

Matthew P. Allen

SERVICE AREAS

Business

- China
- International + Emerging Markets
- Oil + Gas
- Climate Law

Litigation + Trial

- Appeals
- Business Torts
- Commercial Transactions Litigation
- Intellectual Property Litigation
 - Trade Secrets + Noncompetes
- International Arbitration
- Securities Litigation
- Litigation + Trial Practice Overview

Governments + Nonprofits

- Climate Law

Global Reach

- China

EDUCATION

- Wayne State University Law School, J.D.
- State University of New York College at Fredonia, B.A.

BAR ADMISSIONS

- Illinois
- Michigan
- New York (admission pending)

COURT ADMISSIONS

U.S. Supreme Court



Principal

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Matthew P. Allen is a business, securities, and intellectual property litigator and trial lawyer who has tried and arbitrated a wide variety of cases in a wide variety of venues, from tough cases in the trenches of Detroit's criminal courts to sophisticated multimillion-dollar international intellectual property cases. He also is a skilled appellate lawyer who has handled a variety of cases in the Michigan Court of Appeals, the Michigan Supreme Court and the U.S. Court of Appeals for the Sixth Circuit.

"Miller Canfield's preparation, willingness and ability to go to trial on a wide variety of issues, in a wide variety of forums, and our experience handling appeals on those issues, plays a big part in our ability to successfully resolve matters for clients short of trial."

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"My primary goal is to secure a solution to my client's legal challenge that achieves the best result for my client's business and bottom line."

In addition to handling complex litigation matters before trial and appellate courts, Matt has experience defending national class action lawsuits in federal court and arbitrating securities matters before the Financial Industry Regulatory Authority (FINRA). In addition, he has handled trade secret, construction and other commercial matters before the American Arbitration Association, and has tried an international arbitration in Stockholm, Sweden, under the Swedish Arbitration Act, in addition to handling other international litigation matters.

Matt has represented corporations and corporate officers in civil and criminal investigations and enforcement actions by the U.S. Securities and Exchange Commission, U.S. Federal Trade Commission, U.S. Department of Justice and the U.S. Department of

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U.S. Court of Appeals

- Sixth Circuit

U.S. District Court

- Eastern District of Michigan
- Western District of Michigan
- Northern District of Illinois

Homeland Security. He has also tried numerous felony bench and jury trials, and conducted felony preliminary examinations, while serving as a Special Assistant Prosecuting Attorney in Wayne County.

EXPERIENCE

INTELLECTUAL PROPERTY

International Corporate Espionage Investigations

Represented companies investigating and prosecuting international intellectual property poachers and saboteurs. Worked with US and international legal authorities, agencies, and institutions to investigate and prosecute offenders. Counseled companies on timing and substance of parallel civil litigation.

International IP Arbitrations

Defeated multi-million dollar claims against a client, and prevailed on a counterclaim, in a highly complex intellectual property dispute tried in Stockholm, Sweden, under Swedish law and the Swedish Arbitration Act.

Military IP Arbitration

Defended manufacturer and distributor of patented and trade secret dual stage recoverable energy absorption designs used by US and foreign military units.

Extensive IP Litigation and Arbitration Experience

Experience representing various companies and individuals in IP disputes involving complex jurisdictional, IP, and technology questions in industries spanning automotive, medical device, software, military, among others. Matt has experience representing clients in multiple jurisdictions and forums regarding the same dispute, including dual track state and federal equitable litigation being tried simultaneously with an arbitration for damages.

SECURITIES

Mortgage Securities Fraud Jury Trial

Lead trial lawyer in successful representation of CEO of mortgage security company in one of the largest mortgage securities fraud trials in Michigan history. The multi-week jury trial was the culmination of over three years of litigation that included over 50 individual and institutional plaintiffs, 20 defendants, and parallel criminal investigations.

Securities, Derivative, and ERISA Multi District Litigation Defense

Successfully represented officer of one of the world's largest makers of auto parts in a multi-district securities, derivative, and ERISA action against the Company, its officers and executives, securities underwriters, outside auditors, suppliers, financial institutions, and which involved a parallel criminal investigation and SEC enforcement action, as well as related bankruptcy proceedings of relevant entities and individuals.

SEC Enforcement Action Defense

Successfully represented former officers for two of the world's largest makers of auto parts in securities actions and parallel investigations by the US Department of Justice and US Securities and Exchange Commission.

SEC, State, and FINRA Regulatory Examination Defense

Represents broker-dealers, investment advisers, and their adviser and registered representatives in an array of SEC, FINRA, and state-agency examinations, investigations, and enforcement actions.

Corporate Oppression and Dilution Cases

Represented investment fund in federal litigation with a business development company and prominent global investment banking and securities firm alleging dilution of corporate ownership interests as a result of various share issuances, sales, and transfers.

FINRA Arbitrations

Represents broker-dealers and registered representatives in FINRA arbitrations involving an array of complex products and multi-party disputes.

BUSINESS

Chinese Fiberglass Manufacturer Litigation

Represented a China-based manufacturer of fiberglass products in a multi-million dollar international dispute in federal court in Chicago, resulting in a successful settlement with a US vendor and competitor that solidified and increased the client's business and market share across the United States.

International Property Management Litigation

Represents one of the largest and most respected commercial real estate and investment companies in the world in a dispute relating to property in the Middle East

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Business and Commercial Litigation and Dispute Resolution

Represents a host of businesses, companies, and executives in a array of business and commercial disputes and litigation, always seeking ways to negotiate successful resolutions to those disputes that achieves the best result for the client's business and bottom line.

