

As an intellectual property and commercial litigation attorney, Kyra represents individuals and companies of all sizes in disputes relating to trade secrets, trademarks, copyrights, patents, unfair competition, noncompetition agreements, antitrust claims, alter ego and successor liability claims, and other contract and business disputes. She also has experience representing clients in government investigations, including those involving the Federal Trade Commission, the U.S. Department of Justice, and the Office of the New York State Attorney General. In addition, Kyra provides litigation risk counseling and advice relating to legal ethics and professional responsibility. Kyra leverages her passion for research, writing, and learning the details of each client's business into development of creative, cost-effective litigation strategies and winning arguments.

Kyra's practice brings her into courts around the country. At the trial court level, Kyra has successfully litigated cases in state and federal courts, including courts in New York, Florida, Minnesota, and Texas. She has also advocated for clients before various governmental agencies, including the Federal Trade Commission, the U.S. Department of Justice, and the U.S. Securities and Exchange Commission.

Before joining Harter Secrest & Emery LLP, Kyra worked at Willkie Farr & Gallagher LLP in New York City.

Representative Cases

- *Quintel Technology Ltd. v. Huawei Technologies Co., Ltd.* (E.D. Tex. 2018) -- Played a prominent role on the trial team for a telecommunications technology plaintiff in a case alleging misappropriation of trade secrets, breach of a non-disclosure agreement, fraud, and joint inventorship of a patent. Case settled after completion of the first week of a jury trial.
- *Corning Optical Communications LLC v. Diversified Material Specialists, Inc.* (M.D. Fla. 2016) -- Represented a manufacturer of fiber optic communications system solutions for voice, data, and video network applications in a patent infringement case that resulted in an injunction protecting COC's patents.
- *Giftcraft, Inc. v. K&K Interiors, Inc.* (N.Y. Monroe County 2015) -- Represented a wholesale home decor and gift company in its claims against a competitor and former sales representatives for tortious interference and breaches of non-solicitation agreements.
- *Wilson v. Hauck, et al.* (W.D.N.Y. 2015) -- On a pro bono basis, served as lead trial counsel representing a plaintiff who was asserting constitutional claims through a jury trial.



KYRA TICHACEK KELLER

COUNSEL

kkeller@hselaw.com

tel: 585.231.1108

fax: 585.232.2152

Admissions

New York

U.S. District Court for the Western, Northern, and Southern Districts of New York

U.S. Court of Appeals for the Federal Circuit

Education

Harvard Law School, J.D., *cum laude*

Cornell University, B.S.

- Represented a New York-based clothing manufacturer defendant/counter-plaintiff in a dispute in federal court involving claims for breach of contract, unjust enrichment, and breach of warranty, resulting in a negotiated settlement.
 - Represented a New York-based cooperative plaintiff in a dispute in State Supreme Court involving claims for breach of contract, unjust enrichment, quantum meruit, and fraud, resulting in a negotiated settlement.
 - Represented a New York-based design company plaintiff in a claim in federal court alleging copyright infringement. Assisted in achieving a negotiated settlement.
 - Assisted in representing individuals and companies with governmental investigations in the United States (confidential clients and subject matters).
 - Assisted in representing large insurer defendants in a dispute in federal court in Minnesota involving claims for alter ego, respondeat superior, successor liability, joint venture, tortious interference, and breach of contract arising out of a recapitalization of an insurance company that had insured the plaintiffs, resulting in summary judgment dismissing those claims with prejudice.*
 - Represented patent holders and co-authored the principal and responsive briefs for the plaintiffs-cross appellants in pharmaceutical patent litigation in the Federal Circuit Court of Appeals.*
 - Assisted with antitrust investigations in the United States and Europe (confidential clients and subject matters).*
- * Work performed prior to joining HSE.

Professional and Civic Affiliations

- Member, New York State Bar Association

Honors and Awards

- Selected to the Upstate New York Super Lawyers Rising Stars list, 2014-2019
- Cornell University
 - Presidential Research Scholar
 - Golden Key National Honor Society (top 15% of class)

Publications

- “How Trade Secret Audits Can Safeguard Your Intellectual Property,” Harter Secrest & Emery LLP, *LEGALcurrents*[®], September 19, 2019

Presentations

- Presenter, “Select Issues in Modern Contract Law,” Harter Secrest & Emery LLP, March 2020
- Guest professor at Harvard Law School’s Problem-Solving Workshop for first-year law students.

