



Geoffrey Potter

Partner

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Geoffrey Potter is a Partner and Chair of the Firm's Anti-Counterfeiting Practice and Brand Protection team. A highly-experienced trial lawyer, Mr. Potter litigates counterfeiting and product diversion cases on behalf of major corporations in multiple industries worldwide. These cases primarily involve counterfeit products with the potential to cause serious injury or death, including counterfeit medical devices, pharmaceuticals, nutritional supplements, beverages and other consumer, industrial and electronic products.

Mr. Potter also litigates to recover for fraudulent insurance claims, false pharmacy adjudications and fraudulently obtained discounts and rebates, and has successfully recovered tens of millions of dollars on behalf of pharmaceutical companies. In addition to this work, Mr. Potter also litigates cases for and against financial institutions and investment funds, as well as cases concerning accountant liability, defamation, consumer and shareholder class actions, unfair competition, copyright, breach of contract and fraud. He has also conducted numerous securities and employment arbitrations and internal investigations involving Foreign Corrupt Practices Act violations, accounting improprieties and employee malfeasance.

In the anti-counterfeiting arena, he has successfully sued and executed seizure orders globally against hundreds of individuals and businesses that have manufactured and distributed counterfeits. This has resulted in the seizure and destruction of millions of counterfeits and the collection of millions of dollars in settlements and judgments. Repeatedly, Mr. Potter's efforts have resulted in counterfeiters being incarcerated.

Outside of litigation, Mr. Potter counsels clients on integrated risk reduction solutions and best practices for avoiding counterfeiting problems. He advises on proactive methods to secure products and packaging against counterfeiters and on the development of programs to guard and monitor distribution channels.

Chambers USA - America's Leading Lawyers for Business named Mr. Potter a Leading Practitioner for Intellectual Property Litigation known for his work in "high-stakes brand protection disputes." The guide calls him a "noted authority on anti-counterfeiting issues" and clients described him as "one of the most brilliant, innovative, creative attorneys I have had the pleasure of working with," as well as "one of the smartest, most strategic thinking, aggressive lawyers... in IP." He is also praised for being "able to think outside the box" and for being "a lawyer who genuinely looks out for his client's best interests." He is also listed as a "Litigation Star" for New York by Euromoney Institutional Investor PLC's *Benchmark Litigation*. Cited as an authority on anti-counterfeiting in more than a hundred articles, his recent quotes have been published in *The New York Times*, *Wall Street Journal*, *International Herald Tribune*, *Forbes*, *Bloomberg* and *Financial Times*. He is also a frequent speaker and teacher at anti-counterfeiting conferences.

Education

Patterson Belknap

- New York University School of Law (J.D., 1988)
- Cornell University (B.A., 1984)

Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Second Circuit; Third Circuit; Seventh Circuit; Ninth Circuit; Federal Circuit
- U.S. District Court, Southern, Eastern and Northern Districts of New York
- U.S. Court of International Trade
- New York
- Colorado
- District of Columbia
- U.S. District Court, Eastern District of Michigan

Professional Activities

MEMBERSHIPS: New York State Bar Association; American Bar Association, Member, Intellectual Property Division; New York Civil Rights Coalition, Corporate Counsel and Member, Board of Advisors; EcoHealth Alliance, Board of Directors

HONORS: Recognized as a *Leading Practitioner* for Intellectual Property by *Chambers USA - America's Leading Lawyers for Business*; Listed in *World Trademark Review 1000 - The World's Leading Trademark Professionals*

Speaking Engagements

PRESENTER:

- "Get an Injunction Now!: Best Practices for Obtaining Emergency Injunction Relief" American Bar Association Section of Litigation 2018 Annual Conference (May 3, 2018)
- "Case Study: Effectively Chasing and Shutting Down a Global Counterfeiting Scheme" IQPC 20th Annual Anti-Counterfeiting & Brand Protection Conference (January 30, 2018)
- Chairperson, IQPC 20th Annual Anti-Counterfeiting & Brand Protection Conference (January 29-31, 2018)
- "Cross Border IP Investigations: Complexities, Costs, and Risks," International AntiCounterfeiting Coalition (IACC) 2017 Annual Fall Conference (October 20, 2017)
- Chairperson, IQPC 19th Annual Anti-Counterfeiting & Brand Protection Summit (September 28-29, 2017)
- "Using Trademarks to Stop Diversion and Gray Market Sales," IQPC 19th Annual Anti-Counterfeiting & Brand Protection Summit (September 28, 2017)
- Chairperson, IQPC 18th Annual Anti-Counterfeiting & Brand Protection Conference (January 24-25, 2017)
- "Effective Strategies to Chase and Stop Counterfeiting Rings," IQPC 18th Annual Anti-Counterfeiting & Brand Protection Conference (January 24, 2017)
- "Town Hall: Examine Your Top Burning Questions," IQPC 18th Annual Anti-Counterfeiting & Brand Protection Conference (January 25, 2017)
- "Case Study: The 5-Hour ENERGY™ Anti-Counterfeiting Litigation," IQPC 17th Annual Anti-Counterfeiting & Brand Protection Summit (September 26, 2016)
- "Best Practices for Fighting Product Diversion," ASIS International 62nd Annual Seminar and Exhibits (September 14, 2016)

