27, 1999).

## Additional Information

### Trial Experience

- Counsel to Barr Pharmaceuticals, Inc. as the defendant in a patent infringement action challenging the validity of pharmaceutical patent. (Bench Trial held Jan. 26 to Feb. 11, 2010) *See Mitsubishi Chemical Corp. v. Barr Laboratories, Inc.*, 07 Civ. 11614 (S.D.N.Y. ).
- Counsel to U.S. Philips Corp. as the plaintiff alleging infringement of a patent concerning high pressure mercury vapor discharge lamps. *See U.S. Philips Corp. v. Iwasaki Electric Co.*, 505 F.3d 1371 (Fed. Cir. 2007); *U.S. Philips Corp. v. Iwasaki Electric Co.*, 607 F. Supp.2d 470 (S.D.N.Y. 2009) (Jury Trial). Judgment entered for \$61 million.
- Counsel to Unilin Beeher B.V. as the Complainant in proceedings before the International Trade Commission (ITC) under Section 337 alleging infringement of three patents related to mechanical locking laminated floor panels. General Exclusion Order prohibiting importation into the United States of any products which infringed any one of several claims of three patents affirmed on appeal. *See Yingbin-Nature (Guangdong) Wood Industry Co., Ltd v. ITC and Unilin Beheer B.V.*, 535 F.3d 1322 (Fed. Cir. 2008).
- Counsel to Loral Space & Communication, Ltd. seeking termination of a joint venture in an ICC arbitration held in Geneva. Arbitration award issued terminating the joint venture (2002).
- Counsel to Starwood Corp. in an AAA arbitration held in New York concerning contract dispute (1999).
- Counsel to Thomas W. Zaucha in successfully obtaining confirmation of the election of a new Board of Directors following contested proxy contest, resulting in a change of control and rejecting claims of violation of the federal securities law and Delaware state law claims. (Bench trial before Delaware Chancery Court). Judgment affirmed on appeal. *See Brody v. Zaucha*, 697 A.2d 749 (Del. 1997).
- Counsel to PMI Investments, Inc. seeking recovery of \$30 million from guarantor and involving issues under intercreditor agreement. (Bench Trial) Judgment entered for \$30 million. *See PMI Investment, Inc. v. Rose and Financial Security Assurance Inc.*, 167 B.R. 261 (Bankr. S.D. Fla. 1994), *aff'd* No. 95-4680 (11th Cir. May 21, 1996).