



Patrick R. Hanes

Partner

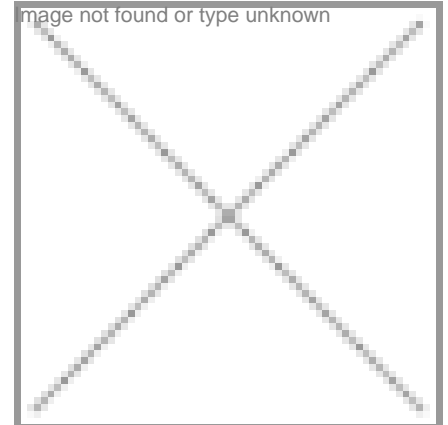
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Patrick Hanes focuses his practice on handling all manner of disputes that arise from business competition and regulation. He is a member of the Litigation Section and serves as co-chair of the White Collar and Investigations Team. His practice has included a broad base of civil and criminal litigation at both the trial and appellate levels. In addition, Patrick has substantial experience conducting investigations both in the United States and overseas. He has represented businesses and individuals in government and corporate investigations in matters involving securities and banking regulation, antitrust, conspiracy, public corruption, wire fraud, tax disputes, environmental laws and the Foreign Corrupt Practices Act.

Patrick advises clients' general counsel, c-suite management and boards of directors on their highest-profile crisis and litigation matters. He has handled the defense of several dozen criminal and civil investigations conducted by the Department of Justice, the Securities and Exchange Commission, state prosecutors and other federal and state investigative and regulatory agencies. He regularly supports corporate transactions by conducting regulatory due diligence on a variety of matters. He has advised many clients on whistleblower matters, including employment retaliation claims. He also has assisted clients with Capitol Hill and press strategies.

In his civil practice, Patrick developed particular proficiency in complex commercial legal disputes in areas such as antitrust, patent and trademark, trade secret, and corporate governance matters. He has represented parties in litigated disputes in each of these areas in courtrooms across the country. He also advises several public and private company clients regarding their legal compliance programs and has conducted compliance investigations, risk assessments and training inside the United States as well as in several other countries in the Americas, Asia, Africa and Europe.

Patrick is the co-chair of the American Bar Association's White Collar Crime Regional Committee for the Southeast Region and the co-chair of the ABA Criminal Justice Section's International White Collar Crime Committee. A member of the Virginia State Bar, he serves on the board of governors of the Antitrust, Franchise and Trade Regulation Section. He is also a member of the Virginia Bar Association's Criminal Law Section Council. He is also licensed to practice in West Virginia and the District of Columbia, and he is admitted to practice before the U.S. District Courts for the Eastern and Western Districts of Virginia, the U.S. District Courts for the Northern and Southern Districts of West Virginia and the U.S. District Court for the District of Columbia. In addition, he is admitted to practice before the U.S. Courts of Appeals for the Federal, Fourth and Fifth Circuits and the U.S. Bankruptcy Courts for the Eastern District of Virginia and the District of Columbia. He has argued cases as lead counsel before each of those courts as well as before the Supreme Court of Virginia.

He has been named to *Virginia Business* magazine's list of the "Legal Elite" several times (most recently in 2020), and he is listed in *The Best Lawyers in America*® for Intellectual Property Litigation, Patent Litigation, Commercial Litigation and Criminal Defense: White Collar law (2009-present). He was named the *Best Lawyers*® 2017 and 2022 Richmond "Lawyer of the Year" for Criminal Defense: White Collar Law. He also is listed in *Virginia Super Lawyers* magazine (2010-present). In addition, Martindale-Hubbell has rated Patrick an AV attorney, its highest rating available.

He has served as an adjunct professor of law at the University of Richmond School of Law and the Washington and Lee University School of Law, teaching in the areas of appellate advocacy and white-collar crime and investigations. He is the co-editor of *An International Guide to Corporate Internal Investigations* published by the American Bar Association. He is the co-author, with professor Kent Sinclair, of an article published in the *William and Mary Law Review* and cited in a published opinion of the Supreme Court of Virginia. Also, Patrick serves as deputy counsel and chief ethics counsel to the law firm.

Prior to joining Williams Mullen, Patrick served as a law clerk to the Honorable Albert V. Bryan, Jr., Senior Judge for the U.S. District Court in the Eastern District of Virginia. He received his law degree in 1994 from the University of Virginia School of Law, where he was a member of the *University of Virginia Law Review*. He received his Bachelor of Arts degree from the University of Virginia in 1988, where he was an Echols Scholar.

Practice Areas

- White Collar and Investigations
- Litigation
- Intellectual Property Litigation
- Antitrust & Trade Regulation
- Appellate Practice
- International Trade and Business
- Foreign Corrupt Practices Act

- Africa Practice
- Complex Business Litigation
- Administrative and Regulatory Law

Experience

White Collar and Investigations

- Retained by audit committee of international trading company to conduct internal investigation into alleged violations of the Foreign Corrupt Practices Act (FCPA), and other potential violations. Led an investigation and post-investigation remediation efforts involving work on five continents.
- Served as lead counsel conducting internal investigations for multiple financial institutions in Virginia, Maryland, and the District of Columbia.
- Defended individual business executive in major public corruption investigation.
- Led multiple internal investigations of senior executives for community and regional financial institutions, reporting to independent committees of the Boards of Directors.
- Represented individual business executive in FCPA investigation involving dealings in Eastern Europe and Asia.
- Served as lead counsel in extended criminal jury trials in the United States District Court for the Eastern District of Virginia.
- Retained to lead an internal investigation regarding alleged insurance fraud scheme.
- Represented board member of public company and investment advisors in various SEC investigations of insider trading.
- Represented company in federal grand jury proceeding investigating allegations of price fixing.
- Handled all aspects arising from report of a violation of Fair Debt Collection Practices Act and Payday Lending Act. Led an internal investigation, reported to state regulators investigating the complaint and settled a civil action arising out of the complaint.
- Extensive experience in resolving a wide variety of other federal and state criminal charges for businesses and individuals.
- Conducted training, risk assessments, and pre-acquisition due diligence for companies concerned about anticorruption, antitrust, and other fraud risks.

