

# PANITCH Intellectual Property Law SCHWARZE

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## Press Releases

### Panitch Schwarze to Remain as Litigation Counsel for Patent Owner

November 17, 2016

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**WILMINGTON, Del. (November 2016)** - Panitch Schwarze Belisario & Nadel partner, [Dennis J. Butler](#), successfully defended a motion to disqualify the firm from representing a patent owner in a patent infringement case in the U.S. District Court for the District of Delaware.

Judge Christopher J. Burke ruled that Panitch Schwarze's prior representation of the defendant in the case, Munchkin Inc., in trademark matters did not disqualify the firm from representing the plaintiff, Regalo International LLC, in a patent dispute related to bedrail products. Judge Burke determined that the bedrail patent litigation was not "substantially related" to Panitch's prior representations of Munchkin in unrelated trademark matters," reasoning, "if generalized citation to counsel's knowledge of a prior client's 'litigation philosophies,' 'strategies' and 'risk tolerances' necessarily demonstrated that the past representations were 'substantially related' to any new matter where an attorney is adverse to the prior client, the floodgates for disqualification would open wide." (*Citing Cf. Vestron, Inc. v. Nat'l Geographic Soc.*, 750 F. Supp. 586, 595 (S.D.N.Y. 1990)).

Butler's practice also focuses on patent litigation on behalf of both plaintiffs and defendants. He has worked on cases involving a wide variety of technologies, including medical devices, composite materials, firearm accessories, software, business methods and banking processes.