

## **Alan M. Anderson, Ph.D.**

**Alan Anderson Law Firm LLC  
Crescent Ridge Corporate Center  
11100 Wayzata Blvd., Suite 545  
Minneapolis, MN 55305  
612-756-7010  
aanderson@anderson-lawfirm.com**

Alan M. Anderson is a nationally recognized trial lawyer with over thirty years of experience. He is certified by the National Board of Trial Advocacy as a civil trial advocate and by the Minnesota State Bar Association as a civil trial specialist. He is a Fellow of the Chartered Institute of Arbitrators, the "gold standard" for international arbitration practitioners. Alan has been selected for inclusion in *The Best Lawyers in America* in the area of intellectual property litigation since 2010, and has been recognized as a *Minnesota Super Lawyer*® for more than ten years. He is a fellow of the Litigation Counsel of America. Alan practices primarily in the areas of commercial litigation, intellectual property litigation, international arbitration and dispute resolution, and appellate advocacy.

Alan's practice is international in scope and he represents clients in a wide variety of industries. His clients range from Fortune 500 companies to family-owned businesses. Alan has experience in all aspects of complex commercial litigation. He has tried jury cases to verdict in state and federal courts, literally from Los Angeles to New York City. In his intellectual property practice, Alan has litigated actions involving a variety of diverse technologies, including medical devices, shape memory alloys, software, electronics and electrical systems, chemical compositions, agricultural equipment, snowmobile equipment, commercial refrigeration systems, and a variety of other mechanical and electrical devices.

His arbitration experience includes large domestic commercial disputes and international arbitration proceedings conducted under the auspices of the London Court of International Arbitration, the Stockholm Chamber of Commerce, and the International Chamber of Commerce in Paris. He has represented foreign corporations in court in the U.S. and in international arbitrations.

Alan received his B.A, *magna cum laude*, from Coe College in 1978, where he was elected to Phi Beta Kappa and Phi Kappa Phi. He received an M.B.A., with distinction, and his Doctor of Law (J.D.), *magna cum laude*, from Cornell University in 1981 and 1982, respectively. Alan graduated third in

his class at law school, was elected to the Order of the Coif, and served on the board of editors of the *Cornell Law Review*. Alan earned an M.A., *cum laude*, in military history, from Norwich University in 2009. He received his Master of Laws (LL.M.), with distinction, in international dispute resolution from the University of London, England, in 2013, where he also was awarded a 150<sup>th</sup> Anniversary Prize for academic achievement. He received his Ph.D. in War Studies from King's College London in 2016. His Ph.D. thesis studied the laws of war and naval strategy in Great Britain and the United States between 1899 and 1909. Alan received significant fellowships and funding for his research from the U.S. Naval War College, the U.S. Naval History and Heritage Command, and the Society for Nautical Research in England.

After serving from 1982 to 1983 as a law clerk to the Honorable John D. Butzner, Jr. in the United States Court of Appeals for the Fourth Circuit in Richmond, VA, Alan was admitted to practice in the State of Minnesota and to the United States District Court for the District of Minnesota in 1983. He also is admitted to practice before the Supreme Court of the United States and the United States Court of Appeals for the Fourth, Sixth, Seventh, Eighth, Tenth, and Federal Circuits, as well as various United States District Courts.

He is a Fellow of the Australian Centre for International Commercial Arbitration, and in 2016 was appointed to the Centre's Council. In 2014 was appointed to a three-year term on the panel of arbitrators for the Kuala Lumpur Regional Centre for Arbitration in Malaysia. He is listed on the WIPO Arbitration and Mediation Center's (Geneva, Switzerland) List of Arbitrators for dispute resolution in all types of intellectual property matters. He also is included in the London Court of International Arbitration's database of neutrals.

Since February 2015, Alan has served as an official observer on behalf of the Forum for International Conciliation and Arbitration (Vienna) at the General Session of Working Group II (Arbitration and Conciliation) of the United Nations Commission on International Trade Law (UNCITRAL) in New York City and Vienna.

