



## Lee Carl Bromberg

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Intellectual Property | IP Litigation | Life Sciences | Healthcare | Design, Fashion & Luxury | Trademarks & Copyrights

“A great reputation in the market for advising life sciences and hi-tech companies on high-value and complex IP litigation proceedings.”  
—Chambers USA

Lee Carl Bromberg is a trial and appellate attorney concentrating in intellectual property and information technology. He has successfully handled many patent infringement actions, as well as trademark, copyright, trade secret, and unfair competition cases in high technology areas.

Lee has tried cases in courts throughout the United States and has had extensive experience presenting complex technical and scientific subject matter to courts and to juries. He has built a strong record of wins for his clients in pharmaceuticals, medical devices, life sciences, power systems, software, and electronics. In many cases, he has upheld his trial victory in the appeals court.

Lee has been named a World's Leading Patent Litigator by *IAM Patent Litigation 250*, and has been listed in Band 1 of *Chambers USA* from 2007–2020. *Chambers* notes, “seasoned litigator Lee Bromberg has ‘a strong reputation’ in the Boston IP community, handling patent, trademark and trade dress disputes for clients in a wide range of industries.” Peers say he “is very experienced, and uses that experience to his advantage.” Additional *Chambers USA* sources describe Lee as “one of the best and brightest in Boston – and he has been for years.” Peers also add: “He is a great lawyer and a first-class guy.” He has had signal success in recent years litigating in the trademark arena, in particular regarding the eligibility of color marks for registration.

He is listed among The World's Leading Trademark Professionals 2014–2021 by *World Trademark Review*. He has been named among the top 100 lawyers in Massachusetts, listed in *The Best Lawyers in America* for intellectual property and patent litigation since 2006, and named in *Massachusetts Super Lawyers* in the field of intellectual property through 2018. He has also been named the *Best Lawyers* 2016, 2017 and 2021 Boston “Lawyer of the Year” for Litigation–Intellectual Property. He has received one of the highest peer review ratings from Martindale Hubbell, based on a survey of other lawyers and judges.

His patent infringement practice on behalf of numerous national companies has involved a wide array of technologies, including pharmaceuticals, biotechnology, recombinant DNA, immunochemistry, high speed chromatography, electrochemical biosensors, polymer plastics, intravenous valves and equipment, surgical techniques, diagnostic devices, voice recognition software, CAD/CAM software, web site operating software, telephone circuitry and call-routing systems, image processing systems, electric motors, circuits, motor drives, electronic appliances and devices, mechanical compression packing, and road marking devices. Lee has served as a court-appointed discovery master in patent litigation. He has also testified as an expert witness on patent litigation and on trademark law and practice. He led the Task Force that obtained implementation

of local patent rules in the Massachusetts federal court.

Lee has represented nationally known companies in trademark and trade dress cases and has assisted a number of clients in copyright and trade secret misappropriation disputes. Lee's practice also includes client counseling, negotiation and alternative dispute resolution in intellectual property matters and complex commercial matters.

Lee has previously served as a Special Assistant Attorney General to the Massachusetts Attorney General on civil rights cases in the courts. He has also previously served as Clinical Associate Professor of Law at Boston University School of Law.

Lee has been a trustee of Massachusetts Continuing Legal Education, Inc., former president of the Boston Patent Law Association, board member of the Ford Hall Forum, vice president of the Board of Boston Baroque, and former president and Board Member of All Newton Music School, Inc. He has held leadership positions in national, regional, and specialty bar associations. Lee currently serves on the Programme Committee of the American Intellectual Property Law Association and as a fellow of the Boston Bar Foundation.

## **Representative Matters**

**Medical device company—Patent infringement jury trial**

Secured a jury verdict denying any recovery on a claim for over \$30 million in patent infringement damages.

**Pharmaceutical company—Successful jury verdict**

Teamed with a New York firm to obtain a jury verdict of \$65 million in a patent infringement case, the largest verdict of the year in Massachusetts.

**Abbott Laboratories—Infringement case upholding licensing program**

Obtained a verdict of infringement for Abbott Laboratories which upheld a multi-year licensing program for patents directed to immunochemical diagnostic devices.

**Medical treatment R&D lab—Successful technology license arbitration**

Obtained a technology license arbitration award over \$11 million, including attorney fees, on behalf of an R&D lab for ground-breaking medical treatment technology.

**Electronic cooling equipment company—Patent infringement case**

Won a \$25 million dollar judgment for willful patent infringement in a case involving electro-magnetic motors, and won a verdict of infringement and a multimillion dollar settlement in a subsequent case.

