



M. Kelly Tillery

Shareholder

Email: ktillery@saxtonstump.com

Phone: [\(215\) 796-7246](tel:(215)796-7246)

Services and Industries

- Intellectual Property Litigation
- Franchising, Licensing and Distribution
- Intellectual Property
- Business Litigation and Strategic Solutions
- Trademark Monitoring Program

Education

University of Pennsylvania School of Law, J.D., 1979

Swarthmore College, B.A., High Honors, 1976

Admissions

Pennsylvania

Supreme Court of the United States

U.S. Court of Appeals, Third Circuit

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Western District of Michigan
Pro hac vice admission in many other courts

M. Kelly Tillery is a nationally known intellectual property litigator who has protected famous trademarks and copyrights around the world. With over 40 years of experience, he has served clients from industries such as entertainment, software, technology and manufacturing. He helps clients by securing (and defending against) injunctions and seizure orders to protect the intellectual property rights of individuals and businesses.

Kelly comes to Saxton & Stump after working as a partner for nearly 20 years in the Philadelphia office of Troutman Pepper, one of the largest law firms in the United States. He came to Troutman Pepper in 2005 after co-founding his own firm in 1982 – just three years after his graduation from the University of Pennsylvania School of Law – and working in the intellectual property and e-commerce areas.

A prolific and sought-after speaker and author, Kelly's 2018 book *Sidebar: Reflections of a Philadelphia Lawyer*, earned a 2020 sequel, *Sidebar, Too: More Reflections of a Philadelphia Lawyer*. The books are collections of essays about life, law and politics. He's been consistently recognized by peer-reviewed, attorney-ranking services such as "Best Lawyers in America" and "Super Lawyers," reaching the distinction of "Lawyer of the Year" in the Philadelphia region for Litigation – Intellectual Property on the 2023 Best Lawyers list. He is also recognized in the prestigious Chambers list, which is based on client interviews and reviews. The Antiracist Development Institute at Penn State Dickinson Law included Tillery on its team of System Designers. The Institute helps organizations nationwide implement antiracist practices, policies, and processes, using a systems design approach. Tillery is a Contributor to Volume 7 of the book series the Antiracist Development Institute is publishing to provide law schools and other legal institutions with a framework for systemic equity.

Tillery is a frequent speaker and author teaching other lawyers the intricacies of intellectual property litigation and protection. He is also an Abraham Lincoln scholar who often writes and speaks about the life and career of the Great Emancipator.

Representative Experience

- Obtained \$8 million judgment for damages, attorneys' fees and permanent injunction against Internet cybersquatter/counterfeiter of luxury watches on behalf of famous luxury watchmaker (Pennsylvania federal court).
- Obtained \$5+ million in settlements from 45+ companies in copyright infringement claims for software developer members of major software trade organization.
- Won \$1.6 million judgment for damages and attorneys' fees against Internet cybersquatter/counterfeiter of luxury leather goods and sunglasses on behalf of famous luxury goods manufacturer and famous designer sunglass company (Pennsylvania federal court).
- Won \$1 million judgment for damages, attorneys' fees and permanent injunction against Internet counterfeiter of software of four major software developers (Connecticut federal court).
- Secured \$500,000 judgment for damages, attorneys' fees and permanent injunction against Internet seller of infringing software of several major software developers (Michigan federal court).
- Secured stipulated permanent injunction preventing false advertising and defamation of a major building

materials company's products (Connecticut federal court).