Alan has been selected for inclusion in *The Best Lawyers in America* in the area of intellectual property litigation since 2010. He is a fellow of the Litigation Counsel of America. He has been recognized repeatedly in *Minnesota Super Lawyers* in the area of intellectual property litigation. Twice he was recognized as one of the top 101 franchise lawyers in America. Since 1999, Alan has been recognized as a Leading American Lawyer in the areas of commercial litigation and intellectual property law. He has acted as a preliminary and elimination round judge for the Willem C. Vis International

Arbitration Moot in Vienna, Austria, in which over 300 law schools from around the world compete. He also has been a judge for the Foreign Direct Investment Arbitration Moot competition.

In 2010 and again in 2011, Alan was honored by the Federal Circuit Bar Association for his pro bono work on behalf of veterans in connection with appeals to the Court of Appeals for the Federal Circuit.

Since 2000, Alan has served as a non-executive member of the board of directors of Compumedics, Ltd., of Melbourne, Australia, a publicly-traded company listed on the Australian Stock Exchange. He therefore has real-world business experience with corporations whose operations are global in nature.

Alan is a member of the American Bar Association and its Sections on Litigation, Dispute Resolution, and Intellectual Property Law. He is also a member of the American Intellectual Property Law Association, the Federal Bar Association, the Federal Circuit Bar Association and the Minnesota State Bar Association. He has given presentations and speeches at international, national, and local conferences and seminars in the United States, Europe, and Australia. A frequent writer, Alan has published articles in such publications as *Georgia Journal of International and Comparative Law*, *TDM Journal*, *Managing Intellectual Property*, *Franchise Law Journal*, *Intellectual Property Litigation*, *Minnesota Lawyer*, and *Bench & Bar of Minnesota*.

Alan is a qualified neutral (ADR) under Rule 114 of the Minnesota General Rules of Practice for the District Courts.

Alan is an avid fisherman (both fresh and saltwater). He is a military historian and serves on several non-profit boards.

## **Bar Admissions**

### Minnesota

- U.S. District Court District of Minnesota
- U.S. District Court Eastern District of Wisconsin
- U.S. District Court District of North Dakota
- U.S. Court of Appeals 4th Circuit
- U.S. Court of Appeals 6th Circuit
- U.S. Court of Appeals 7th Circuit
- U.S. Court of Appeals 8th Circuit
- U.S. Court of Appeals 10th Circuit
- U.S. Court of Appeals Federal Circuit
- U.S. Supreme Court

## **Professional Associations**

American Bar Association

Sections on Litigation, Dispute Resolution, and Intellectual Property Law

American Intellectual Property Law Association (AIPLA)

*AIPLA Quarterly Law Journal*, Board of Editors (2008 – 2011)

Patent Litigation Committee, Model Patent Jury Instructions Subcommittee (2014 - date)

Federal Bar Association

Federal Circuit Bar Association

Co-chair, membership committee (2009-2010, 2010-2011)

Minnesota State Bar Association

Academy of Certified Trial Lawyers of Minnesota

Chartered Institute of Arbitrators

Fellow

Litigation Counsel of America

Fellow

## **Professional Honors and Awards**

Fellow, Chartered Institute of Arbitrators (admitted 2011)

*The Best Lawyers in America*, Litigation - Intellectual Property (2010, 2011, 2012, 2013, 2014, 2015, 2016)

Civil Trial Advocate, certified by the National Board of Trial Advocacy (since 2001)

Civil Trial Specialist, certified by the Minnesota State Bar Association (since 1994)

Fellow, Litigation Counsel of America (elected 2007)

"Super Lawyer," *Minnesota Super Lawyers* (2001-2003, 2006, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017)

"Legal Eagle," *Franchise Times* (top 101 franchise lawyers in the U.S.) (2004, 2005)

"Leading American Attorney," Commercial Litigation, Intellectual Property and Computer Law (1999 to Present)

Martindale-Hubbell individual "AV" peer review rating

## **Volunteer Service**

Member, Board of Trustees, Coe College, Cedar Rapids, IA (February 2017 to date)

Member, Board of Directors, Educational Foundation of Lambda Chi Alpha (elected to 3-year term, July 2015)

Member, Board of Fellows, Norwich University (September 2012 to date)

Board of Visitors, Coe College (March 2010 to December 2016)

## **Legal Publications**

"Don't Delay: Addressing Damages Early in International Arbitration," Co-Author, 14 *TDM Journal*, No. 1 (January 2017) [www.transnational-dispute-management.com](http://www.transnational-dispute-management.com)

