

CANTEY HANGER LLP
ATTORNEYS

Philip Vickers | Partner,Fort Worth

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Philip Vickers represents clients in complex and commercial litigation. Philip's experience includes breach of contract; fraud; fiduciary litigation involving trusts, estates, and closely-held businesses; royalty disputes; real estate; intellectual property, including trademark prosecution and infringement, copyright infringement, and trade secrets; insurance coverage; non-compete agreements; environmental litigation; and civil rights and the First Amendment. Philip handles matters at all levels of litigation, from the trial court through any appeal, and in arbitration. Philip actively participates in and promotes pro bono programs within the firm and in the Fort Worth legal community. Before joining Cantey Hanger, Philip served as a Judicial Clerk to the Honorable Michael H. Schneider, U.S. District Judge for the Eastern District of Texas.

PRINCIPAL PRACTICE AREAS

- Commercial Litigation
- Appellate
- Intellectual Property
- Energy Litigation

EDUCATION

- The University of Texas School of Law (J.D., 2005)
  Texas Review of Law & Politics (Editor-in-Chief)
- Hillsdale College (B.S., 2002)

EXPERIENCE

Commercial Disputes:

- Representation of Sabre in breach of contract action relating to Lufthansa's imposition of a surcharge on customers who book tickets through Sabre.
- Co-counsel on behalf of Berkshire Hathaway in defense of putative class action brought under ERISA. Matter resolved favorably before trial.

- Representation of commercial real estate developer in dispute with former partner in connection with $60+ million development. Matter resolved favorably after defeating opponent's Anti-SLAPP motion to dismiss.
- Co-counsel for Sabre in breach of contract and anti-trust actions brought against it by American Airlines claiming over $1 billion in damages. Cases settled favorably during jury trial.
- Defended Electronic Arts Inc. against breach of contract and fraud claims where plaintiff asserted millions in damages. Obtained summary judgment dismissing all claims before trial.
- Represented Wells Fargo Bank in litigation it filed in state court seeking declarations that certain investor-owned life insurance policies having death benefits over $40 million were valid and enforceable. Obtained favorable summary judgments and recovered $3 million in attorneys' fees in a jury trial.
- Co-counsel on behalf of international entertainment franchise in disputes with franchisees over territorial rights.
- Represented landlord of industrial property in suit against former tenant for environmental contamination. Case was resolved favorably before trial.
- Represented Williamson-Dickie in a suit against insurer for coverage for losses attributable to environmental contamination. Case settled favorably before trial.
- Represented estate in dispute with IRS over tax owed on annuity. Case resolved favorably before trial.
- Represented helium producer in action against the Bureau of Land Management in connection with its administration of the federal helium reserve.
- Representation of business owners in disputes with partners, shareholders, and managers over breaches of fiduciary and contractual duties.

Oil and Gas:

- Representation of payees in royalty disputes, including underpayment, nonparticipating royalty rights, post-production deductions, and suspension issues.
- Representation of owners of mineral and water rights in title disputes and water and surface use agreements.
- Represented the City of Fort Worth and the Fort Worth Independent School District in suits filed in state court against Chesapeake Exploration and Total E&P for underpayment of royalties in connection with hundreds of oil and gas leases. Both cases settled favorably returning millions of dollars to taxpayers in past and future underpayments.
- Representation of working interest owners in claims against Chesapeake and Total E&P to recover for breaches of rights under joint operating and exploration and development agreements. Case resolved after obtaining summary judgments for clients confirming questions of liability.
- Representation of owner of mineral rights in West Texas in claims against life-tenant to recover for waste and to determine title. Case resolved favorably before trial.
- Represented natural gas producer and midstream companies in a dispute over construction of natural gas processing facilities in Tarrant and Parker counties.

Intellectual Property:

- Representation of trademark owners in registration and prosecution of trademarks.

- Representation of trademark owners in actions to enforce trademark rights in state and federal courts and before the US Patent and Trademark Office.
- Representation as local counsel in patent disputes in the Eastern, Northern, and Western Districts of Texas.
- Representation of online retailer's claims for trademark infringement and unfair competition. Case settled favorably before trial, resulting in withdrawal of oppositions pending before the Trademark Trial and Appeal Board.
- Representation of auto parts manufacturer in claims for trademark infringement and unfair competition. Obtained verdict after trial affirming validity of registered trademarks and finding willful unfair competition.
- Representation of packaged food manufacturer in dispute over alleged violations of Uniform Trade Secret Act and employee non-competition agreement. Case reached confidential settlement after defeating opponent's motion for temporary injunction.
- Representation of software company in breach of contract suit against Dell Computer and in defense of claims for indemnity related to patent infringement. Case settled favorably after obtaining a ruling in client's favor on Dell's motion to dismiss.
- Representation in dispute over ownership and cancellation of trademarks related to professional sports franchise. Matter settled favorably before trial.
- Representation of search engine in defense of claims asserted by American Airlines for trademark infringement based on sale of keyword advertising. Matter settled favorably before trial.
- Represented international importer of consumer goods in suit alleging trademark infringement. Matter dismissed by agreement.

