

# Christopher A. Lisy

Skadden

Counsel, Boston

Litigation



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## Education

J.D., American University Washington College of Law, 2001 (with honors)

B.A., Franklin & Marshall College, 1998

## Bar Admissions

Massachusetts  
New York  
Rhode Island

## Publications

Co-Author, "Mending the Wall: A Call for a Presumption of Privacy in the Federal Civil Rules," *Litigation — American Bar Association*, Vol. 41, No. 1 (Fall 2014)

Co-Author, "Good Clean Fun: Using Clean Room Procedures in Intellectual Property Litigation," *Intellectual Property and Technology Journal*, October 2013 (Vol. 25, No. 10)

Christopher A. Lisy's practice includes intellectual property litigation, financial services and insurance product litigation, and other forms of complex civil litigation, including numerous jury trials. Mr. Lisy also represents companies involved in mergers and acquisitions to provide counsel regarding litigation risk, indemnification arrangements and other issues.

In recent years, Mr. Lisy has secured several notable and high-profile verdicts in federal court, including:

- successfully defending of one of the world's largest asset managers in the District of New Jersey, defeating a \$1.55 billion excessive fee claim brought under Section 36(b) of the Investment Company Act. The case is one of the largest ever brought against the mutual fund industry and is the first trial decision on the so-called "subadvisory" or "reverse manager of managers" theory;
- obtaining a \$500 million jury verdict in a case involving "virtual reality" intellectual property in the Northern District of Texas on behalf of a video game company against Facebook subsidiary Oculus VR, and its executives, for copyright infringement, breach of contract and false designation. The verdict is the sixth-largest ever awarded for copyright, trademark and/or trade secret claims and the 12th-largest intellectual property verdict including patent damages; and
- obtaining a multimillion-dollar jury verdict, damages award and permanent injunction for copyright infringement and trade secret misappropriation on behalf of a technology company in the Southern District of Texas.

Mr. Lisy's practice includes representing some of the world's largest financial services firms and their directors, officers and executives, including insurance and reinsurance companies. These proceedings include class actions and shareholder derivative proceedings for securities fraud, breach of contract and breach of fiduciary duty. For example, he obtained the dismissal of several shareholder litigations concerning auction rate securities for a Massachusetts investment adviser and its chief executive officer, as well as the dismissal of a purported class action concerning Medicare Secondary Payer Act claims for a property and casualty insurer. Mr. Lisy has particular experience in disputes involving "cost of insurance" charges and bank-owned life insurance/company-owned life insurance policies. He also represents companies in a broad range of investigations and enforcement actions by the U.S. Securities and Exchange Commission, the U.S. Department of Justice and state regulatory agencies concerning, among others, insider trading, disclosure, internal controls and sales practices issues.

Mr. Lisy also litigates non-competition and confidentiality agreements in Massachusetts state courts and federal courts, particularly on behalf of clients in the technology industry. He has obtained numerous preliminary and permanent injunctions for his clients, including in "employee raiding" cases, and successfully has defended against such injunctions. Mr. Lisy has litigated issues concerning proprietary computer source code and open source code (including HLASM, C++ and C#), 3D gaming and "first-person" games, as well as commercial software products in the storage, replication, database, and planning and scheduling areas, among others.