



Brian Hayes is a partner at Carlson Caspers who offers successful companies skilled guidance for many complex intellectual property issues. Brian's expertise includes freedom-to-operate and validity analyses, IP due diligence investigations, patent and copyright litigation, licensing, and monetization. He has almost 20 years of experience in the practice areas of medical devices, agricultural technology, and computer software and hardware.

Brian thoroughly understands the business climate of his clients and the importance of safekeeping IP assets. Brian has substantial experience in helping clients avoid litigation through freedom-to-operate and validity analyses. In recent years, Brian has participated in a number of high-value investments, mergers, acquisitions, and patent licensing deals in the medical device and agricultural fields.

When litigation is necessary, Brian's experience includes developing trial strategies for patent infringement, copyright infringement, and trade secret misappropriation. Brian worked with a team of Carlson Caspers attorneys from 2009-2020 to repatriate assets in the \$190 million Trevor Cook Ponzi scheme, the second-largest fraud in Minnesota history. Carlson Caspers attorneys were successful in maximizing the recovery of stolen funds for more than 900 investors.

Brian enjoys reading, history, trivia contests, and softball (coaching and playing). Brian and his wife both have been participants on "Jeopardy!".

Brian is co-chair of the firm's recruiting committee and works closely with the firm's diversity and inclusion committee to recruit top law school graduates who wish to practice intellectual property law in the Twin Cities.

EDUCATION

Harvard Law School, JD
Harvard College, AB *cum laude*, History

BAR ADMISSIONS

Minnesota Supreme Court
US District Court for the District of Minnesota
US Court of Appeals for the Federal Circuit
US Court of Appeals for the Eighth Circuit

REPRESENTATIVE CASES

CFTC / SEC v. Trevor Cook et al.
Fargo Elecs. Inc. v. Iris Ltd.
SEC v. Jason Bo-Alan Beckman et al.
Dupont Pioneer – Monsanto Licensing Deal Valued at \$1.75 Billion
Multiple Global Licensing Agreements for Dupont Pioneer and CRISPR-Cas9 Technology Section

EVENTS & PUBLICATIONS

October 27, 2020
"Addressing IP ownership" Association of Corporate Counsel, IP Transactions and Oktoberfest Fun (Presenter)

RECOGNITION

Minnesota Super Lawyers® has identified Brian as a *Top-rated Intellectual Property Litigation Attorney in Minneapolis, MN*, from 2019 to the present; he also was listed in *Rising Stars* in 2008 and 2010-2014. *Best Lawyers®* lists Brian in the 2022, 2023, 2024 and 2025 Editions of *Best Lawyers®* for Intellectual Property Litigation.