

Tonya M. Gray



**Partner**

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Tonya's practice encompasses complex civil and commercial litigation matters at both the trial and appellate levels and in both federal and state court. She has significant experience in intellectual property litigation defending patent infringement suits (particularly in the Eastern District of Texas) and trade secret misappropriation claims. Tonya's intellectual property experience includes cases about battery technology, video games, electronic gift cards, internet advertising, check imaging, online banking and e-commerce. Her practice also includes contract disputes, fiduciary claims, and general business and tort litigation.

**REPRESENTATIVE EXPERIENCE**

- Represented multiple national retailers in patent litigation relating to secure online purchases
- Represented multiple national banks in three separate patent litigation cases involving check imaging and online banking
- Represented Japanese telecommunications company in litigation involving patent rights to lithium battery technology
- Represented national media company in patent infringement case involving software for managing radio inventory and revenue
- Represented national restaurant company in patent infringement case involving electronic gift cards; formerly represented national property group in case involving the same technology
- Representation of a national manufacturer and distributor in the interactive entertainment industry in patent infringement suit regarding dance video games
- Representation of a banking and financial services company in certificate-holder litigation involving its role as trustee for commercial mortgage backed securities trusts; successfully obtained judgment dismissing plaintiff's claims
- Successfully defended a publicly traded Internet advertising provider in a suit involving business torts and breach of contract claims

**PUBLICATIONS**

- "Contract Clauses Offer Protection in Infringement Suits," *Texas Lawyer, In-House Texas, Special Report on Intellectual Property* (January 11, 2010)
- "Separate But Not Sovereign: Reconciling Federal Commandeering of State Courts" *Vanderbilt Law Review* (1999)

**PRACTICES**

Banking/Finance  
Litigation  
Commercial Litigation  
Intellectual Property  
Counseling and  
Litigation  
Intellectual Property  
Litigation  
Litigation

**EDUCATION**

JD, 1999, Vanderbilt  
University School of  
Law, *Vanderbilt Law  
Review*, Notes  
Development Editor  
BS, 1996, *magna cum  
laude*, Accounting in the  
Honors College,  
Missouri State  
University, Presidential  
Scholar, University  
Honors Council

**ADMISSIONS**

Texas 1999  
US Court of Appeals for  
the Fifth Circuit  
US Court of Appeals for  
the Federal Circuit  
US District Court for the  
Northern District of  
Texas  
US District Court for the  
Southern District of  
Texas  
US District Court for the  
Eastern District of Texas  
US District Court for the  
Western District of  
Texas

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#### PROFESSIONAL RECOGNITION

- Recognized as a "Future Star" in Texas by *Benchmark Litigation* (2011)
- Texas Rising Star, *Texas Monthly* (2008, 2011, 2012)

#### BRIEFINGS, SEMINARS & SPEECHES

- Past presenter on evidentiary issues at University of Houston CLE courses.
- Co-presenter: *The Best Defense is a Strong Offense: Navigating Patent Litigation* (Dallas Bar Association CLE Program, January 2011)
- Co-presenter: *The Best Defense is a Strong Offense: The Benefits of an Inequitable Conduct Defense* (Advanced PCT Seminar for Patent Professionals 2010)
- Speaker: *Ins and Outs of Patent Litigation in the Eastern District of Texas* (TAPS 2007)

#### AFFILIATIONS

- Dallas Association of Young Lawyers
- Dallas Bar Association
- American Bar Association

#### PRESS RELEASES

- Andrews Kurth Lawyers Recognized as 2012 Texas Rising Stars (March 9, 2012)
- Andrews Kurth Receives High Accolades in Litigation and Appellate Practices (December 16, 2011)
- Andrews Kurth Lawyers Recognized as 2011 Texas Rising Stars (March 17, 2011)
- Andrews Kurth Elects Seven New Partners for 2009 (December 3, 2008)
- Andrews Kurth Lawyers Recognized as Rising Stars (April 29, 2008)
- Andrews & Kurth Adds Associates (August 30, 1999)