



Timothy A. Waters

Partner

twaters@pbwt.com

212.336.7601

Timothy Waters is a Partner in the firm's Litigation department and a member of the firm's Anti-Counterfeiting Practice and Brand Protection team. Mr. Waters represents manufacturers and brand owners in complex litigations against the producers and distributors of counterfeits and illegally diverted products. Mr. Waters' practice focuses on counterfeit products that have the potential to cause serious injury or death. He has investigated, litigated against and successfully shut down multinational counterfeiting networks on behalf of clients including major pharmaceutical companies, medical device manufacturers, and tech firms.

Exercising trademark owners' rights under federal law, Mr. Waters has successfully obtained and executed dozens of ex parte civil seizure orders at counterfeiters' offices and warehouses, seizing their electronic and paper records, and removing from their shelves hundreds of millions of dollars' worth of counterfeit medical and consumer products. Mr. Waters has obtained eight-figure judgments against those counterfeit manufacturers and distributors, and obtained permanent injunctive relief prohibiting the companies and their principals from ever again buying or selling his clients' products. Mr. Waters also successfully litigates against gray-market distributors and others who illegally divert his clients' products, obtaining similar monetary and injunctive relief.

In addition to anti-counterfeiting and brand-protection litigations, Mr. Waters represents large corporations in trademark and copyright actions, consumer fraud lawsuits, and breach-of-contract and indemnity disputes.

Outside of litigation, Mr. Waters counsels manufacturers and markholders on brand-protection strategies, including combatting and deterring counterfeiting, unlawful diversion, and fraudulent billing and reimbursement practices.

Representative Matters

Representing a major pharmaceutical company in a litigation against domestic and international companies and individuals manufacturing, distributing, and laundering the illicit proceeds of counterfeit HIV medication.

Representing a major pharmaceutical company in lawsuits against gray-market distributors selling ex-U.S. products to U.S. pharmacies and retailers, including products repackaged into counterfeit U.S. packaging.

Successfully represented a major medical device manufacturer in a series of litigations identifying, suing, and shutting down an international network that was manufacturing and selling to U.S. hospitals defective and bacterially contaminated counterfeits of surgical devices.

Admissions

- U.S. Court of Appeals, Second Circuit; Third Circuit
- U.S. District Court, Southern and Eastern Districts of New York
- New York

Professional Activities

SPEAKING ENGAGEMENTS: Presenter, "Beyond Borders, Combating Counterfeiting in a Globalized World," K2 Integrity (September 26, 2023); Presenter, "Learn how to hunt down and stop pharmaceutical counterfeiters," Virtue Insight Annual Pharma Anti-Counterfeiting & Serialisation (September 6, 2023)

Education

- Harvard Law School (J.D., *magna cum laude*, 2008)
 - Executive Editor, *Harvard Law Review*
- University of California, Berkeley (B.A., *with highest distinction*, 2003)