"Efficient and Effective Use of Experts Early in the Dispute Resolution Process," *Annual Conference 2016*, Expert Witness Institute (September 29, 2016)

"International Arbitration and Litigation: Current Trends and Issues," *The 36th Annual International Business Law Institute – Export Sales and Legal Compliance: Shipwrecks or Safe Harbors*, Minnesota Continuing Legal Education (May 1, 2012)

"What is Electronic Discovery," and "Legislative and Judicial Update," *E-Discovery: Searching the Virtual File Cabinets*, National Business Institute (September 14, 2011)

"International Arbitration and the Globalization of Minnesota Business," 68 *Bench & Bar of Minnesota* 22 (May/June 2011)

"Working with Expert Witnesses," *Evidence and Expert Testimony Best Practices: Supporting Your Case*, National Business Institute (June 30, 2010)

"The Globalization of Intellectual Property Rights: TRIPS, BITS, and the Search for Uniform Protection," Co-Author, 38 *Georgia Journal of International and Comparative Law* 265 (Winter 2010)

"International Standards for Protection of Intellectual Property Rights Post-TRIPS: The Search for Consistency," Co-Author, 6 *TDM Journal*, No. 2 (August 2009) [www.transnational-dispute-management.com](http://www.transnational-dispute-management.com)

"You Can't Try a Case Without Them (Unfortunately): Preparing Witnesses to Testify at Trial," *Countdown to Trial: A Crash Course in Trial Preparation for Paralegals*, Institute for Paralegal Education (June 19, 2009)

"Damages Provisions of the Patent Reform Act," *IP Law360* (May 28, 2009) <http://ip.law360.com/articles/99166>

"International Arbitration: The Only Way to Resolve Multi-Jurisdictional Patent Disputes in a Single Forum," Co-Author, 6 *TDM Journal*, No. 1 (March 2009) [www.transnational-dispute-management.com](http://www.transnational-dispute-management.com)

"Preparing Evidence and Exhibits for Trial," *A Litigation Paralegal's Guide to Case Management*, Institute for Paralegal Education (November 7, 2008)

"Written Discovery Strategies," Co-Author, *Discovery Strategy: Finding the Smoking Gun*, National Business Institute (April 30, 2008)

"Damages Management in IP Litigation," 19 *Intellectual Property Litigation* 6 (Fall 2007)

"Working with Expert Witnesses," Co-Author, *Evidence: Strategies for Finding, Preserving and Using Evidence to Support Your Case*, National Business Institute (October 1, 2007)

"Arbitrating Abroad: A Comparison of Cost and Confidentiality in the Leading International Arbitral Institutions," Co-Author, 11 *Minnesota Lawyer* S-10 (September 17, 2007)

"Issuing and Managing Litigation Hold Notices," 64 *Bench & Bar of Minnesota* 20 (August 2007)

"The New Franchise Rule," Co-Author, Fulbright & Jaworski L.L.P. Briefing (July 2007)

"Why Arbitration is a Valid Alternative," Co-Author, *Managing Intellectual Property* 27 (June 2007)

"Patent Litigation: Some Strategic Considerations," in *Inside the Minds: Understanding the Laws Behind Patents*, Aspatore Books (2006)

"Recent Corporate Litigation Survey Says: It's All About Costs," 9 *Minnesota Lawyer* 1, (December 12, 2005)

"Corporate Lawsuits Crowd Midwest Dockets," 9 *Minnesota Lawyer* 23 (March 28, 2005)

"How to Survive Patent Litigation in the U.S.," *Managing Intellectual Property* 46 (June 2004)

"The Dischargeability of Claims for Injunctive Relief After Bankruptcy," Co-Author, 21 *Franchise L.J.* 134 (Winter 2002)

"Enforcement of Noncompete Provisions Against a Franchisee After Bankruptcy," Co-Author, 21 *Franchise L.J.* 85 (Fall 2001)

"Remedies in Intellectual Property Litigation in the United States," in *International Protection of Intellectual Property*, Dennis Campbell, Ed., Yorkhill Law Publishing (2001)

"Alternative Dispute Resolution: How and When to Use It," *Minnesota Business & Opportunities* 43 (May 1997)

