HUSCH BLACKWELL



Michael R. Annis

PARTNER

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OVERVIEW

Mike takes a holistic approach, digging deep to understand the totality of circumstances surrounding each case and the specific impact on a client's existing business and future plans.

With 25-plus years' experience in intellectual property consultation and litigation, Mike protects critical assets and business information for clients nationwide. His pragmatic approach involves partnering with clients to thoroughly evaluate cases and, when possible, avoid disputes – and the courthouse – altogether.

Mike advises clients on patent infringement, trade secret misappropriation, trademark and service mark infringement, unfair competition and false advertising claims. He represents clients in industries including biotechnology and pharmaceuticals, food and beverage products and processing, cannabis and industrial hemp, agricultural and construction equipment, building materials, consumer products, fashion and apparel, electronics and telecommunications.

"Mike did a great job on our trademark infringement case! He was a real pleasure to watch in court, and he is really good at it."

— Donn Lux, Chairman and CEO, Luxco Inc.

Industries

Life Sciences
Manufacturing
Technology
Transportation

Services

Alcohol Beverage
Animal Health & Production
Cannabis
Companion Animal Health
Intellectual Property
Intellectual Property Litigation
Internet of Things
Post-Issuance Proceedings
Trade Secrets & Business Information Protection

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His primary focus is defending and prosecuting claims of trade secret misappropriation and patent infringement and validity in the civil courts, as well as post-grant proceedings before the Patent Trial and Appeal Board (PTAB) of the U.S. Patent and Trademark Office (USPTO). Mike also represents a number of nationally recognized entities in consumer class actions alleging deceptive and false advertising practices. He also has substantial experience before the Trademark Trial and Appeal Board (TTAB) in opposition, cancellation and contested concurrent-use proceedings. Mike also has experience with alcohol beverage labeling regulations through the Alcohol and Tobacco Tax and Trade Bureau of the U.S. Department of Treasury.

Featured Experience

Patent Claims Invalidated in First-Ever Post-Grant Review

In a case that would have put the client out of business if found meritorious, Mike and his team took a novel approach to defend patent infringement claims. They represented the American Simmental Association (ASA) in the U.S. District Court for the District of Colorado in a case involving a method of using genetic merit data to determine the relative value of livestock.

The team obtained dismissal for ASA in the litigation and petitioned the U.S. Patent and Trademark Office (USPTO) to re-evaluate the validity of patents in post-grant proceedings. At the time, this review process was untested. The Patent Trial and Appeal Board granted the petitions and issued the first-ever post-grant review final decisions invalidating the patents.

Experience

- Secured complete and final dismissal on the merits of a putative class action for Compana Pet Brands (Manna Pro Products LLC), a leading animal care and nutrition company, in connection with its Nutri-Vet Hip & Joint supplements (glucosamine/chondroitin) for dogs concerning claims of false or misleading labels and deceptive advertising practices. *Perry v. Manna Pro Products, LLC*, E.D.Mo., Case No. 4:22-cv-00127-AGF.
- Obtained summary judgment of noninfringement in patent infringement case on behalf of Reward Wall Systems Inc. in U.S. District Court, District of Nebraska; subsequently affirmed on appeal by Federal Circuit Court of Appeals.
- Obtained judgment of infringement and permanent injunction in U.S. District Court, Eastern District of Missouri, on behalf of Luxco Inc. against competitor's use of Tovaritch for vodka and confirmed TTAB cancellation of competitor's federal trademark registration.

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Experience

- Obtained multiple judgments and permanent injunctions on behalf of Holten Meat Inc. in trademark infringement and unfair competition actions in U.S. District Courts in both Illinois and Texas for competitors' use of "Thick n Juicy" to brand meat products.
- Obtained dismissal for Doyle Equipment Manufacturing Co., maker of farm implements and road construction equipment, in patent infringement case in U.S. District Court, Southern District of Iowa, involving agricultural implement technology.
- Advised distillery on pivoting toward hand sanitizer production amid the COVID-19 pandemic.
- Obtained motion to dismiss in U.S. District Court, Central District of Illinois, on behalf of one of the nation's largest ethanol producers, dismissing our client from trade secrets misappropriation lawsuit after presenting unrebutted evidence proving a lack of personal jurisdiction. Court found arguments persuasive, indicating "Plaintiff has done little other than show that some subsidiaries do some business in the state, which courts have repeatedly affirmed is not enough." Dismissal allowed our client to avoid significant additional time, effort and expense associated with a lengthy discovery process.
- Secured denial of motion to certify class of baseball bat consumers in the U.S. District Court for the Central District of California on behalf of high-profile U.S.-based sporting equipment manufacturing company in a false and deceptive advertising claim.
- Obtained complete defense award on behalf of Harcros Chemicals, Inc. following 10-day arbitration hearing involving claims of patent infringement, trade secret misappropriation and breach of technology licensing agreement in matter where demand exceeded $15,000,000.

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Recognition

- *The Best Lawyers in America®*
  - Commercial Litigation, 2013-2027
  - Litigation - Intellectual Property, 2013-2027
  - Litigation - Patent, 2013-2027
  - Intellectual Property Law, 2010
- BTI Consulting Group, Client Service All-Star, Intellectual Property, 2026
- *Chambers USA*, Intellectual Property, 2023-2026
- *The Legal 500*, Missouri Elite, Intellectual Property, 2026
- *Managing Intellectual Property* IP Stars, 2016-2025; Trademark star and Patent star, 2019-2026
- *Missouri & Kansas Super Lawyers*, Intellectual Property Litigation, 2012-2022; Top 50 St. Louis, 2019, 2024-2025
- Martindale-Hubbell AV Preeminent

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Education

- J.D., University of Oklahoma College of Law
  - with high honors
  - Kerr-McGee Scholar
  - *Oklahoma Law Review*
- The Queen's College, Oxford
- B.S., Oklahoma State University
  - Mechanical Engineering
  - with honors
  - Pi Tau Sigma
  - Tau Beta Pi

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Admissions

- Missouri
- Illinois
- Oklahoma
- U.S. District Court, Northern District of Illinois (Trial Bar)
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Western District of Missouri
- U.S. District Court, Eastern District of Oklahoma
- U.S. District Court, Northern District of Oklahoma
- U.S. District Court, Western District of Oklahoma
- U.S. District Court, Eastern District of Wisconsin
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Federal Circuit

Community Leadership

- Queen of Peace Center, Board of Directors, Golf Tournament Committee
- Make-A-Wish Foundation of Missouri, Golf Tournament Executive Committee



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