

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 and online banking. Her practice also includes contract disputes, fiduciary claims, and general business and tort litigation.

REPRESENTATIVE EXPERIENCE

- Represent multiple national retailers in patent litigation relating to secure online purchases
- Represent 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
- Represent 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)

BRIEFINGS, SEMINARS & SPEECHES

- Frequent 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 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)