"Why and How to Correct Copyright Registrations," Co-Author, 10 *AIPLA Selected Legal Papers* 281 (October 1992)

"Damages in Patent Infringement Litigation: A Case Study of *Polaroid Corp. v. Eastman Kodak Co.*," 1 *Intellectual Property Law: An International Analytical Review Journal* 281 (1992); translated into Japanese and published in 39 *AIPPI Japan Journal* 118 (1994)

"Insurance and Antitrust Law: The McCarran-Ferguson Act and Beyond," 25 *William & Mary Law Review* 81 (1983); reprinted in

*Corporate Counsel's Annual* (1984), page 451; reprinted in *National Insurance Law Review* 83 (Fall 1983)

Book Review, 17 *Georgia Law Review* 885, reviewing D. Armentano, *Antitrust and Monopoly: Anatomy of a Policy Failure* (1983)

Recent Development, "The Agricultural Cooperative Antitrust Exemption - *Fairdale Farms, Inc. v. Yankee Milk, Inc.*," 67 *Cornell Law Review* 396 (1982)

Book Review, 18 *California Western Law Review* 382 (1982), reviewing A. Neale and D. Goyder, *The Antitrust Laws of the United States of America* (3d ed. 1980)

Note, "Conscious Parallelism in the Use of Delivered Pricing Systems: A Modified Per Se Standard of Review Under the Federal Trade Commission Act," 66 *Cornell Law Review* 1194 (1981)

## **Legal Speeches and Seminar Presentations**

Co-Presenter, "Eat the Frog First," Expert Witness Institute 2016 Annual Conference, London, England (September 29, 2016)

Panel Member and Presenter, "Damages," CILS International Arbitration Symposium, Salzburg, Austria (June 2-5, 2016)

Co-Presenter, "International Arbitration: Critical Concepts," Minnesota Global Trade Association (November 10, 2015)

Co-Presenter, "The International Arbitration Landscape in the United States: Implications for Australian Practitioners," Australian Centre for International Commercial Arbitration and The Chartered Institute of Arbitrators (Australia) Limited, Melbourne, Australia (October 27, 2015)

Co-Presenter, "The Whats and Whys of International Arbitration," Minnesota CLE (August 26, 2015)

Seminar Moderator and Leader, "'As Judges See It: Best (and Worst) Practices in Civil Litigation,'" National Business Institute (May 1, 2015)

Panel Member and Presenter, "US Equivalents to CPR 35 and *Ikarian Reefer*: A Very Brief Introduction," Expert Witness Institute 2014 Annual Conference, London, England (September 25, 2014)

"Innovative Cancer Treatment Ltd v Hope Hospital – The Damages Case," Presentation at the 21st Vis International Arbitration Moot, Vienna, Austria (April 12, 2014)

Seminar Moderator and Leader, "As Judges See It: Top Mistakes Attorneys Make in Civil Litigation," National Business Institute (May 3, 2013)

"International Arbitration and Litigation: Current Trends and Issues," The 36th Annual International Business Law Institute – Export Sales and Legal Compliance: Shipwrecks or Safe Harbors, Minnesota Continuing Legal Education (May 1, 2012)

"Recent Developments and Issues in Domestic and International Arbitration," Domestic and International Arbitration: Issues and Solutions, MSBA Corporate Counsel and International Business Law Sections (February 22, 2012)

"What is Electronic Discovery," and "Legislative and Judicial Update," E-Discovery: Searching the Virtual File Cabinets, National Business Institute (September 14, 2011)

"Preservation of Evidence in E-Discovery: A Paralegal's Guide," National Webinar, Institute for Paralegal Education (August 17, 2011)

"Attacking Opposing Expert Testimony" and "Evidence, Experts and Hearsay in the Courtroom," and panel discussion member, Evidence and Expert Testimony Best Practices: Supporting Your Case, National Business Institute (June 30, 2010)

"Preparing Your Witnesses," Countdown to Trial: A Crash Course in Trial Preparation for Paralegals, Institute for Paralegal Education (June 19, 2009)

"International Arbitration in the Pacific Rim," Pursuing Intellectual Property in the Pacific Rim Seminar, Briggs and Morgan (May 14, 2009)

