



Andrew P. Tower

Partner

Andrew Tower is a partner in Howrey’s Houston office. With undergraduate degrees in petroleum and mechanical engineering, Mr. Tower has developed expertise in counseling and representing clients over a diverse range of intellectual property and commercial matters, with an emphasis on the energy industry, including oil and gas technology, and refining and industrial technology. His experience also includes representing clients in matters involving construction and insurance disputes, and with technologies including telecommunications, computers and mechanical devices.

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ADMISSIONS

Texas

EDUCATION

South Texas College of Law (JD, 1992)

South Texas Law Review, Order of the Lytae, Moot Court Championship Team

University of Texas (BS, 1989)

Mr. Tower has handled matters involving patent infringement, patent licensing disputes, misappropriation of trade secrets, trademark and trade dress infringement, copyright infringement, and unfair competition. In addition, Mr. Tower counsels clients on protecting and enforcing their intellectual property rights, structuring license agreements, and enforcing indemnities for patent infringement liability.

Mr. Tower is also experienced in representing businesses and individuals in construction disputes and other complex commercial litigation matters, including actions involving breach of contract, tortious interference with contract, fraud, product liability defense, environmental litigation, insurance recovery, and covenants not to compete.

Mr. Tower has served as lead or co-counsel in representing large and small businesses and individuals in federal and state courts throughout the country. He has significant experience in litigation in Texas courts, including in the Eastern District of Texas, one of country’s most active venues for patent litigation. Mr. Tower’s experience includes all phases of litigation, from early case assessment, through discovery, dispositive motions, trials, mediation and settlement negotiations. Mr. Tower has also represented clients in commercial arbitrations, and in state and federal appellate courts.

Mr. Tower is a member of Howrey’s E-Discovery Committee.

REPRESENTATIVE MATTERS

- *In re Katz Interactive Call Processing Patent Litigation*. Case No. 2:07-1816-RGK-FFM, in the US District Court for the Central District of California, Los Angeles Division. Counsel for multiple defendants in a multi-district litigation case involving a large patent portfolio regarding

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interactive voice communication systems. This case is the largest multi-defendant patent litigation in history.

- *Interspan Distribution Corp. v. Liberty Insurance Underwriters, Inc.* Case No. 4:07-cv-1078, in the US District Court for the Southern District of Texas, Houston Division. Counsel plaintiff in a breach of insurance contract and bad faith action. 2008 WL 905354 (S.D.Tex. 2008).
- *Ramex Construction Co. v. City of Houston, et al.* In the 333rd Judicial District Court of Harris County, Texas. Represented architect in resolving disputes arising from airport overpass project.
- *Valero Refining Co. v. Emtrol Corp., et al.* In the 295th Judicial District Court of Harris County, Texas. Represented subcontractor in resolving construction and products liability dispute regarding refinery.
- *Ronald A. Katz Technology Licensing, L.P. v. General Motors Corporation, GMAC, et. al.* Case No. 9:06-cv-00198-RHC, in the US District Court for the Eastern District of Texas, Lufkin Division. Patent infringement. Counsel for General Motors and GMAC in patent infringement suit in the United States District Court for the Eastern District of Texas concerning interactive voice response systems used for customer service call centers.
- *Ronald A. Katz Technology Licensing, L.P. v. Continental Airlines, Inc.* Case No. 2:07-cv-00232-DF, in the US District Court for the Eastern District of Texas, Marshall Division. Counsel for Continental Airlines in patent infringement suit in the United States District Court for the Eastern District of Texas concerning interactive voice response systems used for customer service call centers.
- *Anderson Greenwood v. Martin et al.* In the US District Court for the Southern District of Texas, Houston Division. Represented defendants in action seeking award of patents and damages for tortious interference and breach of contract. Jury returned verdict for defendants on counterclaims and take nothing judgment for plaintiff. The case involved proceedings in federal court and state courts.
- *EQR-Watson G.P. v. Finger Construction Co.* In the 157th Judicial District Court of Harris County, Texas. Represented owner in resolving dispute arising out of alleged negligent construction of apartments that resulted in water and mold damage.
- *Park on Memorial Apartments v. Structural Consultants Associates, Inc.* In the 215th Judicial District Court of Harris County, Texas. Represented owner in resolving dispute against engineering subcontractor arising out of negligent construction of a parking garage.
- *Hennigan Engineering Co., Inc. v. Butterworth Jetting Systems, Inc.* In the 333rd Judicial District Court of Harris County, Texas. Defended claims for breach of contract, deceptive trade practices and breach of

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warranty against contractor regarding cleaning of plant's heat exchanger.

COURTS & ADJUDICATIVE BODIES

- United States Supreme Court
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Fifth Circuit
- United States District Court for the Southern District of Texas
- United States District Court for the Eastern District of Texas
- United States Patent and Trademark Office

PROFESSIONAL AFFILIATIONS

- Member, American Intellectual Property Law Association
- Member, Houston Bar Association
- Member, Houston Intellectual Property Law Association
- Member, Houston Young Lawyers Association

PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

"Trademarks and service marks are valuable intellectual property."
Business Survival Guide (May 16 - 22, 2003). Supplement to the
Houston Business Journal.

BOOKS

Patent Law Handbook. West Group (2001). Remedies Chapter
(contributing author).