Megan E. Bussey

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Services

Asset Creation - Prosecution & Counseling

Intellectual Property

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Patents

Patent Litigation

Post-Grant Proceedings

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Industries

Consumer Goods

Energy

Energy Procurement

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Oil & Gas

Retail & Consumer Goods

Megan Bussey concentrates her practice on intellectual property law, with particular emphasis on patent prosecution, patent litigation, and opinion work. Her practice involves a wide range of technologies, including medical devices, mechanical devices, textiles, merchandising displays, and telecommunications. Megan is registered to practice before the U.S. Patent and Trademark Office.

Megan regularly prepares and prosecutes patent applications in the United States and internationally. She has also been involved in various aspects of patent litigation, including invalidity and infringement investigations, drafting written discovery, motions, claim construction briefs, and appellate briefs. Megan has significant experience both prosecuting and litigating design patents.

During law school, Megan interned for Federal Magistrate Judge David Keesler in the Western District of North Carolina.

Megan was recognized in 2024 as one of the "Best Lawyers: Ones to Watch" for Intellectual Property Litigation and Patent Law by *The Best Lawyers in America*®. She was recognized in 2022 and the nine years immediately preceding as a New York “Rising Star” in the area of Intellectual Property by *Super Lawyers* magazine.

Experience

Represent Clorox in a patent infringement claim alleging that the spray bottle in which Clorox sells almost all its liquid cleaning products infringes Auto-Kaps’ patent. At our request at the initial status conference, the judge stayed discovery and entertained an early motion for summary judgment of non-infringement, ultimately granting that motion. The matter is currently on appeal.

The firm served as lead counsel on behalf of CoxCom, Inc. in two suits brought by Rembrandt in the Eastern District of Texas and other districts on nine patents related to the technology involved in the delivery of cable services. We persuaded the judicial panel on multi-district litigation to consolidate, for pre-trial purposes, numerous proceedings and transfer the matter to the District of Delaware. A *Markman* order from the first case in the series was subsequently vacated by the transferee judge, thus limiting the plaintiffs to a single claim construction. Case pending. (Originally assigned to Judge Ward; transferred to Judge Davis). *Rembrandt Techs., LP v. Charter Commc'ns, Inc.,* No. 06-223 (E.D. Tex. filed June 1, 2006), *In re Rembrandt Techs. LP Patent Litig.,* No. 07-01848 (D. Del. filed June 21, 2007).

Served as lead counsel in representing International Securities Exchange (ISE) against patent infringement claims brought by the Boston Options Exchange (BOX) of an alleged patent covering price improvement for electronic financial trades. Our client had internal prior art that could be used to invalidate the asserted patent. We also threatened to counterclaim with a patent from ISE's portfolio that we assert covered BOX's options trading activity for similar price improvement electronic trade activities. The matter was settled on very favorable terms for our client ISE.

Provide comprehensive patent portfolio management services for Rock-Tenn Company. Although historically, the company’s main focus has been on packaging, recently a significant emphasis has been placed on development and expanding market share for retail oriented consumer product displays in a separate division within the company. The firm has worked closely with the key technical and business personnel in the new division to form strategies that protect their innovations, control costs and achieve strategic corporate goals. Also, the firm has counseled the company relative to exploration into potential new areas for growth and ;provided guidance relative to protection of and clearance for crucial elements of new product lines.

Representing patent holder in patent infringement litigation on wireless telecommunications patents related to mobile phone synchronization, random access, and handover.

Represented a British medical device manufacturer of drug delivery and blood sampling devices in patent procurement and counseling services. This client provides research, development, and manufacturing services to some of the largest pharmaceutical companies in the world. For over twenty years, the company has been a leader in the design and development of technology to effectively provide creative solutions for both injection devices and lancet products. The firm's work focuses not only on the protection of these innovative designs, but also on working closely with key research and business personnel to develop strategies for maximizing patent protection and achieving the company's corporate goals. The firm also counsels the company relative to overall approach to licensing this technology, taking an active role in negotiations with third-party purchasers and licensees, as well as analyzes and evaluates third-party intellectual property rights.