"Preparing Evidence and Exhibits for Trial," A Litigation Paralegal's Guide to Case Management, Institute for Paralegal Education (November 7, 2008)

"International Arbitration Basics," Global Dispute Resolution Seminar, Briggs and Morgan (October 14, 2008)

"Ensuring Preservation of Your Electronic Evidence," National Webinar, National Business Institute (June 18, 2008)

"Written Discovery Strategies" (presenter) and "A View from the Bench" (panel member), Discovery Strategy: Finding the Smoking Gun, National Business Institute (April 30, 2008)

"Internet," Panel Moderator, International Intellectual Property Law, Center for International Legal Studies, Zauchensee, Austria (March 30-April 5, 2008)

"Advanced Trial Presentation Skills," Effective Presentation Techniques for the Trial Lawyer, National Business Institute (January 31, 2008)

"Preservation of Electronic Evidence," e-Discovery in Patent Litigation, International Webinar, sponsored by Zantaz, Inc. and *Managing Intellectual Property* (July 26, 2007)

"Ensuring Preservation of Your Electronic Evidence," National Webinar, National Business Institute (June 29, 2007)

"Preserving Evidence: Issuing and Managing Litigation Hold Notices," Getting Ahead of the Game: Planning for E-Discovery Before Litigation Happens, Fulbright & Jaworski L.L.P. (June 27, 2007)

"Effective Preservation of Evidence," E-Discovery and Computer Forensics: Strategies for Success, National Business Institute (May 24, 2007)

"Current Issues in International Arbitration of Intellectual Property Disputes," 2007 Arbitration Conference: Today's Fastest Growing Form of Dispute Resolution, Fulbright & Jaworski L.L.P. (April 10, 2007)

"Reverberations of *Echostar*: Does it Still Make Sense to Rely on an Opinion of Counsel?" Panel member, 2007 Intellectual Property Institute, USC Gould School of Law, Beverly Hills, California (March 13, 2007)

"Patents II," Panel Moderator, Protection of Intellectual Property Rights, Center for International Legal Studies, Kitzbühel, Austria (March 12-18, 2006)

"Technology for Efficiently and Cost-Effectively Managing Litigation," Panel member and presenter, Taming the Tiger II: Advanced Topics in Litigation Management, Fulbright & Jaworski L.L.P. (April 1, 2003)

"The Impact of the Internet," Panel Moderator, Protection of Intellectual Property Rights, Center for International Legal Studies, Kitzbühel, Austria (March 17-23, 2002)

"Damages for Patent, Copyright, and Trademark Infringement in the United States," International Protection of Intellectual Property, Center for International Legal Studies, Kitzbühel, Austria (March 19-25, 2000)

"Legal Aspects of Damages in Intellectual Property Litigation," Asset Valuation, Minnesota Institute of Legal Education (November 6, 1998)

"Intellectual Property Law," Minneapolis Legal Secretaries Association (February 15, 1996)

"Tort Reform and Punitive Damages Limitations," Products Liability Advice to UK Exporters, Hammond Suddards Solicitors, Leeds, England (March 10, 1995)

"Alternative Dispute Resolution in Intellectual Property Law," Intellectual Property Litigation, Minnesota State Bar Association (February 10, 1995)

"Recent Developments in Intellectual Property Law" and "Alternative Dispute Resolution in Intellectual Property Law," Intellectual Property Law, Larkin, Hoffman, Daly & Lindgren, Ltd. (May 10, 1994)

"How to Correct Copyright Registrations," Spring Stated Meeting, American Intellectual Property Law Association (AIPLA) (May 13-15, 1992)

"Remedies in Intellectual Property Litigation: Damages and Equitable Relief," Co-Chair, Intellectual Property Litigation: Beyond the Basics, Minnesota State Bar Association (April 24, 1991)

"Corporate Compliance with the Clean Water Act," Environmental Law: Corporate Compliance, Co-Chair, Minnesota State Bar Association (December 11, 1990)

"Claims for Damages Under the Oil Pollution Act of 1990," Swedish Club, Stockholm, Sweden (December 7, 1990)

"Beyond the Basics: Tactics and Strategies for Dealing with Environmental Claims Under the 1990 Oil Pollution Act," International Group of P&I Clubs, London, England (December 4, 1990)