Other Representative Engagements:

- Representation of ExxonMobil in actions against attorneys general of New York, Massachusetts, and the US Virgin Islands challenging alleged violations of First Amendment rights about speech over climate change.
- Represented church in First Amendment/Religious Freedom Restoration Act case seeking to require public school to allow church to hold on-campus after school Bible club. Case resolved favorably after hearing on request for temporary injunction.
- Participate in independent investigations and analyses of abuse prevention policies and procedures on behalf of civic and religious institutions.

BAR ADMISSIONS & CERTIFICATIONS

- Texas, 2005
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Courts for the Northern, Eastern, Southern, and Western Districts of Texas

PROFESSIONAL & COMMUNITY INVOLVEMENT

Professional

- Life Fellow, Texas Bar Foundation
- Member and Former Chair, Tarrant County Volunteer Attorney Services (Pro-Bono) Committee
- Vice President, Federalist Society – Fort Worth Chapter
- Life Fellow, Former Director, Tarrant County Bar Foundation
- Eldon B. Mahon Inn of Court, Former Barrister
- Past Chair, Intellectual Property Law Section of the Tarrant County Bar Association
- Former Director, Tarrant County Young Lawyers Association

Civic

- Legal Aid of NorthWest Texas, Volunteer Attorney
- Trustee, Austin Graduate School of Theology, 2017-2020
- Board Member, Texas Board of Physical Therapy Examiners, 2013-2020
- Member, Texas Executive Council of Physical Therapy and Occupational Therapy Examiners, 2015-2020
- Arts Council of Fort Worth & Tarrant County Grants Review Panel, 2013-2015

Honors

- Martindale Hubbell "AV" Preeminent Rating
- "Super Lawyer" in Business Litigation, Texas Super Lawyers by Thomson Reuters, 2020-2021
- "Rising Star" in Business Litigation, Texas Super Lawyers by Thomson Reuters, 2013-2019
- "Top Attorney", Fort Worth, Texas magazine, 2011-2021
- Named to "40 Under 40", Fort Worth Business Press, 2016
- Leadership Fort Worth – Leadership Class 2022, Leading Edge 2013

NEWS

- 10 Cantey Hanger attorneys named Super Lawyers
- 16 Cantey Hanger Attorneys Honored by Peers as Top Attorneys
- 12 Cantey Hanger Lawyers Named as Top Attorneys in Fort Worth Magazine
- Cantey Hanger Partner Featured by Super Lawyers for Promoting Pro Bono
- Four Cantey Hanger Attorneys Selected Rising Stars
- Cantey Hanger Attorneys Listed in Fort Worth Inc. Magazine
- Cantey Hanger Partner, Philip Vickers Sits On A Law Panel Sponsored By The Fort Worth Business Press
- ExxonMobil Defeats Personal Jurisdiction Challenges
- Four Cantey Hanger Attorneys Selected Rising Stars
- 3 Cantey Hanger Attorneys Selected Rising Stars
- 3 Cantey Hanger Attorneys Selected Rising Stars
- 6 Cantey Hanger Attorneys Selected Rising Stars
- Cantey Hanger is pleased to have 9 lawyers named "Rising Stars" in Super Lawyers Magazine, a Thomson Reuters service

PUBLICATIONS & PRESENTATIONS

- Speaker, “Removal and Remand”, Tarrant County Bar Assoc. CLE on Federal Procedure, Feb. 26, 2021
- Speaker, “Recent Significant U.S. Supreme Court Opinions for Litigators”, Meritas Litigation Section Annual Meeting, Oct. 2018.
- Panelist, Fort Worth Business Press “Business for Breakfast: Law Panel”, July 18, 2018.
- Panelist, “Words, Phrases & Rhetorical Ploys That Will Make Some Judge’s Skin Crawl. Are You Playing Russian Roulette With Your Briefing?”, Eastern District of Texas Bench Bar Conference, Oct. 4, 2017.
- Co-Author, For the Good of Your City: How Law Firm Pro Bono Can Impact Clients and the Community, 79 Tex. B.J. 364, May 2016.
- Speaker, “Texas E-Filing Basics”, Texas Forum, State Bar of Texas—Standing Committee on Paralegals, Feb. 28, 2014.
- Speaker, “Pro Bono Family Law Basics”, Tarrant County Volunteer Attorney Services volunteer CLE presentations, 2013-2018.