



## Paul J. Kremer



*He / Him / His*

Partner

New York

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### Main Bio

**Paul is a litigation “field general” who can oversee and execute on every aspect of his client’s legal strategy, from pre-suit negotiations through trial and beyond. Paul’s approach to litigation is to deliver best-in-class results using small teams where every lawyer is empowered to make a difference. Paul believes that clients don’t want a dozen lawyers stumbling over each other to say the same thing; they want clear, actionable advice, and they want to hear it from the same people who are standing up for them in court.**

Paul’s subject-matter knowledge ranges from high-tech patent infringement cases to commercial contract and tort claims to building and construction disputes. He has represented a diverse array of clients engaged in high-stakes commercial litigation, from New York City park trustees and landmark churches to Fortune 100 technology companies and prestige television networks. Paul’s intellectual property clients also run the gamut from garage startups to world-renowned pharmaceutical and consumer electronics makers. He has also represented landlords, tenants, builders, and developers in all types of commercial real estate and construction projects, from simple building renovations to historic public-private partnerships.

Paul is equally comfortable representing large and small clients in bet-the-company litigation. For ten years, he led the defenses of the coal-fired power industry’s most successful pollution abatement companies in a series of nine-figure patent infringement actions brought by various competitors. On the other end of the spectrum, he has defended a one-man fine-art brokerage falsely accused of misappropriating his old employer’s client lists, ultimately prevailing at oral argument to avoid an injunction and winning a sanctions award against the employer. In 2019, Paul was instrumental in defeating Long Island politicians’ attempts to hold up construction of the New York Islanders’ privately financed arena project. And since 2022, he

### Related Practices

Litigation  
Intellectual Property  
Real Estate Litigation  
Contract, Business, Commercial & Consumer Disputes

### Related Industries

Energy/Construction  
Healthcare Services  
Sports and Entertainment

### Education

- Harvard Law School, J.D.
- Loyola University Maryland, Bachelor of Arts, Political Science and Economics

### Credentials

- New York
- New Jersey
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Western District of Wisconsin
- U.S. Court of Appeals for the Federal Circuit

has led the defense of one of Long Island's largest private nursing homes against high-profile fraud claims brought by the New York Attorney General.

In addition to his broad commercial litigation practice, Paul helps clients of all types take on City Hall using New York State's specialized Article 78 procedure. His successes in this field range from overcoming ordinary zoning restrictions to industry-shaping change: in 2022, Paul helped block the Town of East Hampton's attempt to convert East Hampton Airport from a public airport to a private airfield, and in 2019, he helped negotiate a settlement to reduce wait times for wheelchair-accessible ride-share vehicles.

Paul's pro bono work focuses on vindicating the rights of prisoners, victims of police misconduct, and trans people. Since 2020, he has served on the board of directors of New York Disaster Interfaith Services (NYDIS), a network of faith-based disaster response providers.

Prior to joining Benesch, Paul was of counsel at Gibson Dunn & Crutcher LLP.

*\*Matter completed prior to joining Benesch.*

## Experience

### White Collar, Government Investigations & Regulatory Compliance

- Currently defending a private nursing home and its owner in an expedited special proceeding and appeal brought by the New York Attorney General, which seeks \$40 million in fines and penalties and unprecedented injunctive relief for alleged violations of Executive Law § 63(12).

### Government Relations

- Challenged an NYC Taxi & Limousine Commission mandate requiring cost-prohibitive retrofits for ride-share vehicles.\*
- Challenged the NYC Department of Sanitation's refusal to allow sales of recyclable foam food-service packaging.\*
- Challenged the Town of East Hampton's plan to close East Hampton Airport to commercial traffic and immediately re-open it for private use.\*
- Defended the developers of the sports and entertainment complex at Belmont Park against state environmental review and public trust doctrine claims brought by multiple neighboring municipalities.\*

### Intellectual Property Litigation

- Brought Hatch-Waxman claims against four generic drug makers on behalf of the manufacturer of a blockbuster

multiple sclerosis drug.\*

- Defended a major telecommunications provider in a patent infringement case brought by a European licensing enterprise asserting infringement of a portfolio of standards-essential Wi-Fi and LTE networking patents.\*
- Defended refined coal manufacturers in three successive patent infringement cases brought by industry competitors asserting infringement of various patents on abating mercury emissions.\*
- Defended two major telecommunications providers in patent infringement cases brought by a non-practicing entity that allegedly held a patent on “Wi-Fi Calling” technology.\*

## Litigation

- Brought breach-of-contract and fraud claims on behalf of disaster-relief charity against program participant whose employees stole Superstorm Sandy relief funds.\*
- Brought breach-of-contract claims on behalf of a major smartphone manufacturer against a legacy technology licensor that refused to recognize the manufacturer’s rights under a third-party agreement.\*
- Brought breach-of-contract claims on behalf of a television network against a satellite television provider that dropped the network’s suite of high-definition TV channels, resulting in billions of dollars in damages.\*
- Brought claims against DOCCS on behalf of an incarcerated individual who was beaten by correction officers and suffered brain damage for complaining about prison conditions.\*
- Oversaw prior firm’s Transgender Name-Change Project, which obtained legal name changes for over 60 transgender New Yorkers.\*
- Prevailed at Appellate Division in case involving trial court judge who refused to grant name-change applications for any transgender people.\*
- Prosecuted claims against the New York State Department of Corrections and Community Supervision (“DOCCS”) on behalf of an incarcerated individual who was framed for organizing an inmate demonstration and sentenced to six years of solitary confinement.\*

## Real Estate

- Advised a tenant religious congregation in its long-running dispute with its commercial landlord, who demolished the congregation’s synagogue but failed to re-build it as required by the lease.\*
- Brought claims on behalf of the developers behind a \$500 million Staten Island revitalization project against the design-

build team commissioned to construct the Western Hemisphere's largest Ferris wheel. Represented the developers as creditors in the bankruptcy proceedings that followed.\*

- Defended a Brooklyn private school against claims by a nationally recognized building contractor seeking compensation for defective renovation work.\*
- Defended a historic NYC church against claims that it had impliedly assigned the right to control its property to its former national organizing body.\*
- Defended a landlord in a declaratory judgment action brought by tenants alleging that their lease period never technically commenced, resulting in an extended rent-free period.\*

### Articles and Presentations

- Paul J. Kremer | Infringement Damages: Remedies and Economic Evidence, Patent Law Institute 2024: Critical Issues & Best Practices New York, September 30, 2024

### News

- Paul J. Kremer Mentioned in Crain's New York People On the Move, October 22, 2024
- Partner Paul Kremer Featured in Law360 | "Benesch Continues New York Growth with Ex-Gibson Dunn Atty" , October 3, 2024
- Benesch Continues New York Office Growth With Addition of Litigation Partner Paul J. Kremer , September 30, 2024