



Saul B. Shapiro

Partner

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Saul Shapiro is a Partner and Chair of the firm's Media and Entertainment Practice Team. He is the immediate past Chair of the firm's Litigation department, which he headed for two terms. His practice focuses on complex commercial litigation, as well as intellectual property disputes. He has won the dismissal of numerous cases on pre-trial motions. He has also been lead counsel in seven trials, as well as multiple arbitrations, and he has been victorious in all four of the jury trials he has taken to verdict. Mr. Shapiro is an experienced appellate lawyer, and has conducted numerous internal investigations.

The National Law Journal recently named Mr. Shapiro to its 2023 list of "Media & Entertainment Law Trailblazers." Mr. Shapiro is also regularly recognized as a leading practitioner in *Chambers USA*. *Chambers* has noted that clients say Mr. Shapiro is "a fantastic lawyer," and is "known for handling high-stakes litigation, both commercial and media and entertainment focused." *Chambers* quotes a client who comments that: "If we have litigation, he would be my first choice. He's a brilliant lawyer, extremely good to work with, pragmatic and has a great personality. Whenever issues come up day to day, I call Saul." *Chambers* also highlights that Mr. Shapiro is "sharp, thorough, highly collaborative, strategic and easy to work with" and "has a great amount of experience." Clients also praise the "astute and highly talented" Mr. Shapiro for "his understanding of the pressures facing clients" and "his amazingly quick turnaround times."

Benchmark: America's Leading Litigation Firms and Attorneys lists Mr. Shapiro as a "Litigation Star" for New York. Clients quoted in *Benchmark Litigation* have said of Mr. Shapiro, "He is a highly intelligent, diligent and commercial-minded attorney who is enjoyable to work with." Mr. Shapiro is also named among *The Best Lawyers in America*®, and was recognized as a "Lawyer of the Year" in the practice area of Media Law for 2021.

Prior to joining Patterson Belknap, Mr. Shapiro graduated from Yale Law School, where he was an Editor of the *Yale Law Journal*, and clerked for the Hon. Robert L. Carter in the Southern District of New York.

Admissions

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

Professional Activities

HONORS: Recognized by *Chambers USA* in the area of Media & Entertainment Litigation; Listed as a "Litigation Star" for New York in Euromoney Institutional Investor PLC's *Benchmark: America's Leading Litigation Firms and Attorneys*; Named among *The Best Lawyers in America*; Named by *The National Law Journal* in its 2023 list of Media & Entertainment Trailblazers; Designated an "Elder of the Village" by Legal Outreach, the non-profit educational organization's highest honor.

MEMBERSHIPS: Board Member, Immigrant Justice Corps; Chair, Federal Bar Council Public Service Committee; Member (and past Chair), Advisory Board for Legal Outreach; Board Member, Build Up Justice; Member, New York State Bar Association (Committee on Media Law); Member, Attorney Advisory Group of the Second Circuit Judicial Council Committee on Civic Education & Public Engagement

Education

- Yale Law School (J.D., 1986)
 - Editor, *Yale Law Journal*
- Brown University (A.B., *magna cum laude*, 1981)

Commercial Litigation

Representative Matters

Fortune 500 Media Company

- Won dismissal of industrial espionage matter at summary judgment arising from a competitor's allegation that client employed consultants to illegally access a proprietary database. After winning dismissal of the RICO claims at the motion to dismiss stage, we won summary judgment dismissing Sherman Act, Lanham Act, and myriad state law claims and leaving only limited claim of unfair competition that plaintiff voluntarily dismissed. After two-day hearing won motion excluding adversary's damage expert. The Second Circuit affirmed the district court's summary judgment decision resulting in a complete victory for our client.

Leading Communications Company

- Won dismissal of a suit by former founder of mobile gaming company who alleged fiduciary duty and related claims.

Leading Educational Publisher/Technology Companies

- Won dismissal in federal court of claims by purported class of authors challenging the manner in which the company calculates royalties.
- Secured a significant victory with the full dismissal of a multi-district antitrust litigation which consolidated a number of putative class action lawsuits alleging that our client, along with other textbook publishers and retailers, violated various federal and state antitrust laws through its implementation of a program authorized by federal regulation whereby students may be automatically billed for and automatically receive digital course materials selected by their professor.

