

“Mike is an invaluable asset to our team, providing strategic and practical guidance, staying on top of every detail and managing multiple high-priority projects simultaneously to meet our often time-sensitive goals. We have consistently relied on Mike and Chapman Spingola to help bring our transactions to a close with our business’s best interests intact.”

- Patty Chidiac
Associate GC for Intellectual Property, Signode Industrial Group LLC

Michael G. Fatall | Partner



My practice focuses on intellectual property and commercial transactions and counseling as well as trademark and copyright filing and prosecution.

I also have experience in commercial litigation, mediation and arbitration.

I have represented clients in the following industries:

- Financial services, including securities trading and investing
- Renewable chemicals
- Technology consulting
- Retail clothing
- Health and wellness
- Alternative energies, specifically wind power
- Online entertainment, including multi-player role-player games
- Software development and licensing
- Information technology
- Travel and touring
- Education
- Insurance/insurance agencies
- Automotive component manufacturing
- Logistics
- Professional sports
- Brand name furniture manufacturing

I handle domestic and international intellectual property and technology licensing transactions, and negotiate research and development, software development, and licensing agreements, supply, distribution, manufacturing and a variety of commercial agreements. I have handled intellectual property aspects of multi-million and billion dollar corporate transactions, including mergers, acquisitions, private equity and venture capital and credit facilities.

I counsel clients concerning legal issues in all aspects of intellectual property law (trademark, copyright, trade secret, and rights of publicity) and intellectual property issues in bankruptcy, franchise and antitrust.

REPRESENTATIVE MATTERS

- Representing global financial services institution in negotiating a variety of commercial and technology agreements relating to the client's business, including **data and software licenses and services agreements, consulting and development agreements, and multi-year services agreements.**
- Represented global packaging company in \$3 billion divestiture. With just eight weeks before the sale, we were brought in to negotiate over **50 critical technology, IP and commercial contracts** necessary for the company to be up and running as of the sale. We continue to represent the company in a variety of commercial and IP matters.
- Representing Illinois-based renewable chemicals company in negotiating, **non-disclosure material transfer, supply, research and development and other commercial and technical agreements.**
- Representing provider of GPS-based technology solutions to the energy industry in all aspects of client's **intellectual property portfolio and commercial agreements.**
- Represented a global laser marking equipment manufacturer in a **revenue sharing and patent licensing transaction** involving cutting-edge laser coding and marking materials.
- Represented a consulting firm in connection with claims concerning disputed ownership of **valuable image recognition technology software.** In a matter that appeared to be spiraling into litigation, Peter and I were able to **quickly implement a strategy** that resulted in separated **IP ownership and licensing agreements** between our client and two other parties who had been involved in the development process. Going forward, the license agreements will result in millions of dollars of revenue for our client.
- Representing global safety consulting and certification company in preparation of **software as a service agreement and other intellectual property matters.**
- Represented start-up online fantasy role playing company in connection with **all aspects of client's trademark, copyright, intellectual property protection and licensing program.**

- Represented nationally-known furniture manufacturer in **trademark license agreements** in connection with several well-known retail brand names including Nautica, Woolrich, Liz Claiborne and Tommy Bahama.
- Represented global leader in automotive interior components, systems and modules in series of **international patent and technology licenses in connection with separation of client's U.S. and European businesses.**
- Represented licensor of key commercial truck pedal technology in negotiation of **patent and know-how licensing agreements.**
- Represented licensee of rights to the distribution of a lucrative and well-known children's animated movie series, in its efforts to retain the ability to continue its **licensing and distribution** activities despite the licensor's bankruptcy.
- Handled all aspects of the intellectual property aspects of *Fortune 100* insurance/lending giant's **bankruptcy administration which included the negotiation of numerous trademark, software and IT license agreements.**
- Handled **all aspects of international real estate investment trust's international trademark and domain name portfolio**, including monitoring for potential infringements and drafting and negotiating resolutions of such disputes.

OTHER MATTERS

- Represented provider of capital to insurance agencies in **arbitration asserting breaches of representation, warranties and covenants in purchase agreement** involving \$50 million funded acquisition of commission streams and investment in new insurance agency.
- Obtained favorable confidential settlement **through mediation of complex limited liability company and real estate development dispute.**
- Defended and successfully **mediated legal malpractice disputes** on behalf of plaintiffs and defendants.
- Defended commercial storage and shelving systems manufacturer accused of willfully **infringing an alleged patent** covering technology for cutting rolled carpet.
- Represented the National Hockey League Players' Association in annual salary arbitrations.

ARTICLES AND PUBLICATIONS

- “Assignability of IP Licenses: Is Silence Really Golden,” 3:2 HASTINGS LAW JOURNAL 197 (Spring 2007)
- “Security Interests In Intellectual Property,” 19th Annual Computer & Information Law Institute, Dallas Texas (October, 2004)
- “After the Fall: What Happens to IP Licenses During Bankruptcy,” *IP Worldwide*, (August 2002)
- “Assignability of IP Licenses in Bankruptcy: Navigating the Murky Waters of Section 365,” *ABA Intellectual Property Law Newsletter*, (Fall 2002)

EDUCATION

- J.D. from Northwestern University School of Law; Dean’s Honors List; Julius Miner Moot Court Competition Quarter-finalist; Co-Chair of the Julius Miner Moot Court Board Judge’s Committee
- Undergraduate degree in psychology from the University of Kansas

PRO BONO ACTIVITIES

I have worked on various human rights issues, including representing clients in political asylum and immigration matters. Specifically, I have obtained asylum protection for individuals and their families and have assisted in these individuals’ ongoing efforts to become U.S. citizens. I have also assisted victims of human trafficking who have come forward to cooperate in the prosecution of their traffickers in obtaining visas to stay in the United States.

INTERESTS

I am a member of the board of directors of A Red Orchid Theatre, located in the Old Town Neighborhood of Chicago. When I am not practicing law, you can find me bashing away on my drum kit at home (graciously endured by my wife and son) or in Chicago’s many record stores and music venues.