Intellectual Property

- Served as lead counsel in defending an international manufacturer of furniture products against a patent infringement lawsuit and attacking the validity of the competitor's patents. Led the effort to collect technical documents and data and to interview key witnesses, including extensive work in China and with Chinese-language documents; conducted numerous depositions; interviewed, retained, and prepared technical experts.
- Lead counsel in jury trial of patent infringement case in the "Rocket Docket" in the Eastern District

of Virginia.

- Appeared before the U.S. Court of Appeals for the Federal Circuit to brief and argue an appeal of a judgment of non-infringement and partial invalidity of patent.
- Defended client in patent infringement case involving the same patents previously asserted against the manufacturer of the "Blackberry" device.
- Served as counsel in a patent infringement case brought in Los Angeles federal court regarding an accused product manufactured in China.
- Served as counsel in a trademark infringement case brought in the Eastern District of Virginia, Alexandria Division. Conducted discovery, briefing and oral argument on cross-motions for summary judgment at District Court level.
- Defended health care company against trademark infringement action filed in the Eastern District of Texas.
- Served as lead counsel in patent infringement case in Los Angeles federal court, with parties, deposition witnesses and documents located in Australia.
- Prosecuted lawsuit to enforce client's registered "dot com" trademark against an infringing competitor. Developed trademark survey evidence demonstrating likelihood of confusion among potential consumers.
- Acted as lead counsel in copyright infringement action in New York City federal court.
- Served as lead counsel in defending client who was sued in federal court in New York by a beauty pageant promoter.
- Represented national retail product manufacturers and sellers in trademark infringement actions.
- Served as lead counsel in seeking injunctive relief under the Lanham Act, seeking seizure of bootleg products from "John Doe," i.e. unknown defendants, during a nationally-known multi-day music festival.
- Filed a lawsuit in federal court claiming false endorsement and violation of client's right of publicity.

Other Corporate Commercial

- Argued appellate cases before the United States Court of Appeals for the Fourth Circuit, the United States Court of Appeals for the Federal Circuit, the Supreme Court of Virginia, and the Court of Appeals of Virginia.
- Represented client in multi-defendant price-fixing class action in federal court in North Carolina and the Fourth Circuit.
- Represented a national eyeglass retailer in a case involving claims of breach of contract to develop an advertising campaign.
- Represented client sued by former employer for breach of contract, who sought emergency injunctive relief in federal court to prevent the firm's client from starting her own television program.
- Sought reversal of multi-million dollar judgment before the United States Court of Appeals for the Fourth Circuit.
- Represented mortgage lender in collection action in the "Rocket Docket" in the Eastern District of Virginia.

- Represented bank client in appeal to the Supreme Court of Virginia of a substantial judgment for fiduciaries.
- On behalf of bankruptcy trustee, filed adversary proceeding to recover voluntary conveyance and opposed exemption for personal inheritance.
- Filed action under a trust implement for tract of land in Albemarle County, Virginia.
- Represented client in lawsuit to recover unpaid commission for a long-term lease.
- Filed securities fraud lawsuit on behalf of investor-client and tried case to jury.
- Represented a bank in claim brought by the receiver for a title insurance company. Manager of the title insurance company allegedly stole premiums from depository account at the bank.
- Defended discount retailer against claim of trespass arising out of alleged violation of rights of landowner whose property adjoined stormwater maintenance system.
- Represented an individual shareholder of a closely-held family business in opposing a stock option award plan that would have benefited insiders at the expense of excluded shareholders.
- Defended individual charged with serious felony in the Circuit Court of the County of Chesterfield, Virginia.
- Defended client in lengthy and contentious arbitration of a stock award dispute.
- Defended national insurance broker in claims of securities law violations.
- Represented client in a case involving multi-million dollar loss of inventory.

Education

- University of Virginia School of Law (J.D.)
Virginia Law Review, Editorial Board
- University of Virginia (B.A.)
Echols Scholar, 1984-1988

Professional Affiliations

- American Bar Association - Co-Chair, White Collar Crime Regional Committee for the Southeast Region; Co-Chair, Criminal Justice Section, International White Collar Crime Committee
- Federal Bar Association
- American Intellectual Property Law Association
- Virginia Bar Association - Criminal Law Section Council
- Virginia Bar Association - Young Lawyers Division Executive Council 1997-2000
- Virginia State Bar - Antitrust, Franchise, and Trade Regulation Section, Board of Governors
- Richmond Bar Association - Judiciary Committee, Past Member
- Richmond Bench - Bar Conference Planning Committee, 2004

Awards

- Named the *Best Lawyers*® Richmond "Lawyer of the Year" for Criminal Defense: White Collar Law (2017, 2022)
- *The Best Lawyers in America*® - Intellectual Property Litigation, Patent Litigation, Commercial Litigation, Criminal Defense: White Collar (2009-present)
- *Virginia Super Lawyers* magazine - Intellectual Property Litigation (2010-present)
- *Virginia Business* - "Legal Elite," (2008, 2010-2012, 2015-present)
- Named to the *Richmond Times-Dispatch* 2015 Readers Choice Lawyers list
- Emerson G. Spies Award, Virginia Bar Association Young Lawyers Division, 2000
- Outstanding Young Virginian, Virginia Jaycees, 2003
- Hero of the Year, Virginia Alliance for the Mentally Ill, 2001