



Alfred R. Fabricant

PARTNER

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Alfred R. Fabricant is one of the nation's most active and successful patent litigators and trial lawyers. He brings more than 35 years of first-chair trial experience to patent, copyright, trademark, and unfair competition matters in federal and state courts nationwide, including the most active patent venues in Texas, Delaware, California, Illinois, Florida, New York, and New Jersey.

Praised for his "outstanding skills of presentation and persuasion in the courtroom" by clients who "say they cannot imagine working with anyone better" (IAM 1000), Fred has led successful litigation efforts against imposing adversaries across a wide range of technologies. His jury trial wins in patent matters include victories against Amazon and McKesson. In Patexia's January 2026 Patent Litigation Report, Fred was "ranked among the top 10 patent litigation attorneys out of 14,000+ evaluated nationwide." His high-stakes IP disputes have involved technologies including automotive, semiconductor, payments, robotics, LED lighting and displays, smartphone handsets, smart speakers, medical devices, electronic ratings systems, copy protection and anti-piracy technology, NFC and radio frequency identification systems, memory and storage devices, software, and optical systems. He has also successfully tried to jury verdict a motion picture entertainment litigation against Scholastic Inc., and also led successful litigation against Christie's auction house over the rare Nicholas II royal Faberge Imperial Easter Egg. He was also featured in The New York Times and The Washington Post for his winning trial against the State of New York for monetary compensation arising out of the wrongful imprisonment of Isidore Zimmerman, a man who spent 24 years in jail for a murder he did not commit.

CREDENTIALS

Education

- University of Illinois Chicago School of Law, J.D., with highest distinction
- University of Miami B.A., *magna cum laude*

Bar & Court Admissions

- New York
- Arizona
- United States Supreme Court

Professional Memberships

- American Bar Association
- New York State Bar Association
- Arizona State Bar Association

Fred has practiced before all major patent venues, including the International Trade Commission and the Patent Trial and Appeal Board, where he has appeared in more than 250 inter partes review proceedings. He has also argued many appeals before the Federal Circuit Court of Appeals as well as the Second and Fourth Circuits.

A pioneer in litigation financing, Fred has handled a large number of cases financed in whole or in part by litigation funders and is frequently recommended to claimants by litigation funders for lead counsel appointments in litigation and to defend claimants in IPR and ex parte re-examination proceedings. He has also represented litigation funds as outside diligence counsel.

Outside the litigation context, Fred routinely negotiates and drafts patent, trademark, and copyright license agreements; joint venture and litigation funding agreements; and other contracts. He has particular experience providing IP due diligence, freedom to operate analyses, and advice on IP portfolio management and monetization, a topic on which he has lectured extensively for more than a decade. He advises clients on portfolio acquisitions and development, licensing and enforcement strategies, and litigation financing options.

Representative Experience

- Obtained multimillion-dollar jury verdict against Amazon involving smart speakers and adaptive beam forming (E.D. Tex.).
- Successfully defended his clients at trial by jury against claims of patent infringement asserted by McKesson, the world's largest healthcare provider (D. Del.). Affirmed by Federal Circuit.
- Obtained final judgment of non-infringement in a patent case tried to verdict concerning universal remote control devices against one of the world's largest electronics manufacturers (D. Del.).
- Obtained judgment of patent unenforceability in a patent case tried to verdict concerning RFID systems for animal tagging and identification (E.D. Tex.). Affirmed by Federal Circuit.
- Obtained a multimillion-dollar jury verdict awarding complete relief to his client, an independent theatrical motion picture production company, against Scholastic Inc., one of the world's largest entertainment and publishing houses (S.D.N.Y.).
- Obtained a jury verdict of non-infringement in a copyright case involving commercial photographs (S.D.N.Y.).
- Secured a consent injunction in a patent case involving audio encoding and decoding technology by which the defendant agreed to permanently cease practicing the asserted patents and conceded patent validity and enforceability (E.D. Tex.).
- Secured a consent injunction against four competitors in a patent case concerning child safety restraints by which the defendants each agreed to permanently cease practicing the asserted patents and conceded patent validity and enforceability (E.D. Tex.).
- Secured numerous favorable settlements against global leaders in the payments industry (E.D. Tex.).
- Secured numerous favorable settlements against global leaders in the GPS tracking space (E.D. Tex. and W.D. Tex.).
- Secured numerous favorable settlements against automobile manufacturers and Tier 1 head unit manufacturers in the auto infotainment industry (E.D. Tex.).

