



# Samuel E. Joyner

Partner

sjoyner@fbtgibbons.com | 214.580.8630

Rosewood Court  
2101 Cedar Springs Road, Suite 900  
Dallas, TX 75201

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## Industries

Energy

Oil, Gas & Minerals

Technology

## Practice Areas

Intellectual Property

Antitrust & Trade  
Regulation

Business & Commercial  
Litigation

India Desk

International Services

IP Litigation

Patent

## Bar Memberships

Texas

Sam has over 20 years of experience in commercial litigation and trial practice, focusing on high-stakes disputes in federal and state courts arising in areas of patent infringement, unfair competition, theft of trade secrets, fraud, breach of contract, antitrust, RICO, and regulatory compliance.

Sam represents, on behalf of both plaintiffs and defendants, a diverse group of clients from industries such as aerospace and defense, advertising, energy, financial services, healthcare, hospitality, insurance, manufacturing, mining, retail, securities, telecommunications, and utilities. He also advises clients in matters before the U.S. Department of Justice, the Department of Homeland Security, and the Texas Attorney General.

Sam has worked on cases involving a wide variety of technologies, including banking processes, cellular telephones, computer software, consumer goods, electrical equipment, electronic monitoring systems, industrial equipment, medical devices, medical testing equipment, polymer systems and materials, power charging devices, semiconductors, smart phone technologies, and supply chain systems.

Although a trial lawyer, Sam also works with clients to avoid problems preemptively given his deep understanding of their respective businesses, industry standards, and changes in the regulatory landscape.

Notably, Sam is a West Point graduate and former Airborne Infantry Ranger with nearly 30 years of experience in building valuable, trusting relationships. He brings those same beliefs with him to his practice.

## Sam's Relevant Experience

### Intellectual Property

Represented research university alleging patent infringement against two foreign semiconductor companies. The infringement allegations were directed to each of the defendant's fin field-effect transistor (FinFET) technology, a three-dimensional structure with vertical fins forming a drain and source, incorporated into its chips. Each case resulted in a very favorable confidential settlement. In addition to these settlements, other companies paid for a license to the patents without the filing of additional lawsuits.

Resolved dispute for startup company by proactively filing declaratory judgment action against inventor alleging patent infringement.

Obtained very favorable confidential settlement for technology company accused of infringement by a patent assertion entity (PAE) after filing subsequent declaratory judgment action of non-infringement of the PAE's remaining portfolio of patents.

Obtained very favorable confidential settlement for small company in a patent infringement action against a multinational company.

Obtained very favorable confidential settlement for manufacturer prosecuting a copyright infringement action against world's largest home improvement retailer.

Represented photographer to enforce copyright regarding photo of Johnny Manziel.

Resolved dispute in franchisor's favor by prosecuting a trademark infringement action.

### Unfair Competition

Represented company in an action to prevent former employee from using, disclosing, or retaining the company's confidential information and trade secrets that former employee obtained by virtue of employment.

Represented company in a trade secret misappropriation action involving its proprietary algorithm.

Defended the largest global specialty retailer of nutritional supplements against multiple price fixing, monopolization, and price discrimination claims (403 F. Supp. 2d 411; 437 F. Supp. 2d 344).

Represented an international defense contractor in an aftermarket monopolization case against another international defense contractor.

Defended an electric cooperative accused of antitrust violations by a real estate developer.

Obtained a very favorable confidential settlement for a group of builders accused of an illegal group boycott and unreasonable restraint of trade to not use construction company's product or license its patents.

Defended the world's third largest auction house in a RICO action filed by a former independent contractor.

Defended founders of a numismatic company in a RICO action filed by a coin dealer.

Defeated claims of a putative class in a securities fraud case (440 F.3d 278).

Transferred and then defeated class certification in a consumer case brought against a national motor club.

Defeated claims of a putative class alleging improper collection of sales tax.

Defended a Maryland corporation in twin state court actions concerning alleged violations of the Texas Securities Act.

Obtained \$755,000.00 judgment against a broker for securities fraud after the broker raided a personal account of an individual away on vacation.

### **Regulatory Compliance**

Defended corporate officers subpoenaed to testify before a grand jury by the Antitrust Division of the U.S. Department of Justice regarding its criminal investigation of the packaged ice industry.

