

Roberto C. Quiñones-Rivera

Capital Member, Litigation Practice Group

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Leader, Securities Litigation & Arbitration Practice Team

Leader, Antitrust Practice Team

Co-Leader, Intellectual Property Practice Team

PRACTICES

Antitrust

Bids & Government Procurement

Class Actions

Distribution & Franchising

Intellectual Property

Litigation

Securities Litigation & Arbitration

BAR ADMISSIONS

- Commonwealth of Puerto Rico
- New York
- Massachusetts
- U.S. Supreme Court
- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Courts for the District of Puerto Rico
- U.S. District Courts for the Southern District of New York
- U.S. District Courts for the District of Massachusetts

Mr. Quiñones-Rivera, a graduate of Yale Law School, started his litigation practice with major firms in New York and Boston. He has over 25 years of experience in complex commercial litigation and arbitration. He has handled a wide range of matters, including securities, intellectual property and antitrust disputes in federal and state courts, arbitrations and administrative proceedings. He has successfully represented broker-dealers, investment companies, trust companies and brokers in dozens of securities litigation and arbitration cases. In the intellectual property field, his practice includes litigation and counseling on copyright, trademark, patent and domain name matters.

Mr. Quiñones-Rivera has successfully represented defendants in class actions under the federal securities laws, the federal and Puerto Rico antitrust statutes, the Racketeer Influenced and Corrupt Organizations (RICO) Act and the Truth in Lending Act.

He is ranked as a Leading Attorney by the renowned international publication Chambers & Partners. Chambers notes that he “receives strong endorsements from peers for his extensive experience and particularly his litigation skills.” Mr. Quiñones also is recognized for his expertise in the fields of Arbitration and Mediation, Competition and Antitrust, and Intellectual Property by Best Lawyers.

He has served in the Firm's Policy and Practice Management Committees and as Co-Chair of the Litigation Group. He is a member of the Securities Industry and Financial Markets Association (SIFMA) and the International Trademark Association (INTA), and a former member of the Ethics Commission of the Puerto Rico Bar Association.

Mr. Quiñones-Rivera was an associate with Paul, Weiss, Rifkind, Wharton & Garrison in New York from 1990 to 1992. He then joined Goulston & Storrs in Boston, Massachusetts. He was an associate with Choate, Hall & Stewart, also in

EDUCATION

A.B., *Summa Cum Laude*, Rollins College

J.D., Yale Law School, 1990

MEMBERSHIPS

- International Trademark Association (INTA)
- Securities Industry and Financial Markets Association (SIFMA)

Boston, from 1994 to 1996.

REPRESENTATIVE CASES

Some of his representative cases include:

- *The Otero-Ortiz Trust v. MetLife Insurance Co., FINRA Dispute Resolution Case No. 11-02104 (Oct. 8, 2013)*: After seven-day trial, award for respondents in case seeking over \$2.6 million in compensatory and punitive damages for unauthorized trading, churning, unsuitability, failure to supervise, breach of fiduciary duty and fraudulent inducement
- *Canatelo, LLC v. AXIS Communications AB, Civil No. 13-1084 (D.P.R. July 11, 2013)*: Dismissing patent infringement suit for lack of personal jurisdiction
- *Oriental Financial Group Inc. v. Cooperativa de Ahorro y Crédito Oriental, 698 F.3d 9 (1st Cir. 2012)*: Vacating judgment and remanding case for determination whether injunction in trademark case should be broader than entered by district court; addressing progressive encroachment doctrine as issue of first impression and applying it to bar laches defense
- *Barros v. UBS Trust Company of Puerto Rico, 2012 WL 4092602 (D.P.R.)*: Granting motion to compel arbitration of claims against trust company based on arbitration clause in plaintiff's account agreement with broker-dealer
- *Luar Music Corp. v. Universal Music Group, Inc., 861 F.Supp.2d 30 (D.P.R. 2012)*: Granting summary judgment as to claim seeking extraterritorial application of U.S. Copyright Act
- *Luar Music Corp. v. Universal Music Group, Inc., 847 F.Supp.2d 299 (D.P.R. 2012)*: Granting summary judgment as to time-barred copyright claims; rejecting plaintiff's arguments under equitable estoppel doctrine
- *Ingeniador, LLC v. Interwoven, 2012 WL 1712492 (D.P.R.)*: Granting motion to dismiss patent infringement claims for failure to state claim and for lack of personal jurisdiction
- *Romero Britto et al. v. Hector Figueroa Khury, et al., Civil No. 11-1856 (D.P.R. 2011)*: Co-lead counsel for renowned artist Romero Britto and his exclusive international licensee in the largest trademark, copyright and civil counterfeiting case filed in the U.S. District Court for Puerto Rico
- *Los Cangris, Inc. v. UMG Recordings, Inc., 2011 WL 1743193, 2011 Copr.L.Dec. P 30,077 (D.P.R.)*: Granting motion to dismiss copyright and state law claims
- *Oliva v. Poma-Ramírez, 2007 WL 2436305 (D.P.R.)*: After evidentiary hearing, entering preliminary injunction against trademark counterfeiter, including

- order to immediately transfer internet domain names
- *Sánchez v. Triple-S Management Corp.*, 492 F.3d 1 (1st Cir. 2007): Affirming summary judgment dismissing purported class action under Racketeer Influenced and Corrupt Organizations (RICO) Act
 - *Arroyo-Melecio v. Puerto Rican American Insurance Co.*, 398 F.3d 56 (1st Cir. 2005): Affirming dismissal of main claim in purported class action under the Sherman and Clayton Acts and Puerto Rico's antitrust laws alleging underlying violations of Puerto Rico's Compulsory Motor Vehicle Liability Insurance Act
 - *Latin American Mechanical Rights Collection Agency, Inc. v. Marti, Flores, Prieto & Wachtel Advertising, Inc.*, 204 F. Supp. 2d 270 (D.P.R. 2002): Dismissing claims under Copyright Act, Lanham Act and Puerto Rico's Intellectual Property Act); 2002 U.S. Dist. Lexis 15610 (D.P.R. 2002) (magistrate's report and recommendation)
 - *Autoridad de Energía Eléctrica de Puerto Rico v. Ericsson Inc.*, 201 F.3d 15 (1st Cir. 2000): Having granted emergency motion to stay remand order pending appeal and to expedite appeal, resolving several issues of first impression, including jurisdiction in removed case to review remand order based on forum-selection clause, whether said clause mandated litigation in particular forum or only constituted consent to jurisdiction therein, and scope and applicability of Y2K Act; reversing remand order
 - *Laura Thorn, Ltd. v. Alletzhauer*, 71 F.3d 991 (1st Cir. 1995): reversing order in case raising issues of first impression concerning scope of obligations under commercial guarantees