Defended a major distributor of high-end home automation technology against manufacturer’s claims for misappropriation of trade secrets, breach of contract, and tortious interference with contract and prospective economic advantage. The firm successfully defended against the manufacturer’s “scorched-Earth” discovery tactics and the case soon settled for an infinitesimal amount as compared to the manufacturer’s initial damage claim.

Defeated motion for temporary restraining order and forced plaintiff to withdraw preliminary injunction motion and pay our clients' associated attorneys' fees in case claiming copyright, trademark and design patent infringement in connection with plaintiff's PED EGG foot file.

We then succeeded in obtaining a ruling dismissing four of the six counts of the amended complaint. The case settled on favorable terms in late 2011. *Telebrands Corp. v. Del Labs. Inc*., 814 F. Supp. 2d 286 (S.D.N.Y. 2011).

Represented T-Mobile, Sharp and Motorola Mobility against patent infringement claims. We filed detailed counterclaims demonstrating why the asserted patent is invalid in view of the prior art. The plaintiff dismissed the claims against all defendants. (Judge Folsom).

Defended client in patent infringement litigation related to payment processing using credit cards, gift cards and third-party payment services. *Walker Digital LLC v. Cryptic Studios Inc. et al.*, 1:11-cv-00423 (D. Del. May 13, 2011)

Lead counsel on behalf of Cox Communications and EarthLink in a suit filed by Ronald A. Katz Licensing Technology in the U.S. District Court for the Eastern District of Texas. The suit claims patent infringement stemming from our clients' use of automated telephone processing systems. The action was consolidated for pre-trial proceedings with other suits brought by Katz against various other defendants in the Central District of California, with Judge Klausner presiding over discovery and other pre-trial matters. *Ronald A. Katz Tech. Licensing, LLP v. Cox Commc'ns*, No. 07-2299 (E.D. Tex. filed April 6, 2007); *In re Katz Interactive Call Processing Patent Litig.*, No. 07-01816 (E.D. Tex. filed July 7, 2008) and *Ronald A. Katz Tech. Licensing, LLP v. EarthLink, Inc.*, No. 07-2235, No. 07-2299 (E.D. Tex. filed April 9, 2007); *In re Katz Interactive Call Processing Patent Litig.*, No. 07-01816 (E.D. Tex. filed July 7, 2008).

Represented Interface Inc. in a suit filed by two competitors alleging that Interface had "falsely marked" certain carpet tiles and thus was subject to more than $800 million dollars in penalties. Simultaneously, the two competitors were also defending against patent infringement claims filed by Interface. Both parties settled with Interface on the eve of trial, on confidential terms favorable to Interface. *Mohawk Industries, Inc. et al. v. Interface, Inc.*, No. 4:07-cv-212 (N.D. Ga. filed Nov. 6, 2007).

Representing plaintiff-patentee Racing Optics in patent infringement action against competitor Aevoe and its Moshi-brand touch screen protectors in D. Nevada. Argued Markman hearing in October 2016, with trial expected in November 2017, with related actions before the USPTO.

Education

University of North Carolina at Chapel Hill School of Law J.D. (2008)

Dartmouth College B.A. (2004) Physics

Admissions

Georgia (2008)

New York (2009)

Court Admissions

U.S. District Court for the Northern District of Georgia (2009)

U.S. Patent and Trademark Office (2008)

Insights

Webinars

IP Innovations | Product Design Protection Under US Law: Stitching a Patchwork of Patent, Trademark, and Copyright Law

September 9, 2026

Events

Trademark, Patent, and Advertising Disputes: Thinking Creatively to Protect Brand Identity and IP Rights

August 3, 2026

Alert

What the New Riyadh Design Law Treaty Means for Product Innovators

June 17, 2026

Events

New Era Dawns for Design Patent Validity: How the Federal Circuit Has Rewritten Design Patent Obviousness Law

November 6, 2025

Webinars

Cross-Border Innovation: Essential Trends and Best Practices in Brand and IP Rights Protection

October 1, 2025