

# Richard H. Brown

**Partner**

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## Overview

Richard Brown focuses his practice on intellectual property, telecommunications, class action defense and other commercial litigation matters before state and federal courts. He represents corporations and individuals with patent, trademark, trade secret, and copyright litigation across a wide range of sciences, technologies and industry sectors. He also has deep experience in claims involving telecommunication services, including defense of class action cases brought under the Telephone Consumer Protection Act (TCPA). He has considerable experience representing utility clients in disputed matters.

He has spoken on numerous business and legal panels on IP litigation, TCPA litigation and other topics.

## Experience

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.*

Served as lead counsel defending class action against large utility involving claims under the Telephone Consumer Protection Act (TCPA), resulting in a settlement after more than six years of extensive fact and expert discovery and full briefing on class certification

Provided advice and counseling to multiple clients in various industries concerning TCPA compliance and risk

Served as lead counsel on multiple patent infringement suits involving a consumer electronics manufacturer, telecommunications equipment manufacturer, chemical company, several packaging companies and medical device company

Served as lead counsel for major telecommunications company in patent infringement suit involving cellular phone technology; claims dismissed on summary judgment

Obtained multimillion-dollar judgment for major telecommunications company in matter involving telecommunications distribution; also represented in over 25 actions against telecommunications resellers involving claims under the Federal Communications Act, Lanham Act, Sherman Act and state law

## Practices & Industries

**Antitrust**

**Class Action Litigation**

**Energy Litigation**

**Healthcare & Life Sciences**

**Intellectual Property & Technology**

**Intellectual Property Litigation**

**Life Sciences**

**Litigation**

**Patent Litigation**

**Trademark, Copyright & Advertising**

Tried trademark infringement matter representing plaintiff,  a major gaming company; awarded judgment on all claims and judgment affirmed in the Ninth Circuit

Served as lead counsel on multiple contested proceedings to verdict before the Trademark Trial and Appeal Board

# Education and Credentials

## Education

Columbia Law School, J.D., 1993, Stone Scholar

Dartmouth College, A.B., 1979

## Admissions

State of New Jersey, 1994

State of New York, 1994

U.S. District Court, District of New Jersey

U.S. District Court, Eastern District of New York

U.S. District Court, Northern District of New York

U.S. District Court, Southern District of New York

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Federal Circuit

## Affiliations

American Bar Association

# Recognition and Community

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## Recognitions

Named to list of *IP Stars* by Managing Intellectual Property (Euromoney Institutional Investor PLC), 2023-2025

Selected to the list of New Jersey *Super Lawyers*®, Intellectual Property Litigation, Business Litigation, 2006, 2008-2011

Selected to the list of *Super Lawyers*®, Corporate Counsel edition, 2010

Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.), Franchise Law, 2006-2009

# Insights

The FCC Changes Certain Consent Revocation Rules
Day Pitney Alert, October 2, 2026

FCC Proposes Changes to TCPA Regulations
Day Pitney Alert, November 4, 2025

New FCC Rules for Revocation of Consent under the TCPA
March 28, 2024

New FCC Rules for Marketing Using Text Messages and Obtaining Marketing Leads
January 9, 2024

The 11th Circuit Finds a Single Text Message Sufficient Injury for Article III Standing
July 26, 2023

Patently Enabled July 2023 - What is Enablement?
July 7, 2023

U.S. Supreme Court Requires Patents Seeking Broad Scope to Be Fully Enabled
May 24, 2023

Florida Legislature Passes Amendments to the FTSA
May 11, 2023

TCPA: Revisions to FCC Regulations Regarding Prerecorded Voice Message Calling
January 12, 2023

FCC Concludes Ringless Voicemails Are 'Calls' Subject to the TCPA
November 28, 2022

Shouting FIRE! (or Worse) on Social Media: The Interplay of the First Amendment and Government Involvement in Efforts to Limit or Remove Social Media Content
March 29, 2021

Supreme Court Declines to Invalidate the TCPA Cell Phone Calling Restrictions
July 7, 2020

Antitrust Regulators Address Business Collaboration Designed to Combat COVID-19
March 25, 2020

Federal Circuit Invites Do-Overs in Numerous Cases
November 5, 2019

Supreme Court Directs Patent Office to Change Its IPR Practice
May 1, 2018

Supreme Court Upholds Inter Partes Review of Patents Under Public-Rights Theory
April 26, 2018

A Case of Clear "Impression"
May 31, 2017

TC Heartland Shifts the Patent Litigation Landscape
May 23, 2017

The Time Has Run on Laches Defenses Against Patent Damages
March 23, 2017

FCC Clarifies TCPA Rules for Utilities
August 9, 2016

President Obama Signs Defend Trade Secrets Act
May 13, 2016

## News

2026 IP Stars from Managing IP
August 4, 2026

2025 IP Stars from Managing IP
June 11, 2025

2024 IP Stars from Managing IP
October 17, 2024

Fox News Must Face Ex-Ad Client's Accounting Scheme Suit
April 8, 2021

Thirty-three Day Pitney Attorneys Named New Jersey Super Lawyers
March 31, 2011

## In The Media

IP Stars from Managing IP
Managing IP, September 8, 2023

"The Telephone Consumer Protection Act – Recent Developments and Strategies For At-Risk Companies," NJACC
October 11, 2022

Anatomy of Patent and Trade Secret Disputes: C&D Letters, Opinion Letters, PTAB Proceedings; ITC Proceedings; Court Proceedings
October 26, 2020

Telephone Consumer Protection Act Utilities
July 20, 2020

Telephone Consumer Protection Act (TCPA)
September 20, 2019

Winery Sues NJ Turnpike Authority to Defend Right to Use Logo
The New Jersey Law Journal, November 8, 2016

Richard Brown and Jonathan Tropp Discuss Possible Impact of Octane Ruling on Patent Fee Litigation Practices in *Law360*
Law360, May 29, 2014