Howard & Howard
law for business

Kristopher K. Hulliberger

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"I defend and obtain IP rights in all phases of court and patent office proceedings through trial and appeal."

Mr. Hulliberger has represented patent holders and accused infringers in highly complex patent matters on technology that was critical to their business. He also counsels clients in patent and trademark preparation and prosecution matters in the chemical, computer, and mechanical technologies, and counsels clients in post-grant review strategies. Mr. Hulliberger regularly counsels clients on issues related to records management and retention, electronic communications, AI legal issues, and electronic discovery. He seeks to utilize technology to facilitate litigation matters and provide additional benefits to clients.

Intellectual Property

- Artificial Intelligence
- Automotive
- Business Litigation
- Chemical Arts
- Copyright
- Gaming
- Intellectual Property Litigation
- Patent
- Trademark

Mr. Hulliberger has extensive experience in patenting various automotive components; various formulations of polyurethanes, elastomers, and adhesives; RF communication technologies for increased security; GPS technologies; video editing technologies; and medical devices.

He has also represented both plaintiffs and defendants in trade secret litigation regarding alleged use and theft of confidential information. Mr. Hulliberger has handled several Section 337 ITC investigations,

trademark infringement, unfair competition, antitrust, and tortious interference matters.

Additionally, Mr. Hulliberger analyzes and drafts licensing and technology sharing and transfer agreements, as well as offering guidance on litigation avoidance, risk management, and post-litigation strategies.

Representative Matters

- Represented an industry leader for overrunning alternator decouplers on their patented technology, which was the core of the their business and represents hundreds of millions of dollars in revenue each year. As their patent was coming to the end of its enforceable life, competitors were anxious to get into the industry and entered the market while the patent was still enforceable. We quickly filed suit and resolved the matter to protect the client's position within the industry.
- Represented a group of doctors that were helping patients overcome their opioid addictions by performing an elaborate and specific treatment method that would eliminate withdrawal symptoms in one day or less. Our clients were sued for patent infringement, facing allegations of direct infringement, contributory infringement, and inducing infringement. We successfully argued to the district court that the case should be dismissed for failure to state a claim under *Iqbal* and *Twombly* because the patent was limited to a narrow treatment method. The patentee appealed. In a 2-1 opinion, the CAFC affirmed the dismissal in our clients' favor.
- Successfully invalidated a patent, issued in 2003, involving technology using GPS systems to plant research crops for their client, which was a family owned business in Kansas. The patentee was a large company and industry leader from Iowa. We uncovered prior art from 1997 evidencing a public use of a prior system that existed more than a year before the patents. The evidence included pictures of the prior system, videos of the prior system planting in the field, a copy of the software that was run on the system, a company newsletter describing the system, a trade show presentation about the system, and declarations (including from individuals in Australia) from the people that operated the system and were shown in the video and pictures. The court agreed and invalidated the entire patent.
- Represented an automotive supplier for critical adhesive technology used to attach hardware to automotive windows involving multiple patent infringement and trade secret lawsuits. All of the matters were settled in favor of our clients.

Education

- Wayne State University Law School, 2003
    - J.D.
- Michigan State University, 1999
    - B.S., Chemical Engineering

Memberships

- Oakland County Bar Association
- Michigan IP Inn of Court
- American Intellectual Property Law Association
- Michigan Intellectual Property Law Association

- Federal Circuit Court Bench & Bar Association

Admissions

- Michigan, 2004
- U.S. Court of Appeals, Federal Circuit, 2013
- U.S. District Court, Eastern District of Michigan, 2004
- U.S. District Court, Western District of Michigan, 2004
- U.S. Patent and Trademark Office, 2003

Professional Achievements

- *The Best Lawyers in America®*, 2016-2027
    - Troy, Trademark Law, "Lawyer of the Year," 2022
    - Troy, Litigation-Patent, "Lawyer of the Year," 2019
    - Troy, Litigation-Intellectual Property, "Lawyer of the Year," 2017
- *dbusiness*, "Top Lawyers," 2011; 2014; 2017-2020; 2024
- Michigan *Leading Lawyers,* 2023-2025
    - "Detroit 500 Most Powerful Leaders," 2025
- Michigan *Super Lawyers*, "Rising Stars," 2010-2017

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