Major Telecommunications and Mass Media Company

- Defended major telecommunications company in a lawsuit filed by an internet service provider involving allegations of defamation and breach of contract.

Broadband and Wireless Provider

- Obtained TRO leading to favorable settlement in federal court action brought to assert client's right to capacity on an undersea cable.

Leading Financial Information Provider

- Represented financial information provider in federal lawsuit against competitor who illegally gained access to client's computer system, resulting in a favorable settlement.

Major Financial Communications Company

- Won dismissal of federal action claiming damages resulting from allegedly negligent issuance of unique identifying number to two securities.

Media Company

- Represented substantial minority shareholder of media company. Won jury verdict finding company CEO bilked funds, followed by bench trial regarding valuation of company.

Television Network

- Won dismissal of action for fraud and defamation asserted by a business featured on a network reality television show.
- Defending subsidiaries of a major television network in a breach-of-contract action brought by the former producers of a network reality television show.
- Representing former executive of a major television network in two pending arbitrations. The arbitrations relate to an unlawful termination dispute and a defamation claim brought by a former senior producer.

Limited Partner

- Represented limited partner in three-month trial in Delaware Chancery Court regarding scope of corporate duty of loyalty clause and duty not to compete arising from licensing of electronic trading system.

Fitness Club Chain

- Represented fitness club chain in winning dismissal of consumer class actions challenging provisions of clubs' membership agreement. Argued and won dismissal in Massachusetts' highest court and New York's Appellate Court.

Real Estate and Travel Services Conglomerate

- On behalf of corporate client won largest settlement ever from accounting firm in federal action alleging fraud and negligence by auditing firm in audits of the former CUC International, Inc.

Global Hedge Fund

- Achieved victory on behalf of a hedge fund in the successful defense of claims in an arbitration brought by a former executive alleging defamation and contractual breaches.

Advertising Litigation

Representative Matters

Cable System Operators

- Obtained preliminary injunction enjoining the leading satellite provider from airing nationally broadcast television commercials. Successfully argued appeal which led the Second Circuit to redefine several key doctrines in the law of false advertising.
- Successfully defended cable systems operator against TRO seeking to enjoin client's national advertising campaign.
- Successfully defended cable systems operator in federal court against preliminary injunction seeking to enjoin client's major advertising campaign.

Internet Service Providers

- Represented major internet service provider in federal litigation regarding internet speed claims, resulting in successful resolution.
- Represented a major internet service provider in claims regarding Wi-Fi and related issues.
- Successfully represented clients at NAD regarding their advertising and advertising of competitors on issues relating to internet performance, WiFi, speed, and related issues.
- Advising a major internet service provider on a potential dispute regarding broadcasting rights and other issues related to its regional sports networks.

Investigations

Representative Investigations

Leading Educational Publisher/Technology Company

- Representation of major publishing company in an investigation concerning allegations related to pricing of instructional materials.

Major Internet Companies

- Represented internet companies in investigations by the New York Attorney General's Internet Bureau. The investigations involved, among other things, whether ISP's have delivered the internet speeds advertised to consumers, and the security of financial transactions conducted online.

Major Media Companies

- Conducted investigations of alleged wrongdoing and likely legal impact, culminating in lengthy reports. Subject of investigations include: \$100 million overrun in software agreement; problems with content disseminated by company; and executive who was allegedly taking unauthorized actions on the company's behalf.

Major Financial Media Company

- Representation of major media company in investigation by New York Attorney General into whether client's expert network service aided and abetted insider trading. Investigation resulted in no action against company. Rewrote company compliance policies.

Major Financial Information Provider

- Representation of major financial information provider in investigations by state attorney general's office and Securities and Exchange commission.

CDO Banker

- Representation of CDO banker in investigation of potential wrongdoing by New York Attorney General's office and Securities and Exchange Commission arising out of financial crisis. No action taken against client.