

# Michael H. Bunis

PARTNER

617-248-4030 mbunis@choate.com

Michael Bunis helps biotech, pharmaceutical, and other life sciences and technology clients to grow and protect their core competitive advantage, their intellectual property assets. With over 30 years of experience, he has successfully tried cases before juries and judges throughout the United States, where he is a go-to resource for a range of high stakes disputes including patent litigation, trade secret, commercial litigation, and other intellectual property disputes. His success in advising clients on defending or enforcing intellectual property rights is largely attributable to the way he approaches every engagement – beginning with a clear understanding of a client's business goal. Michael then develops a critical "play book" for clients when they're navigating the early stages of litigation, which helps to lay the groundwork for success through a more focused strategy heading into trial.

Clients also appreciate how Michael combines his trial experience with practical skills developed in part from his prior roles in industry. From 1999 to 2003, Michael served as Global General Manager for the Internet media company Terra Lycos. In that role, Michael led an international shared services organization focused on the development of platform services supporting billions of dollars of advertising revenue.

Michael's clients have included Alnylam, HP Enterprises, New England BioLabs, and Azenta Life Sciences.

## Focus Areas

- Intellectual Property
  - IP Litigation
  - Post Grant Proceedings
- Litigation and Investigations

## Recognition

- *Chambers USA* (2024-2026)
- *The Legal 500* (2013-2022)
- *Best Lawyers in America* (2016-2026)
- A World's Leading Patent Practitioner by *IAM Patent 1000* (2018-2026)
- *Lexology Client Choice*: Recognizing excellence in client service (2022)
- "National Practice Area Star" and "Litigation Star" by *Benchmark Litigation*
- *Massachusetts Super Lawyer*
- *BTI* Client Service All-Star
- "Patent Star" by *Managing Intellectual Property* (2022-2026)

## Representative Engagements

- Represented **Watchmaker Genomics, Inc.** in obtaining a recommendation by U.S. Magistrate Judge

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Kathryn Starnells for a full dismissal of a patent infringement complaint filed against the company by biomodal Limited and Children's Medical Center Corporation in the U.S. District Court for the District of Colorado.

- Represented Defendant **New England Biolabs** in patent infringement lawsuit alleging infringement of 8 patents directed to DNA methylation. Successfully defeated patent holders attempt to obtain a preliminary injunction blocking the sale of accused products. Won Motion to Dismiss based on 35 USC Section 101 dismissing several patents from the litigation.
- ***Adimab, LLC v. LinkedUp Bioscience, Inc. and Tao Wang, No., Mass. Super. Ct*:** Counsel to Adimab in trade secret misappropriation and breach of contract dispute brought against LinkedUp related to highly engineered yeast strains, and technologies for cultivating and utilizing those strains to express and screen antibodies that bind to target antigens.
- ***Hewlett-Packard Company v. Oracle Corporation, SCC Superior Court*:** Member of the trial team for **Hewlett-Packard Company** in jury trial in Santa Clara County Superior Court. Litigation related to Oracle's unilateral decision to stop porting its software to HP's Itanium mission critical server platform in violation of an agreement between the companies. After a five week trial, jury returned a verdict in favor of Hewlett-Packard – awarding $3 billion in HP's favor and rejecting Oracle's counterclaim entirely.
- Counsel for **Progenics Pharmaceuticals, Inc.** in a PGR proceeding challenging a patent directed to compounds for preparing 18F-radiolabeled Prostate-Specific Membrane Antigen (PSMA)-targeting conjugates.
- ***EMC Corporation v. Pure Storage, Inc., D Mass*:** Representation of **EMC** in several cases relating to former key employees who left company to found commercial rival using stolen trade secrets. EMC has already obtained preliminary injunction in two of the cases. In addition, three arbitration matters are pending versus former employees for violations pertaining to key employee contract violations.
- Lead counsel for publicly traded **pharmaceutical company** in dispute related to ownership of intellectual property directed to Prostate Specific Membrane Antigen.
- ***Hewlett-Packard Company v. Rhode Island Department of Motor Vehicles, RI*:** Lead counsel for **Hewlett Packard Enterprise** in a dispute related to the implementation of a complex computer network system controlling the Department of Motor Vehicles for the State of Rhode Island.
- Representation of major **pharmaceutical company** in a dispute relating to milestone payments.
- ***NeuroLogica v. Mobius Imaging LLC, Mass Superior Court*:** Representation of NeuroLogica, a mobile CT manufacturer in trade secret action related to computed tomography, the design and configuration of detector arrays, scintillator crystals, and data acquisition systems.
- ***Stat Medical Devices Inc. v. Facet Technologies, LLC, et al., D Del*:** Representation of **Facet Technologies, LLC**, a manufacturer and seller of reusable lancet medical devices designed for testing blood glucose levels in patent infringement action.
- Represented **Respondent Japanese manufacturer** of probe cards in United States International Trade Commission Section 337 Investigation. Trial victory on behalf of client.
  *In the Matter of Certain Probe Card Assemblies, Components Thereof and Certain Tested DRAM and NAND Flash Memory Devices, Investigation No. 337 – TA – 621*
- ***iRobot Corporation v. Robotic FX, Inc., D Mass*:** Representation of **iRobot**, a publicly traded provider of tactical military robots, in trade secret and patent infringement suit against industry competitor. As a consequence of the litigation, iRobot was awarded $300 million contract with the United States Military for supply of tactical robots to soldiers in Iraq and Afghanistan.

