



THOMAS J. SCHELL

Counsel

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BIOGRAPHY

Tom is a registered patent attorney and has experience in both patent prosecution and litigation, among other intellectual property matters. He has worked on patent infringement cases involving Internet technology, telecommunications and wireless networks, bar code scanners, and mechanical patents. He also has handled other cases involving trade secrets, copyright, trademark, and licensing issues. Tom has prosecuted patent applications related to computer software, network security, and data management, and provides advice to clients on patent and other intellectual property issues.

In addition to intellectual property litigation and patent prosecution, Tom has successfully tried cases and argued numerous motions in federal and state courts involving bankruptcy, securities fraud, and various commercial litigation matters. Among other accomplishments, he helped a bankruptcy trustee in a Ponzi scheme case prosecute numerous adversary proceedings, leading to

the recovery of millions of dollars which paid off a substantial amount of the allowed creditors' claims, and in another case successfully defended former shareholders of a bankrupt company, including three successful appeals that led ultimately to a favorable settlement.

Tom's practice also extends to corporate compliance and advice. He helped lead a team of attorneys and forensic accountants in a company's internal investigation of transactions involving complex financial derivatives, and helped prepare a detailed report for submission to the Securities and Exchange Commission.

A member of the firm's Electronic Discovery Unit, Tom is active in helping clients keep up with the rapid changes in electronic discovery and other technological issues that arise in litigation. He regularly consults with clients regarding e-discovery and data management issues.

PROFESSIONAL AFFILIATIONS

- New York State Bar Association
- American Bar Association

ADMISSIONS

- New York, 1999
- New Jersey, 1997
- U.S. Patent and Trademark Office
- United States District Court for the Eastern and Southern Districts of New York

United States Court of Appeals for the Second and Third Circuit

EDUCATION

New York University, J.D., *cum laude*, 1997

Yale University, B.S., *cum laude*, 1993

RELATED CAPABILITIES

- Intellectual Property and Technology
- Patents: Counseling, Prosecution & Practical Business Services

- Patents: Litigation
- Restructuring & Insolvency/Special Situations
- Finance
- Regulation, Compliance & Advisory
- Litigation & Dispute Resolution
- Financial Institutions
- Business & Commercial Disputes
- Securities Litigation and Enforcement

RESOURCES

PUBLICATIONS

- "A Recipe For Dismissing Securities Complaints," *Metropolitan Corporate Counsel*, November 1998, (co-authored with David G. Keyko)
- "Panel: Technology – Another Aspect of Law Firm Partnering," *Metropolitan Corporate Counsel*, September 1998