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- Panelist, "Proactive Approaches to Combat Product Diversion," IQPC Annual Anti-Counterfeiting & Brand Protection Summit (January 27, 2016)
- Moderator, "Developing Effective Brand Protection Budget Buy-In," IQPC Annual Anti-Counterfeiting & Brand Protection Summit (January 26, 2016)
- "Combatting Product Diversion," ASIS International 61st Annual Seminar and Exhibits (September 29, 2015)
- "Proactive Business Approaches for Combatting Illegal Diversion," Anti-Counterfeiting & Brand Protection Summit (January 27, 2015)
- "Striking Back Against Counterfeiters," ASIS International 60th Annual Seminar and Exhibits (September 30, 2014)
- "Brand Initiated Enforcement: How to Take Enforcement into Your Own Hands," IQPC Anti-Counterfeiting Pharmaceuticals and Medical Devices Summit (June 25, 2014)
- "Using The Anti-Counterfeiting Laws to Hunt Down and Shut Down Counterfeiters," ASIS International 59th Annual Seminar and Exhibits (September 26, 2013)
- "Raising Concerns in Counterfeit Medical Devices: How to Prevent Fraud," Quality Assurance in Device & Diagnostic Manufacturing Conference, Frankfurt, Germany (November 8, 2011)
- "Case Study: Addressing Counterfeit Repackaging of Diverted Medical Devices," IACC Annual Spring Conference (May 13, 2011)
- "Nuts & Bolts of Anti-Counterfeiting Litigation," USC Regulatory Science Program and The Food and Drug Law Institute Anti-Counterfeiting Seminar (November 10, 2010)
- "Monitoring and Protecting a Licensing Program," LIMA Licensing International Expo 9, Las Vegas (June 9, 2010)

In the Media

Intellectual Property Magazine, "[Fake COVID-19 Vaccines Found in Mexico and Poland](#)" (May 2021)

Monroe Journal, "[Amory businessman indicted for wire fraud and health care fraud](#)" (April 2021)

Pharmaceutical Commerce, "[Fake doses spotlight unique distribution-chain risks for Covid vaccines](#)" (April 2021)

Associated Press, "[Woman sentenced for selling nonsterile, fake medical mesh](#)" (March 2021)

Lexington Herald-Leader, "[Woman who sold fake medical product to University of Kentucky sentenced to prison](#)" (March 2021)

Bloomberg Law, "[Roche Diagnostics, Pharmacies End Fraud Suite for \\$43 Million](#)" (February 2021)

Law360, "[J&J Wins Settlement In Counterfeit Device Row](#)" (February 2021)

Natural Products Insider, "[Former President Trump commuted sentence of woman in 5-hour Energy counterfeit scheme](#)" (February 2021)

The San Diego Union-Tribune, "[The South Bay businesswoman who got clemency from Trump](#)" (January 2021)

Law360, "[Clinics Barred From Gilead HIV Drug Program For Now](#)" (December 2020)

BioWorld, "[Gilead suit shows vulnerability of prescription assistance programs](#)" (November 2020)

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Law360, "[J&J Unit Block Against Seller of Counterfeit Implants](#)" (October 2020)

Law360, "[J&J Surgical Rip-Offs Lead To Seizure, FDA Criminal Probe](#)" (June 2020)

The American Lawyer, "[Daily Dicta: Repeat After Me: It's a Bad Idea to Commit Discovery Fraud](#)" (May 2020)

Law360, "[Abbott Wins Test Strip Suit After Supplier's Discovery Fraud](#)" (March 2020)

The Wall Street Journal, "[Cisco Wins Legal Challenge in Battle Against Chinese Counterfeits](#)" (December 2019)

The American Lawyer, "[Shout Out: Patterson Belknap Wins Terminating Sanctions for Abbott in Discovery Fraud Case](#)" (May 2019)

Law360, "[Magistrate Details Cautionary Tale of Case-Ending Fraud](#)" (May 2019)

Trademarks & Brands Online, "[Trump Signs Memo to Stem Online Sale of Fake Goods](#)" (April 2019)

Reuters, "[Roche Sues U.S. Executives in Fight Over Diabetes Test Strips](#)" (March 2019)

Medtech Insight, "[Roche Gets Injunction Against Pharmacy Chain In Test-Strip Fraud Case](#)" (October 2018)

Real Estate Weekly, "[Renegade Intern Lands ATCO in Hot Water with Data Company](#)" (August 2018)

The National Law Journal, "[Intellectual Property Trailblazers](#)" (February 2018)

Corporate Counsel, "[Tracking Down a Counterfeiter, Bottle by Bottle, and Finding Justice](#)" (May 2017)

The Mercury News, "[San Jose: 5-Hour Energy counterfeiter gets 7 years in prison](#)" (April 2017)

Law360, "[Counterfeit 5-Hour Energy Ringleader Sentenced To 7 Years](#)" (April 2017)

IPPro the Internet, "[Alibaba calls for tougher counterfeit penalties](#)" (February 2017)

InsideCounsel, "[Alibaba Should 'Look in the Mirror' Over False Counterfeiting Accusations](#)" (February 2017)

The American Lawyer, "[Litigator of the Week: Nabbing the Counterfeiters for 5-Hour Energy](#)" (December 2016)

New York Law Journal, "[Second Circuit Approves Sales Ban on 'Gray Market' Diabetes Test Strips](#)" (November 2016)

Law360, "[2nd Circ. Backs Ban On 'Gray Market' Sale Of Abbott Test Strip](#)" (November 2016)

Law360, "[Challenge To Test Strip Injunction Falls Flat In 2nd Circ.](#)" (October 2016)

USA Today, "[Head of anti-fakes group closely tied to Alibaba](#)" (May 2016)

Law360, "[Injunction On 'Gray Market' Abbott Diabetes Test Strips Grows](#)" (December 2015)

The American Lawyer, "[Patterson Belknap Scores for Abbott in Diabetes Test Strip Imports](#)" (November 2015)

Law360, "[Feds Indict 10 Over Fake 5-Hour Energy Scheme](#)" (June 2015)