Defended funeral home before Texas Funeral Service Commission by demonstrating its compliance with all state and federal laws and rules governing funeral service providers.

Represented company in an action against a municipality for violating Texas Local Government Code and its stated policy to involve Minority and Women Business Enterprises in the municipality's contracts.

## Other Info About Sam

### Education

University of Tulsa College of Law, J.D., 2002, *magna cum laude*

Editor-in-Chief, *Tulsa Law Review*

Order of the Curule Chair

Order of Barristers

U.S. Military Academy, West Point, NY, B.S., Systems Engineering, 1994

Judicial Internship, Judge Thomas R. Brett, U.S. District Court for the N.D. of Oklahoma, 1993

### Courts

Texas Supreme Court

Texas State Court

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

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

U.S. District Court for the Western District of Texas

U.S. District Court for the District of Delaware

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

U.S. District Court for the Northern District of California

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Federal Circuit

### **Recognition**

Benchler, The Honorable Barbara M. G. Lynn Inn of Court, 2026–2027

Selected to Texas Super Lawyers, 2014–2026

Member, The Honorable Barbara M. G. Lynn Inn of Court, 2016–2018

Appointed Member, Dallas Bar Association Judicial Committee, 2015

Leadership Dallas Class Advisor, Dallas Regional Chamber, 2011

Leadership Dallas Graduate, Dallas Regional Chamber, 2010

YP Ambassador and Connecting Committee Member, Young Professionals of Greater Dallas Chamber, 2006–2011

Texas Rising Star, 2005

Airborne Infantry Ranger, 1995–1999

### **Professional Affiliations**

State Bar of Texas

Dallas Bar Association

### **Civic Activities**

West Point Association of Graduates

Park Cities Presbyterian Church, Volunteer

West Point Society of North Texas, General Counsel

### **Presentations**

Speaker, “Impact of Bankruptcy on IP Litigation and Licensing,”  
Oklahoma Bar Association’s 2016 Intellectual Property Law Seminar  
and Midyear Meeting (2016)

Speaker, "Working in Law Firms – What's the Difference Between Small, Medium and Large Firms?," Southern Methodist University, Dedman School of Law (2013)

Speaker, "Luck Doesn't Get You to the Bar," The University of Tulsa College of Law, Professionalism Day (2012)

Speaker, "Civil RICO Seminar," State Bar of Texas Antitrust and Business Litigation Section (2008)

### **Major Publications**

Contributor, "Clarity and Confusion: RICO's Recent Trips to the United States Supreme Court," 85 *Tulane L. Rev.* 677 (2011)

Co-Author, "Nonperformance of Contractual Obligations Resulting From the Restricted Credit Market: Is There a Way Out?," *Texas Lawyer* (June 1, 2009)

Co-Author, "Annual RICO Update," *Texas Business Litigation Journal* (Summer 2008)

Co-Author, "Annual RICO Update," *Texas Business Litigation Journal* (Summer 2007)

Co-Author, "Annual RICO Update," *Texas Business Litigation* (Summer 2006)

Contributor, "Annual RICO Update," *Texas Business Litigation* (Summer 2005)

Co-Author, "2004 Annual Survey of Texas Class Action Cases," *Texas Business Litigation* (Winter 2005)

Contributor, "Annual RICO Update," *Texas Business Litigation* (Spring 2004)

Contributor, "2003 Annual Survey of Texas Class Action Cases," *Texas Business Litigation* (Winter 2004)

Contributor, "Annual RICO Update," *Texas Business Litigation* (Spring 2003)

Contributor, "2002 Annual Review of Texas Class Action Cases,"  
*Texas Business Litigation* (Winter 2003)

Contributor, "Parsing Civil RICO: An Outline of Pleading and Proof  
Requirements for Fraud-Based Claims Under 18 U.S.C. § 1964(c),"  
*Texas Business Litigation* (Fall 2001)

Author, "Tulsa Law Journal Name Change," *Tulsa Law Magazine* (Fall  
2001)

Author, "Pregnant? CONGRATULATIONS . . . You're Fired! Extending  
the Burk Public Policy Tort to Pregnancy Discrimination After *Collier*  
*v. Insignia Financial Group?*", 36 *Tulsa Law J.* 677 (2001)

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