

DETROIT

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Services

Intellectual Property

Trade Secrets and Non-Competes

Copyrights

Intellectual Property Litigation

Trademarks and Brands

Litigation and Dispute Resolution

Commercial and Corporate Litigation

Professional Liability and Malpractice Litigation

Industries

Advertising and Marketing

Aerospace and Defense

Automotive

Manufacturing

Next Generation Vehicles and Mobility

Education

Wayne State University Law School, J.D., 1992

Albion College, B.A., 1989

Bar Admissions

Michigan

Court Admissions

U.S. Supreme Court

U.S. Court of Appeal

- Third Circuit
- Sixth Circuit
- Federal Circuit



A. Michael Palizzi

Chief Executive Officer
Principal

A. Michael Palizzi currently serves as Miller Canfield's Chief Executive Officer. In this role, he oversees the firm's 20 offices in six countries.

Prior to becoming CEO, Mike served as co-leader of the firm's nationally recognized Litigation and Dispute Resolution and Intellectual Property Groups, overseeing a large and active team of dedicated attorneys and staff. He also served for three years on the firm's Board of Managing Directors.

Mike is a nationally recognized trial lawyer and business counselor who has specialized in complex commercial litigation, intellectual property counseling and litigation, and commercial contract disputes for over 30 years. Outside the courtroom, he serves as chief outside counsel for several local and international companies, assisting them in a wide variety of legal and business matters, from litigating disputes to establishing best practices to negotiating commercial contracts.

Mike handles complex commercial and IP disputes around the country, and among his numerous victories is the largest judgment in a commercial lawsuit in Michigan – a \$300 million dollar jury verdict. He has handled cases before several U.S. District Courts, U.S. Courts of Appeal, Michigan Circuit Courts and the Michigan Court of Appeals. He also has litigated matters before the United States Patent and Trademark Office Trademark Trial and Appeal Board, the American Arbitration Association, the New York Stock Exchange, and the National Association of Securities Dealers.

He has litigated patent and trademark infringement, counterfeiting, false advertising, unfair competition, non-compete, and trade secret misappropriation disputes. He also counsels clients on various intellectual property matters, including

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U.S. District Court

- Eastern District of Michigan
- Western District of Michigan

trademark procurement and protection, advertising, licensing, brand management, trade secret protection, and the implementation of anti-counterfeiting measures. Michael also regularly represents OEM and "Tier" automotive and aerospace suppliers, with considerable experience negotiating supplier contracts and litigating issues arising out of such contracts.

Mike has received *The Best Lawyers in America's* "Lawyer of the Year" award for Intellectual Property Litigation and has been consistently recognized by Benchmark Litigation, Michigan Super Lawyers, *dBusiness* Top Lawyers, Leading Lawyers, and Managing Intellectual Property IP Stars. He also is a Fellow of the Litigation Counsel of America and the Michigan State Bar Foundation.

Representative Matters

Media and Marketing Services Company Antitrust Action

Trial counsel for Valassis Communications, Inc. in its legal battle with News America, Inc., a part of Rupert Murdoch's News Corporation. Obtained \$300 million jury verdict after an eight-week trial in July 2009, the eighth-largest jury verdict in the United States in 2009. As part of a comprehensive settlement – reached three days before the parties were scheduled to begin a second jury trial in Federal Court in Detroit – News America agreed to pay Valassis \$500 million and enter into a 10-year shared mail distribution agreement with Valassis. *Valassis Communications, Inc. v News America Inc.*, Case No. 07-706645 (Wayne County Circuit Court 2007); *Valassis Communications, Inc. v News America Inc.*, Case No. 2:06-cv-10240 (Eastern District of Michigan 2006); *Valassis Communications, Inc. v News America Inc.*, Case No. BC367743, (Los Angeles County Superior Court, California 2007).

Multi-Jurisdictional Trade Secret Dispute

Lead counsel for publicly traded company and related entities and individuals in a multi-jurisdictional dispute between competitors in the world of high-end collector automobile auctions, private sales, and financing. The dispute spanned five separate lawsuits pending in three different courts in two states. The parties asserted a variety of claims against each other, including misappropriation of trade secrets, breach of contract, breach of fiduciary duty, aiding and abetting breaches of fiduciary duty, unfair competition, violation of the Delaware Uniform Deceptive Trade Practices Act, violation of the Michigan Consumer Protection Act, violation of the Indiana Deceptive Consumer Sales Act, tortious interference, civil conspiracy, and fraudulent inducement. The cases settled on confidential terms.

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Counterfeit Medical Product Lawsuit

Secured the dismissal of a years-long \$100 million federal lawsuit against a Dutch medical supply company that was falsely accused of selling diabetic test strips that had been repackaged in counterfeit U.S. packaging.

