STITES & HARBISON PLLC



## 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

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

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

## RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- No Contributory Liability for Online Service Providers Merely for Providing Services to Infringers
  ,*with Alexandra MacKay* Stites & Harbison Client Alert, March 31, 2026
- Supreme Court Rules Trademark Plaintiffs Can Only Recover Profits from Defendants Named in the Action
  ,*with Alexandra MacKay* Stites & Harbison Client Alert, February 27, 2025
- 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)
- American Bar Association,
  - Health Law Section

## EDUCATION

- Indiana University Mauer School of Law J.D., *cum laude* 2003
- Xavier University B.A., History, *cum laude* 2000

## 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 (2015-27)
- *Mid-South Super Lawyers*® (2020-25)
- *Mid-South Super Lawyers*®, Rising Star (2008-09, 2013-17)

- America's Top 100 High Stake Litigators (2020-23)
- *Managing Intellectual Property*, IP Stars (2013-19, 2024-26)