## Publications and Presentations

- *"Patent or Trade Secret? Choosing the Right Strategy for Protecting Innovation,"* moderator, World IP Review Trade Secrets East New York, October 2026
- "Keeping Litigation and Prosecution Aligned," moderator, Consero IP Forum for Life Sciences, December 2023

- "Fortifying the Vault: Strategies for Mitigating Trade Secret Theft, " moderator, Consero IP Life Sciences Executive Roundtable, March 2022
- "Section 112 Enablement: What to Watch Out For," moderator, BIO IP Counsels Committee Webinar, September 2021
- "Patents," speaker, 19th Annual BBA Intellectual Property Year in Review, January 2019
- "On-Sale Bar Questions Leading Up To Helsinn At High Court," co-author, *Law360*
- "Could Your Cure Walk Out the Door?," co-author, *Corporate Counsel*
- "Halo V. Pulse: The Willfullness Debate Rages On," co-author, *IP Law360*
- "Peregrine Puts Hired-to-Invent Issues in Spotlight," co-author, *IP Law360*
- "Searching for 'Reasonable Particularity,'" co-author, *Intellectual Property Magazine*
- "Lawyers Weigh in on High Court's Patent Rulings," quoted, *IP Law360*
- "You Need to Work Harder to Fight Trade Secret Theft," co-author, *IP Law360*
- "Trade Secrecy: Massachusetts Update," speaker, 16th Annual New England Intellectual Property Law Conference
- "Q&A With Choate's Michael Bunis," featured, *IP Law360*

## Professional & Community Involvement

- Board Member, Brookline Center for Community Mental Health
- Member, Federal Circuit Bar Association
- Former co-chair, Boston Patent Law Association Trade Secret Committee
- Former co-chair, Intellectual Property Section of the Boston Bar Association
- Former Adjunct Faculty, Boston University School of Law
- Lecturer, Gordon Engineering Leadership Program at Northeastern University
- Former Member, Choate Executive Committee

## Education & Credentials

- Boston University School of Law, JD (1994) *magna cum laude*
- University of Vermont, BA (1989)

## Admissions

- Massachusetts
- New York
- U.S. Courts of Appeals, First & Federal Circuits

## Clerkships

- Honorable Nancy Gertner, U.S. District Court for the District of Massachusetts