- Secured numerous favorable settlements in patent cases involving noise cancellation and speech detection (E.D. Tex.).
- Secured favorable settlements for global digital camera and lens manufacturer in patent cases involving flash memory cards and internet marketing websites (E.D. Tex.).
- Obtained judgment of patent invalidity in favor of a global leader in audience measurement involving a new type of electronic ratings meter (S.D.N.Y.).
- Obtained summary judgment defeating all claims of inventorship asserted against 17 patents covering audio encoding and audience measurement technology (S.D.N.Y.).
- Defended a manufacturer and distributor of a new type of inline skate product against claims of patent infringement and unfair competition, resulting in finding of non-infringement (S.D.N.Y.).
- Secured judgment in an interference matter before the Board of Patent Appeals and Interferences rendering the junior party's patent unenforceable.
- Defeated a preliminary injunction sought by one of the country's largest wireless phone companies in a trademark and unfair competition case (S.D.N.Y.).
- Successfully represented a well-known art collector in an action against Christie's, the art auction house, concerning the sale of one of the rare Faberge Imperial Easter Eggs – the Nicholas II Equestrian Egg (Supreme Court NY County).

Recognition

- Patexia, Ranked #7 in Top 100 Most Active Patent Attorneys Overall (2026)
- Patexia, Ranked #6 in Top 100 Most Active Patent Attorneys Representing Plaintiffs (2026)
- IAM, IAM 300 World's Leading IP Strategists (2025)
- New York Super Lawyers, Top-Rated Intellectual Property Attorney (2011-2025)
- Marquis, Who's Who Expertise in Law and Intellectual Property (2025)
- Patexia, Ranked #11 in Top 50 Most Active Patent Litigators (2023)
- IAM Patent 1000, Leading Patent Litigation Practitioner, (2013-2014)
- Martindale-Hubb, AV Preeminent Rating

Writings

- Co-Author, "Mandamus as a strategic tool to avoid a forum," Intellectual Property Magazine (January 21, 2019)
- Firm Represents Windy City Innovations LLC network communication patents against Facebook (June 11, 2020)

Presentations

- Speaker, IP Dealmakers Forum (since 2014); conference chairperson (since 2018)
- Panelist, “Funding for Perfection: Delivering Superior Client Service” and “Law Firm Profitability: Big Law Roundtable,” Momentum Events General Counsel Forum, New York (May 1, 2019)
- Member, Practising Law Institute (since 2007); regularly lectures on a variety of patent law subjects, including “Administering An IP Licensing Program,” PU IP Issues in Business Transactions (January 2014)
- Speaker, “Patent v. Trade Secret; Making the Choice,” Trade Secret Symposium, The John Marshall Law School (September 2014)
- Speaker, “Developments in U.S. IP Enforcement Law,” State Intellectual Property Office, Beijing, PRC (April 10, 2013)
- Speaker, “Patent Litigation With Non-Practicing Entities,” ACC-GNY CLE Program, New York (September 22, 2011)
- Speaker, IQPC 6th Patent Strategies, New York (October 2008)
- Speaker, “Protecting Yourself Against Patent Trolls,” IP Litigation Summit: Proactive Strategies to Simultaneously Enforce and Defend Intellectual Property Rights and Contain Litigation Costs, New York (May 2006)
- Lecturer, “How to Successfully Litigate Your Patent Case in the U.S.,” IP Law European Summit, Montreux, Switzerland (April 2006)
- Lecturer, “A ‘How To’ Guide for Creating a Cost-Effective Discovery Strategy,” New York State Bar Association’s Intellectual Property Law Section (1999 Fall Meeting)