PROFESSIONAL ACTIVITIES

- American Bar Association
- Federal Bar Association
- International Bar Association
- State Bar of Michigan
- U.S. District Court for the Eastern District of Michigan, Local Rules Advisory Committee, Appointed by the Court to a three year term, 2011-2014
- Oakland County Bar Association
- American Intellectual Property Law Association
- Brother Rice Warrior Bar Association

HONORS + AWARDS

- Michigan Super Lawyers, Rising Star, Business Litigation
- National Institute for Trial Advocacy, Trial Skills Diploma
- Law Clerk to the Hon. Lawrence P. Zatkoff, Chief Judge, U.S. District Court for the Eastern District of Michigan, 2000-2002
- Wayne State University Law School, Editor-in-Chief, The Wayne Law Review; Recipient of the Jason L. Honigman Scholarship Award
- State University of New York College at Fredonia, cum laude; Member of Pi Sigma Alpha--The National Political Science Honor Society; Member of Men's NCAA varsity ice hockey team
- Law Clerk, Air Force Legal Services Agency, Washington, D.C.
- Brother Rice High School

CIVIC, CULTURAL + SOCIAL ACTIVITIES

- Crossroads For Youth, Inc., Board of Directors, 2007-present; Legal Chair, 2010-present
- J. Reuben Clark Law Society, Detroit Chapter Board of Directors, 2007-present

- Leadership Oakland XVII Cornerstone Program

PUBLICATIONS

"U.S. Federal Circuit Upholds U.S. International Trade Commission's Authority to Ban Importation of Products Containing Trade Secrets Misappropriated by a Chinese Company in China," North American Free Trade & Investment Report, November 30, 2011

"The New Form ADV Part 2 and the 'Plain English' Movement of the SEC, FINRA, and Michigan's OFIR," (Co-Author), Michigan Business Law Journal, State Bar of Michigan, Spring 2011

"A Lesson from History, Roosevelt to Obama—the Evolution of Broker-Dealer Regulation: from Self-Regulation, Arbitration, and Suitability to Federal Regulation, Litigation, and Fiduciary Duty," Moritz College of Law, Ohio State University, Entrepreneurial Business Law Journal, Vol. 5, No. 1, 2010

"SEC Opens the Door for Climate Change-Related Shareholder Proposals and Disclosure Requirements, With Potential New Liabilities for Public Companies," (Co-author), Securities Regulation & Law Report BNA, 42 SRLR, March 1, 2010

Evidence, Annual Survey of Sixth Circuit Law, (Co-author), 2002 L.Rev. M.S.U.-D.C.L. 525; 2001 L.Rev. M.S.U.-D.C.L. 725

SPEECHES

"Joint Defense Agreements: Benefits, Pitfalls, and Best Practices," (Co-presenter), State Bar of Michigan, Business Law Section, Commercial Litigation Committee, Webinar, June 2011

"Suitability of Variable Annuities," Miller Canfield's Before the Bell Breakfast Forum, Birmingham, Michigan

SEMINARS + EVENTS

- Before the Bell Breakfast Forum: SEC + ERISA Fiduciary Duty Update
- Shifting Sands of Fiduciary Duty: An SEC + ERISA Perspective
- Webinar: The SEC Is Coming, Are You Ready? How To Handle A Regulatory Examination or injury
- MSU-FBI Academic Alliance Conference

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- Morning Update: Economic Espionage - Protecting Intellectual Property Worldwide
- Economic Espionage - Protecting Intellectual Property Worldwide
- Before the Bell Breakfast Forum: A Report from SIFMA (Securities Industry and Financial Markets Association) C&L Annual Seminar
- Update on China-U.S. Business Issues
- Before the Bell Breakfast Forum: Back to the Future - Cases Back in Court
- National Asian Pacific American Bar Association (NAPABA)
- International Climate Law and Policy Symposium
- Webinar: Climate Change Disclosure Obligations: New Risks, New Opportunities
- Before the Bell Breakfast Forum: Climate Change Investment Implications
- Before the Bell Breakfast Forum: Not All Municipal Securities Are Created Equal PLUS An Update on Fiduciary Duties

ARTICLES

- High Stakes Sleuthing: What You Should Know About Protecting Your Trade Secrets
- The New Form ADV Part 2 and the "Plain English" Movement of the SEC, FINRA, and Michigan's OFIR
- SEC Opens the Door for Climate Change-Related Shareholder Proposals and Disclosure Requirements, with Potential New Liabilities for Public Companies
- SEC Expands Public Companies' Disclosure Requirements

NEWSLETTERS

- Hot Points Special Edition China
- Hot Points Special Edition Climate Change

NEWS

- Miller Canfield Lawyer Matt Allen Appointed to Local Rules Advisory Committee
- Miller Canfield Lawyer Matt Allen and FBI Present on Economic Espionage, Protecting Your Intellectual Property Worldwide

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- Miller Canfield and FBI Detroit Division Present “Economic Espionage – Protecting Your Intellectual Property Worldwide,” June 7 in Bloomfield Hills
- Miller Canfield Lawyers Co-Author Securities Article on New SEC, FINRA and OFIR “Plain English” Requirements
- Miller Canfield Lawyer Matthew Allen Publishes Analysis of Ramifications of New Dodd-Frank Financial Laws on Broker-Dealers and Investment Advisers
- Miller Canfield's Recent Climate Law & Policy Symposium Opens Door to New Green Opportunities
- Miller Canfield Lawyers Author Article on New SEC Disclosure and Shareholder Proxy Rules and Regulations

ALERTS

- U.S. Federal Circuit Upholds U.S. International Trade Commission's Authority to Ban Importation of Products Containing Trade Secrets Misappropriated by a Chinese Company in China
- U.S. Supreme Court Reaffirms Importance of Well-Crafted Agreements to Clarify Title to Patented Inventions Among Businesses, Universities, Researchers, and the Government