



Samuel F. Miller (Sam)

Title: Member

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Sam Miller's practice primarily focuses on trademark, copyright, and patent litigation. He has served as lead trial counsel in courts throughout the United States for a wide range of clients from celebrities and entrepreneurs to a billion-dollar start-up and one of the world's leading medical device manufacturers. He also is a Rule 31 listed mediator. He is located in the firm's Nashville office.

CAPABILITIES

Practice Areas

- Advertising & Marketing Law
- Copyrights
- Intellectual Property & Technology
- Intellectual Property Litigation
- Media / First Amendment Law
- Sports & Entertainment
- Trademarks

RECENT ASSIGNMENTS

- Obtained judgment of invalidity at bench trial involving oil pressurization system.
- Represented publicly-traded pharmaceutical company in false advertising and trademark infringement case valued at hundreds of millions of dollars.
- Obtained preliminary injunction on behalf of leading obstacle course challenge company against infringer using confusingly similar trademark.
- Obtained summary judgment in favor of nationwide retailer in trademark and cybersquatting action before the United States District Court for the Central District of California in Los Angeles.
- Obtained motion for judgment on the pleadings that reduced potential statutory damages award against client by nearly \$100 million.
- Reached positive settlement for developer accused of copyright infringement based on website design and content.
- Represented manufacturer accused of infringement in which plaintiff sought damages in excess of \$150 million.
- Represents owner of distinctive design for cupcake liners in claims for infringement.
- Represented patent owners and defendants in over 75 patent infringement lawsuits in courts throughout the United States involving mechanical, medical, chemical, business method, and software-related technologies.
- Obtained successful denial of four petitions for Inter Partes Review.
- Argued before Federal Circuit regarding appeal of Inter Partes Review decisions.
- Obtained settlement on behalf of leading pet products company against multinational competitor after International Trade Commission accepted case and prior to determination of motion for temporary exclusion order.

BAR ADMISSIONS

- Tennessee
- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern District of Tennessee
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Middle District of Tennessee
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Western District of Tennessee

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- People On the Move in Nashville: Samuel F. Miller
by Editor, *Nashville Business Journal*, July 25, 2024
- Stites & Harbison adds partner: Samuel Miller rejoins firm to bolster intellectual property litigation
By Editor, *Nashville Post*, July 25, 2024
- Attorneys React to Supreme Court Patent Venue Ruling
Law360, May 2017
- Supreme Court Drastically Changes Where Patent Infringement Cases Can Be Filed
Intellectual Asset Management Weekly Email, May 2017
- U.S. Supreme Court Strengthens Attacks on U.S. Patents Through Inter Partes Reviews
Intellectual Asset Management International Reports, July 2016
- Prepare to See More Method Patent Infringement Cases
Law360, August 2015
- The Price of Entry: Litigation & Enforcement
speaker, The IP Strategy Summit, Atlanta, GA, April 2015

- The Impact of 3D Printing on the Commercialization on Intellectual Property
LawyerMade, September 2014
- Preparing for Litigation
panelist, The IP Strategy Summit: Enforcement, Silicon Valley, Calif., June 2014
- Rethink Intellectual Property - Your Intellectual Property Is a Source of Capital and New Business Opportunities
Catalyst Magazine, Nashville Technology Council, January 2013
- Intellectual Property Issues for Start-Up Companies
Intellectual Property Deskbook for the Business Lawyer, Third Edition, 2013
- Electronically Stored Information (ESI) and the Deal Lawyer
Inside Counsel Webinar, December
- Social Media: The Good, the Bad, and the Illegal?
panelist, The Law of Technology - What You Need to Know, Tennessee Bar Association, September 2012
- Ethical Considerations and Social Media: Client and Business Strategies
Webinar, Tennessee Bar Association, August 2012
- Intellectual Property Issue Basics
General Practice 2012 Fast Track seminar, Tennessee Bar Association, Knoxville, Tenn., August 2012
- Alternative dispute resolution in intellectual property contract matters
Featured, *2nd Generation Capital*, July 2012
- Kroll Ontrack Advanced E-Discovery Certification
Instructor/Presenter, Eden Prairie, Minn., June 2012
- BIG Data, BIG Analytics: Attacking the ESI Volume Problem with More than Just TAR
Webinar, eDiscovery Journal, November 2012
- Damages and the Calculation of Damages in Intellectual Property Cases
Nashville Bar Association, Intellectual Property Section, November 30, 2011

MEMBERSHIPS

- Tennessee Bar Association , Intellectual Property Section (Chair, 2015-16; 2011-12 and 2009-10) (Vice-Chair, 2008-09)

EDUCATION

Indiana University Mauer School of Law J.D. *cum laude* 2003

- *Indiana University Journal of Global Legal Studies*, Notes Editor
- Dean's List
- Excellence for the Future Award, Center for Computer-Assisted Legal Instruction for achievement in "Patents and Emerging Technologies"
- "Prescriptive Jurisdiction Over Internet Activity: The Need to Define and Establish the Boundaries of Cyberliberty," *10 Indiana Journal of Global Legal Studies*, Issues 2 (Summer 2003)
- Jessup International Moot Court Competition, Member and co-wrote brief that was awarded 1st Place Best Overall Brief for the North Central Region
- Study Abroad: Trinity College, Dublin, Ireland (Summer 2002)

Xavier University B.A., History *cum laude* 2000

- Alpha Sigma Nu - National Jesuit University Honor Society
- National Collegiate Honor Society, Mortar Board
- Xavier University Silver and Gold Keys for Outstanding Extracurricular Involvement

MORE THAN STITES & HARBISON

Prior to joining the firm, Sam was founder & Managing Partner of Miller Legal Partners PLLC in Nashville. Prior to that, he was a member of a large law firm in Nashville and started his career at Stites & Harbison as a Summer Associate (2002) and Associate (2003-06).

ACCOLADES

- *Best Lawyers In America*®, Intellectual Property Litigation and Patent Litigation (2015-24)
- *Mid-South Super Lawyers*® (2007-24)
- *Mid-South Super Lawyers*®, Rising Star (2008-09)
- America's Top 100 High Stake Litigators (2020-23)
- *Managing Intellectual Property*, IP Stars (2013-19)