Multi-Million Dollar Fiduciary Duty and Conspiracy Case

Lead counsel for global manufacturer of optical systems and optoelectronics in a multi-faceted lawsuit in Delaware Chancery Court. Co-investors in a tech startup that is developing an artificial retina asserted 13 different claims against nine different defendants, including companies domiciled in Hungary, the United Kingdom, Germany, and Israel. Successfully argued motion to dismiss, which resulted in a complete dismissal of all the claims that had been asserted against our client.

Multi-Million Dollar Trademark and False Advertising Pillow Fight

Lead counsel for pillow manufacturer accused in two federal lawsuits of infringing trademarks owned by My Pillow, Inc., the company made famous by its television infomercials. Obtained dismissal of My Pillow's false advertising claims and asserted counterclaims of false advertising and unfair competition based on My Pillow's advertising statements about the medical benefits of its pillows and its reliance on a purported sleep study. Cases settled on confidential terms and resulted in a permanent injunction enjoining My Pillow from making various medical claims in its advertising.

Patent Infringement Litigation

Defended a global optoelectronics manufacturer of low- and high-power LEDs in a contentious patent infringement lawsuit. After a weeklong trial, the jury returned a verdict that the asserted claims in the patents were invalid due to obviousness.

Warranty Dispute Summary Judgment

Lead counsel for multinational tier one automotive supplier in a \$50 million warranty dispute alleging defective manufacture and design of turbochargers. Obtained summary dismissal of claims. Judgment affirmed on appeal to Third Circuit Court of Appeal.

Breach of Contract Automotive Appeal

Lead counsel for tier automotive supplier in federal case alleging breach of contract and fraud in connection with a prior settlement agreement. Obtained summary dismissal of all claims prior to discovery. Currently handling appeal pending in Sixth Circuit Court of Appeals.

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Commercial Supply Litigation

Successfully represented numerous tier one and tier two automotive suppliers in dozens of commercial supply disputes in various courts and arbitration forums around the country. Claims have included breach of warranty, defective design, pricing disputes, misappropriation of trade secrets, intellectual property disputes, and "stop ship" situations.

International Automotive Supply Counsel

Serves as chief outside counsel for a number of international automotive supply companies, assisting them in a wide variety of legal and business matters.

Law Firm Professional Malpractice Defense

Represented an AmLaw 200 firm in the successful resolution of a legal malpractice action related to a patent infringement lawsuit.

Commercial Jetliner Manufacturer Trademark Case

Helped Boeing enforce its trademark rights against an adult entertainment company that was using Boeing's trademark. *The Boeing Company v Top Flight Entertainment, Ltd, et al.* (Eastern District of Michigan Case No. 98-722262).

Global Beverage Manufacturer Trademark and Counterfeiting Investigation

Helped the owner of one of the best-known and valuable trademarks in the world investigate and bring federal criminal charges and civil litigation against a counterfeiting ring. *The Coca-Cola Company v Cecil D. St. Pierre, et al.* (Eastern District of Michigan case no 08-14338).

Stop-Shipment Litigation

Represented numerous OEM and tier automotive suppliers in stop-shipment lawsuits.

Automotive Supplier Warranty Litigation

Successfully represented a multinational automotive supplier in a \$50 million warranty dispute.

Unfair Competition and IP Infringement Action

Lead counsel for Encompass Pet Group, LLC in a case alleging that defendants engaged in unfair competition and infringement of Encompass's intellectual property related to its highly successful SNUGGLE PUPPY® pet toy.

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Honors

Chambers USA, Intellectual Property, 2024–present

Litigation Counsel of America, Senior Fellow

Michigan State Bar Foundation, Fellow

Michigan Lawyers Weekly, Go-To Lawyers for Intellectual Property, 2022

State Bar of Michigan Pro Bono Honor Roll, 2020

Best Lawyers in America, Commercial Litigation & Intellectual Property Litigation, 2013-present; Bet-the-Company Litigation, 2026; Detroit Intellectual Property Litigation Lawyer of the Year, 2013, 2019, 2023 & 2025

Leading Lawyers, 2014–present – Commercial Litigation, Copyright & Trademark Law, Intellectual Property Law

Managing Intellectual Property IP Stars, 2015–present

DBusiness Top Lawyers, 2012-present:

Commercial Litigation

Intellectual Property Litigation

Intellectual Property Law

Benchmark Litigation, Guide to America's Leading Litigation Firms and Attorneys, 2010–present

