



Michael Fainberg

PARTNER

Michael provides strategic intellectual property counseling and global patent portfolio management.



Practices

Blockchain
Copyright
Patent
Trademark

International

Russia
Europe
China
Asia

Languages

Russian

Education

New York Law School JD, 2005
Polytechnic Institute of New York University MS, Telecommunication Networks, 2001
Polytechnic Institute of New York University BS, cum laude, Computer Engineering, 2001

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Michael is a registered patent attorney with technical background in computer engineering and wireless telecommunications. His practice focuses on IP counseling and global patent portfolio management for technology companies. Michael obtained hundreds of patents in the fields of information technology, telecommunications, electronics, cybersecurity, blockchain, cryptocurrency, machine learning, artificial intelligence and automotive technologies. Michael also provides patent invalidity, non-infringement and freedom-to-operate opinions in various technologies, and represents clients in patent litigation and IPR matters. He also counsels clients in patent purchases, sales and licensing transactions and conducts IP due diligence in corporate transactions.

Client Work

Michael develops and manages global IP portfolios for multinational technology companies:

- Representing world's leading LCD and OLED display manufacturer based in China in patent filing and prosecution matters in the US.
- Managing global patent and trademark portfolios for a leading antivirus and computer security software developer based in Russia.
- Representing a leading developer of cloud software for backup and disaster recovery based in Europe in patent prosecution and litigation matters in the US and worldwide.
- Representing an international developer of virtualization software in patent prosecution matters in US.
- Representing Chinese electronics and telecommunication equipment manufacturers in patent filing and prosecution matters in the US.
- Representing a European automaker and railroad equipment manufacturer in patent filing and prosecution matters in the US.

Michael also represents companies in technology-related litigations and PGR proceedings:

- Inter Partes Review involving patent for data compression technology *Acronis Inc. v. Realtime Data LLC*
- Inter Partes Review involving patent for data backup technology *Acronis Inc. v. Realtime Data LLC*
- Patent infringement case involving data compression technology *Realtime Data LLC v. Acronis Inc.*
- Patent infringement case involving software activation technology *Uniloc USA Inc. v. Acronis Inc.*
- Patent infringement case involving software registration technology *Uniloc USA Inc. v. Acronis Inc.*
- Copyright, trademark and licensing dispute between a software vendor and distributor *Kaspersky Lab Inc. v. Tall Licensing Ltd.*

Previous Work

Prior to joining Arent Fox, Michael was an associate in the New York office of a prominent law firm. He also worked as a patent agent while attending law school.

Press Coverage

- "PTAB to Review Realtime Data Patent in 6th IPR Challenge" on Law360
- "Accelerated Examination is Better Examination" on IPWatchDog.com
- "Apple, Samsung Go Head-to-Head Over Handset Patents" in Mobile Marketer

Publications, Presentations & Recognitions

- "Successful Strategies for Patenting Cutting-Edge Computer and Software Technologies in the US," China Intellectual Property & Innovation Summit 2018 (CISIP), April 2018, Shanghai, China
- "Strategies and Practices for Patenting Information Technologies in the US," Patent School Skolkovo, September 2017, Moscow, Russia
- "Approaches to Registration and Protection of Trademarks in the U.S." the VI International Forum "Intellectual Property - XXI Century" organized by the Chamber of Commerce and Industry of the Russian Federation, April 2013, Moscow, Russia
- "Recent Developments in the U.S. Patent Practice," the VI International Forum "Intellectual Property - XXI Century" organized by the Chamber of Commerce and Industry of the Russian Federation, April 2013, Moscow, Russia
- "Evolution of the Standard of Patentability in the United States," St. Petersburg's 10th Annual Collegial Readings on Intellectual Property, June 2010, St. Petersburg, Russia
- "Investment in Russian-Developed IP," Russia-America: Trade and Investment Cooperation Forum organized by Russian Managers Association, Chamber of Commerce and Industry of the Russian Federation and San Francisco Global Trade Council, June 2008, San Francisco, California
- "Protection and Monetization of Russian-Developed IP in the US," Russian Venture Forum and Fair organized by Russian Private Equity and Venture

Capital Association, October 2006, St. Petersburg, Russia

- "Intellectual Property Protection in the US: Patents and Trademarks," Gorodissky & Partners' 4th Annual Seminar on Strategies for Protecting and Managing of Company's IP, April 2006, Moscow, Russia
- "Analysis of the Interference between IEEE 802.11b and Bluetooth Systems," IEEE 54th Vehicular Technology Conference, October 2001, Atlantic City, New Jersey
- "Maximizing Performance of a Wireless LAN in the Presence of Bluetooth," The Third IEEE Workshop on Wireless LANs, September 2001, Newton, Massachusetts

Bar Admissions

New York

US Patent and Trademark Office

Court Admissions

US District Court, Eastern District of Texas