**Maker of power converters—Defense in patent infringement case**

Won summary judgment of non-infringement for a maker of power converters, which foreclosed a multimillion dollar damages claim.

**Software company—Defense in patent infringement case**

Defeated a multimillion dollar claim based on speech recognition software patents.

**Software company—Licensing enforcement**

Secured enforcement of an extensive licensing program for CAD/CAM software.

**Real estate software company—Defense in patent infringement jury trial**

Won a jury verdict of non-infringement in plaintiff-friendly Marshall, Texas, defeating a \$26.5 million claim based on a software patent for automated real estate valuation.

Christian Louboutin—Trademark defense

Successfully defended the famous Red Sole Mark of Christian Louboutin in the District Court for the Southern District of New York, and in the Second Circuit, confirming color as a trademark in the fashion industry.

Manufacturer of musical instruments and products—Lanham Act false advertising case

Won a jury verdict of \$20.7 million, described as “the largest financial judgment in music industry history” by *Music Trades Magazine*.

Harvard University—Trademark cases and domain name disputes

Represented Harvard University in a series of trademark cases and in disputes over domain names.

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## **Education**

Harvard Law School, JD, 1969

Cornell University, MA English Literature, 1966

University of Michigan, BA English Literature, with high honors, 1965

## **Bar Admissions**

Massachusetts

New York

## **Court Admissions**

U.S. Court of Appeals, First, Second, Fourth, and Federal Circuits

U.S. District Court, District of Massachusetts

U.S. District Court, Eastern and Southern Districts of New York

U.S. District Court, Eastern District of Texas

U.S. District Court, Eastern District of Wisconsin

U.S. Supreme Court,

## **Memberships and Certifications**

American Bar Association  
Speaker, Panel Organizer

American Intellectual Property Law Association  
Programme Committee  
Member, Speaker

Boston Bar Association  
Former Councilor and Litigation Section Chair

Boston Patent Law Association  
Former President, Member

Massachusetts Continuing Legal Education, Inc.  
Former Trustee

## Recognitions\*

*IAM Patent 1000*, 2014–2023; *Litigation 250*

*Chambers USA*, Intellectual Property, Massachusetts, 2007–2022; Senior Statesperson, 2023

*World Trademark Review 1000*, Enforcement and Litigation, Massachusetts, 2014–2024

*The Best Lawyers in America*, Intellectual Property Litigation and Patent Litigation, Massachusetts, since 2006

Lawyer of the Year, *Best Lawyers*, Litigation–Intellectual Property, Massachusetts, 2016, 2017, and 2021

*Massachusetts Super Lawyer*, 2004–2008, 2010–2023

*Martindale-Hubbell* AV Preeminent Rated  
5.0 out of 5

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Peers also add: "He is a great lawyer and a first-class guy."

"Has the ability to take complicated issues and explain them in an easily digestible way." —*Chambers USA*

\* No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. For ranking methodologies, please see [here](#).

## **Articles**

Patent Infringement, Chapter 6, Business Torts in Massachusetts, 2nd Edition, 2.9.2016

## **Speaking Engagements**

Crisis. Reform. Repeat. Lessons From Correctional History: Frank Hall Era, Correctional Reform Working Group and Boston University, 4.19.2024

EP/US Comparative IP Law Seminar 2015 – Comparative Patent Practice Conference in Tokyo, Japan, CPPC Reception, 11.17.2015

How to Become an IP World Champion, Comparative Patent Practice Conference in Tokyo, Japan, 11.4.2014

Biotech Patent Litigation in the Courts and in New PTO Post Grant Proceedings, American Bar Association Section of Litigation Conference on Hot Topics in Patent Litigation, 5.9.2014

## **Webinars**

IP Monetization, NDIA New England, 5.9.2020

## **Quoted**

Patent Lawsuits On The Upswing Again In Massachusetts, Boston Business Journal, 3.24.2016

Report: Patent Litigation Bounced Back, Migrated to Texas in 2015, Bloomberg Big Law Business, 3.15.2016

Fed. Circ. Fortifies PTAB Against Constitutional Attacks, Law360, 12.2.2015

ClearCorrect Ruling Keeps ITC From Policing Web Piracy, Law360, 11.10.2015

Recent Rulings Shed Light on Fed. Circ's Approach to Teva, Law360, 5.29.2015

Supreme Court Ruling in Drug Case Has Broad Implications for Tech Sector, Boston Business Journal's Bioflash, 1.21.2015

High Court Claim Construction Ruling Set to Spur New Fights, Law360, 1.20.2015

Patent Cases to Watch in the 2nd Half of 2014, Law360, 7.28.2014

Attys React To High Court's Pom v. Coke Lanham Act Ruling, Law360, 5.12.2014