Michigan Super Lawyers, Business Litigation, 2009–present

Professional Activities

Detroit Chamber of Commerce, Board Member

The Right Place, Inc., Board Member

Federal Bar Association, Co-Chair of Complex Litigation Committee

American Bar Association, Intellectual Property Litigation Committee

State Bar of Michigan

Oakland County Bar Association

Oakland County Bar Foundation, Fellow

Detroit Metropolitan Bar Association

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Speeches

- "Advanced Trial Training Program: Best Practices for Pretrial Dispositive and Discovery Motions," Moderator, Federal Bar Association Eastern District of Michigan Chapter, July 10, 2024
- "The Best Presentation in The World: The Law of False Advertising," State Bar of Michigan Intellectual Property Section/ICLE spring seminar, March 7, 2024
- "Anatomy Of a Trial, a Full Day Trial Skills Seminar," Federal Bar Association, Panelist and Moderator, Theodore Levin U.S. Courthouse, Detroit, Michigan, October 2022
- "Understanding Automotive Supply Contracts – Best Practices and Common Issues Under the Uniform Commercial Code," private seminar sponsored by Miller Canfield, Detroit, Michigan, September 2022
- "Multi-District Ligation – Best Practices Seminar," Federal Bar Association, Moderator of Judicial Panel, Remote Presentation, August 2021
- "Navigating Copyright, Trademark, and False Advertising Law – What Creatives Should Know," CultureSource member association, Detroit, Michigan, October 2019
- "Protecting Your Competitive Edge: Intellectual Property 101," Public Relations Society of America – Detroit Chapter, December 2019
- "Trademark and Advertising Best Practices," private seminar sponsored by Miller Canfield, Troy, Michigan, January 2018
- "Creative Alternatives to Full Trial and Best Practices for Complex Litigation," Federal Bar Association, Moderator of Judicial Panel, Theodore Levin U.S. Courthouse, Detroit, Michigan, December 2017
- "Dealing With the Uncivil Lawyer," Federal Bar Association, Moderator of Judicial Panel, Theodore Levin U.S. Courthouse, Detroit, Michigan, June 2016
- "Federal Litigation Best Practices Judicial Panel," Federal Bar Association, Moderator, Theodore Levin U.S. Courthouse, Detroit, Michigan, January 2015
- "Selecting and Protecting Your Brand and Trademarks," Miller Canfield Cappuccino with Counsel Series, August 26, 2014
- "An Intoxicating Legal Update for Licensed Beverage Manufacturers," Miller Canfield, November 2013
- "Creating an Effective Trial Presentation in Complex Cases," Federal Bar Association, Theodore Levin U.S. Courthouse, Detroit, Michigan, November 2013
- "Best Practices for Pretrial Proceedings in a Complex Case," Federal Bar Association, Moderator of Judicial Panel, Theodore Levin U.S. Courthouse, Detroit, Michigan, November 2012
- "Settling a Complex Case," Federal Bar Association, Theodore Levin U.S. Courthouse, Detroit, Michigan, March 2012

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"Tech Talk," Birmingham Bloomfield Chamber, Investepreneur Forum, Birmingham, Michigan, November 2010

"Branding Your Company and Its Products," Miller Canfield Cappuccino with Counsel Series, June 2010

Guest speaker on "Due Process," an award-winning television program aired throughout Southeastern Michigan on NBC affiliate, WDIV. Segment topic: "Securities Fraud," January 2004; March 2008

"Optimize Your Litigation Position (Risk Assessment, Third-Party Relations, and ADR)" sponsored by Miller Canfield, Troy, Michigan, April 1998

Publications

"How Gunn v Minton Will Impact Patent Malpractice Cases" (co-author with Jeffrey Drake), Law360, February 22, 2013

"The Confusion Continues over Key Word Confusion" (co-author with Michael C. Simoni), American Bar Association, Intellectual Property Law Section, Landslide, September/October 2012

"Government Acts to Curb Knockoffs and Counterfeits," Hot Points, Fall 2005

"The Current (and Confusing) State of the Doctrine of Initial Interest Confusion," American Bar Association Intellectual Property Litigation Journal, Spring, 2004

Niesig v Team I, Interpreting ex parte Communication with Corporate Employees," 38 Wayne Law Review 327, Fall, 1991

Articles

New Michigan Supreme Court Ruling: A Must-Read for All Automotive and Manufacturing Companies

Supreme Court Rules Against Andy Warhol Foundation in Question About Fair Use

Sixth Circuit Rejects False Advertising Claim by a Business that Buys a Good or Service

Supreme Court Adds New Wrinkle to Patent Inter Partes Review Proceedings, But Actual Impact Remains Unclear

IP Litigation Quarterly Update: Q3 2020

IP Litigation Quarterly Update

IP Litigation Quarterly Update

Protecting Your Brand: 3 Resolutions for the New Year

Supreme Court Remains Focused on Intellectual Property, Adds Two Trademark Cases For Next Term

BREAKING: High Court Limits Where Patent Suits Can Be Filed

Michigan Supreme Court Makes Commercial Non-Compete Agreements Easier to Enforce

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Congress Finally Agrees: Passes Federal Trade Secrets Act

The Confusion Continues over Key Word Confusion