- Secured favorable settlement for a leading weight loss program company in litigation seeking cessation of "fake reviews" of the client's products (California federal court).
- On behalf of one of the largest media and entertainment companies in the nation, obtained favorable settlement of multi-million-dollar copyright infringement claims involving hundreds of movie posters (Pennsylvania federal court).
- Obtained \$375,000 settlement from major application services provider on behalf of Bethlehem, Pa., software developer for copyright infringement and violations of the Digital Millennium Copyright Act (Pennsylvania federal court).
- Secured \$300,000+ settlement from major international employment company on behalf of Bethlehem, Pa., software developer for copyright infringement and violations of the Digital Millennium Copyright Act.
- Obtained \$177,500 settlement for copyright claims of major software developer against two retailers of counterfeit software. Secured 150+ trademark registrations in more than 90 countries on behalf of clients in the software, cigar, publishing, education, industrial belting and numerous other industries.
- Stopped attempt of major tire retailer to enjoin trademark use on tires by major tire manufacturer (Pennsylvania federal court).
- Searched and seized Pittsburgh-area home base of Internet software counterfeiter on behalf of two major software developers.
- Revived/continued national, multi-district injunction and seizure order to protect sales of trademarked merchandise sold by the number one popular music group on 2002 tour.
- Secured agreement from major clothing retailer to cease and desist selling goods that infringed trademarks of major clothing designer.
- Convinced competitor of client software developer to drop meritless trademark infringement lawsuit (Pennsylvania federal court).
- Secured temporary restraining order and then preliminary injunction for jewelry distributor exclusive licensee against encroachment on territory by licensor (Pennsylvania federal court).
- Secured temporary restraining order and preliminary injunction against Internet seller of infringing software of several major software developers (Michigan federal court).
- Secured preliminary injunction against Internet seller of infringing software for four major software developers (Connecticut federal court).
- Defeated motion for temporary restraining order by largest U.S. fiber cement products manufacturer in trade secrets case against former employee and new employer competitor, a fiber cement products manufacturer (North Carolina federal court).
- Resolved \$4 million copyright infringement action for marketing company and major restaurant chain, with clients paying nothing (Pennsylvania federal court).
- Stopped former employee of Georgia specialty glass producer from stealing and using for new employer competitive trade secret documents (Illinois state court).
- Defeated effort by competitor of major insulation manufacturer to stop building and operation of new plant using trade secrets (Kentucky state court).

Recognitions

- Best Lawyers in America
 - Litigation – Intellectual Property, 2011-2023, 2026, 2027
 - Litigation – Patent, 2011-2027

- Legal 500, City Elite, Philadelphia IP, 2025 – 2026
- Chambers USA, Highly Ranked, 2018-2025
- Pennsylvania Super Lawyers, Intellectual Property Litigation, 2005-2025
- Best Lawyers in America, Litigation – Intellectual Property, Lawyer of the Year, 2023
- Philadelphia Super Lawyers, Top 100, 2010
- World Trademark Review 1000, World's Leading Trademark Professionals, 2011-2019 and 2021-2022

Publications

- “Independent Judiciary Fights In ‘Last Ditch’ For Democracy”, *Lancaster Online/ LNP, Perspectives*, December 2022
- “Imperiled Presidencies”, *Lancaster Online/ LNP, Perspectives*, February 2023
- “Woke Policies Have Long Been The American Way”, *Lancaster Online/ LNP, Perspectives*, April 2023
- “Tennessee Expulsions Were Anti-Democratic”, *Lancaster Online/ LNP, Perspectives*, April 2023
- “Just Read It”, *Lancaster Online/ LNP, Perspectives*
- “Not The Party Of Lincoln”, *Lancaster Online/ LNP, Perspectives*
- “The New Lie”, *Lancaster Online/ LNP, Perspectives*
- “New Law From The High Court”, *Lancaster Online/ LNP, Perspectives*
- “Educated Evil”, *Lancaster Online/ LNP, Perspectives*
- “Woke May Make News, But It Is Not New”, *The Roundtable- Newsletter of American Board of Criminal Lawyers*, Volume MM XX II No. 4, Spring 2023
- Quoted In *The American Lawyer*; *Modern Lawyer*; *Law360.com*; *Philadelphia Business Journal*; *Lancaster Online/ LNP*

Speaking Engagements

- “Lessons From Intellectual Property Litigation”, *American Corporate Counsel Association*, April 2023
- “Intellectual Property Fringe – Protecting The Most Important Asset.” *International Franchise Association Webinar Series*, May 2023
- “Beer And Trademarks – Better Together” *Pennsylvania Brewers’ Association, Mid-Atlantic Brewery Symposium*, October 2023

Professional Affiliations

- Philadelphia Bar Association
- Pennsylvania Bar Association, Intellectual Property Law Committee member
- Philadelphia Bar Association, Intellectual Property Law Committee member
- American Bar Association Section on Patent, Trademark and Copyright Law, member
- Copyright Society of the USA, Philadelphia Chapter, member
- International AntiCounterfeiting Coalition, former member of the board of directors
- Maritime Law Association of the United States, proctor in admiralty
- Philadelphia Volunteer Lawyers for the Arts, senior adviser
- *The Philadelphia Lawyer*, the quarterly magazine of the Philadelphia Bar Association, former member of the editorial board and former editor-in-chief
- Penn State Dickinson Law Antiracist Development Institute, systems designer