



Andy Nikolopoulos

Partner

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Andy is an experienced commercial litigator and intellectual property attorney who represents both plaintiffs and defendants in state and federal courts, as well as arbitrations.

He has handled numerous trials as lead counsel with successful results. Andy has tried to verdict or judgment more than 40 trials throughout Texas, and has set the stage for many victories through aggressive use and defense of temporary restraining orders and injunctions. He is also highly adept at all pre-trial aspects of litigation, often using creative legal theory and procedure to his client's advantage. Andy believes that his methods of preparation and hard work are what separate him from other attorneys, whether the case approach involves a quick resolution or an eye toward trial. This work ethic coupled with his broad experience allows him to provide exceptional representation to clients on a wide array of issues. Andy handles a variety of matters, including breach of contract, partnership disputes, fraud claims, tortious interference, non-compete/confidentiality litigation, commercial lease disputes, premises liability claims, defamation, business disparagement and breach of fiduciary duty claims.

Andy also has a thriving intellectual property practice representing businesses and innovative individuals, especially in the courtroom and on both sides of the docket. He also prosecutes trademark and copyright applications in the United States Patent and Trademark Office and the United States Copyright Office. This experience allows him to manage and enforce IP portfolios for various national clients. Andy's primary areas of focus in this field include trademark, trade dress, copyright, trade secrets, unfair competition, domain name disputes and internet-related claims.

Services

- Litigation
- Intellectual Property
- IP Litigation
- Trademarks
- Copyrights
- Trade Secrets & Restrictive Covenants
- Real Estate Litigation
- Retail Industry
- E-Discovery

Before Fox Rothschild

Prior to joining Fox Rothschild, Andy was an associate at David & Goodman, P.C. He also previously worked at a Dallas-based litigation firm.

Andy received his Master of Laws degree in Intellectual Property from the University of East Anglia in Norwich, England.

Bar Admissions

- Texas

Court Admissions

- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas

Education

- University of East Anglia, Norwich, England (LL.M., 2004)
 - Intellectual Property
- South Texas College of Law Houston (J.D., 2003)
- Trinity University (B.A., 1998)

Memberships

- State Bar of Texas
- Dallas Association of Young Lawyers
- Dallas Bar Association, Business Litigation Section
- Dallas Bar Association, Intellectual Property Law Section
- State Bar of Texas, Computer & Technology Section
- DAYL Ask-A-Lawyer Program

Board of Directors

- Holy Trinity Academy (Past Member)

Languages

- Greek

Honors & Awards

- Honors Distinction in Mock Trial Litigation – South Texas College of Law Houston
- Phi Delta Phi Honors Society

Representative Matters

- Trial victory for a creditor's committee plaintiff against an affiliate entity and insider of a Chapter 11 steel company debtor, where our client obtained a monetary judgment (including attorney's fees) in excess of \$600,000.
- Trial victory for defendant in an unfair competition and trademark infringement lawsuit. The plaintiff sought millions in damages, along with a substantial amount of attorney's fees. After a one-week trial, the jury found that the disputed mark was generic and not worthy of protection, thereby resulting in a complete defense victory.
- Trial victory in the defense of a conversion and civil theft case, followed by a victory in the appellate court in defending the take-nothing judgment.

- Trial victory in a commercial lease dispute, where our client was awarded money damages along with court costs and attorney's fees.
- Trial victory in the defense of a breach of contract case where the plaintiff was seeking significant damages based on a guaranty on a line of credit.
- Trial victory resulting in significant money damages on a breach of fiduciary duty claim, which was vigorously contested through a slew of post-trial motions. The strength of the judgment paved the way for a settlement on extremely favorable terms whereby our client received a large portion of the original award.
- Trial victory in a bill of review action that resulted in a large judgment being set aside, despite the stringent standards imposed by law for such relief.
- Trial victory in a premises liability claim that was brought against a major nationwide client.
- Trial victory in probate court in a hotly-contested guardianship action that involved a counter-claim against our client for contempt. We prevailed at trial on the underlying action, as well as defeated the contempt claim.
- Trial victory in the defense of a breach of contract claim that was based on actions following settlement of a tortious interference lawsuit between competing newspapers in South Dallas.
- Arbitration victory in a real estate dispute case that resulted in our client obtaining full title to the disputed property.
- Trial victory in defending a tortious interference and trade secret misappropriation lawsuit whereby the plaintiff was seeking over \$17 million in damages. The jury awarded only \$250,000 to the plaintiff while also awarding our client damages pursuant to a counterclaim. The \$250,000 plaintiff's verdict was set aside on a defense motion, and the case settled on very favorable terms for our client at a fraction of the original jury verdict.
- Successfully defended a false imprisonment and slander lawsuit on behalf of a national client where the plaintiff was seeking significant damages. The case settled for nuisance value after aggressive discovery efforts exposed severe weaknesses in the plaintiff's claims.
- Represented a skylight manufacturer in a product liability trial that lasted more than one week. We successfully obtained a favorable jury finding on a critical issue involving the statute of repose. After months of post-trial motions, the plaintiff ended up settling for less than 5% of the jury verdict.
- Represented an independent executor in a jury trial in which he was being accused of breaching various fiduciary duties. The jury made key findings related to the executor's good faith defense and he was awarded substantial attorneys' fees as a result.
- Represented a prominent commercial fitness equipment supplier in a seven-day jury trial. The supplier was being sued by a fitness equipment manufacturer for misappropriation of trade secrets, breach of fiduciary duty, tortious interference, civil conspiracy, fraud, defamation and unfair competition. Following the trial, the parties settled on terms favorable to the client.
- Summary judgment on multiple high exposure premises liability cases based on a unique application of Texas franchise law.
- Prevailed in a trademark opposition trial in the Trademark Trial and Appeal Board, whereby our client acquired the rights to use the disputed mark.
- Dismissal of a trade secret misappropriation lawsuit along with sanctions for discovery abuse.
- Trial victory in a bill of review action that resulted in a judgment being set aside, and our client obtaining full title to the disputed real estate.
- Obtained compliance from many urgent care clinics across the nation to cease and desist using our client's trademarks as a result of an aggressive campaign to protect our client's intellectual property.
- Summary judgment on behalf of a defendant who was sued for breach of a letter of intent in connection with the proposed acquisition of a business.
- Dismissal of a false advertising lawsuit brought under the Lanham Act against a seller of nutritional supplements.
- Summary judgment on behalf of a defendant in a real estate dispute case who asserted counterclaims for declaratory judgment, trespass to try title and statutory fraud. As a result, our client was awarded full title to the disputed property.
- Dismissal of a lawsuit brought against a global apparel manufacturer based on claims for deceptive trade practices, fraudulent inducement and breach of contract.
- Prevailed in a trademark cancellation trial (including subsequent oral argument) in the Trademark Trial and Appeal Board, whereby our client acquired the rights to use the disputed mark.