

## Marcus W. Sprow

### Partner

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Marcus Sprow is a partner and registered patent attorney with Foley & Lardner LLP, where he serves as vice-chair of the firm's Intellectual Property Department and managing partner of the Detroit office. He also leads the Intellectual Property practice in the Detroit office, is a member of the firm's Business Practices Committee, serves as one of the co-leads of the Electrified Mobility group, and is a member of the Automotive, Technology, and Manufacturing Industry Teams.

Marcus has experience in a wide variety of technical disciplines, including batteries, capacitors, fuel cells, integrated circuit design and manufacturing, semiconductor fabrication equipment and technology, material synthesis and characterization, metal coatings, automotive systems and components, power tools, plumbing components, and a broad array of consumer products. He also has engineering work experience in the fields of automotive brake formulation and production and high-temperature metal alloys used in jet turbine engines.

Marcus has particularly extensive knowledge in the areas of energy storage systems, batteries, fuel cells, capacitor technology, and vehicle electrification, having significant experience with lithium-ion, nickel-metal-hydride, lead-acid, and metal-air batteries, as well as with various capacitor and fuel cell technologies. He has helped clients protect their technology relating to chemistry, cell design, vehicle and system integration, thermal management, manufacturing techniques, and control software, among others. Marcus has served as outside counsel to the largest manufacturer of automotive batteries in the world, a large global medical device company, an international metal-air battery producer that began as a spinoff of a Norwegian university, a provider of energy storage solutions for renewable energy sources, a fuel cell manufacturer involved in primary and secondary power generation operations, and various other startup and established companies having energy storage technology at the core of their business.

In addition to managing the IP portfolios for some of the firm's largest clients, Marcus and his team provide counseling in all facets of IP, including assisting clients with due diligence, licensing, contract negotiation, bankruptcy, M&A, and freedom-to-practice issues. Marcus has represented venture capitalists as they assess

whether to invest in start-up companies. He also has significant government and university contracting experience, representing his clients as they negotiate with the United States Department of Energy, the United States Advanced Battery Consortium, and other government and quasi-government agencies, and helping them to implement procedures for ensuring that they comply with their contractual obligations.

Additionally, Marcus is a core member of Foley's Design Rights Group. As such, he has helped clients pursue several thousand design patents worldwide for a diverse array of products, including kitchen and bath products, beverage containers, graphical user interfaces, and many others. As a leading practitioner in one of the most prolific design patent practices anywhere, he and his team have successfully enforced design patents both domestically and abroad on behalf of clients to protect their market share and ensure that they are capturing the value of their creative endeavors. As a member of one of the largest intellectual property practices in the United States, Marcus generally counsels clients and provides business-focused solutions relating to issues such as:

- Strategic patent procurement and portfolio management
- Trade secret protection and enforcement
- Patent clearance and freedom-to-operate analyses
- Intellectual property considerations in bankruptcy, mergers, acquisitions, and other business transactions
- Intellectual property rights and obligations under U.S. government funding contracts
- Agreement negotiation and analysis (e.g., confidentiality and non-disclosure agreements, joint development and consulting service agreements, license arrangements, etc.)
- Intellectual property asset valuations
- Risk avoidance strategies for technology-focused companies

## Awards and Recognition

Marcus was selected for inclusion in the 2011 – 2015 *Michigan Super Lawyers – Rising Stars®* editions. He was also recognized among *IAM Patent 1000 – The World's Leading Patent Practitioners* (2016, 2020-2021). In 2011, he was also selected to *DBusiness'* Top Lawyers list for his work in intellectual property law. The list was based on a peer review of over 21,000 votes, honoring excellence in 50 practice areas. Marcus is also a graduate of the Detroit Regional Chamber's Leadership Detroit Class XXXI.

## Affiliations

- State Bars of Michigan and Wisconsin
- Member of the American Intellectual Property Law Association, the Wisconsin Intellectual Property Law Association, the Michigan Intellectual Property Law Association, the Federal Circuit Bar Association,

the American Bar Association, the Detroit Metropolitan Bar Association, the Society of Automotive Engineers, and the American Society for Materials.

## **Sectors**

- [Electrified Mobility & Infrastructure](#)
- [Energy](#)
- [Manufacturing](#)

## **Practice Areas**

- [Electronics](#)
- [IP Due Diligence](#)
- [Intellectual Property](#)
- [Mechanical & Electromechanical Technologies](#)

## **Education**

- University of Michigan, Ann Arbor (Law degree, cum laude)
- University of Michigan, Ann Arbor (Undergraduate, summa cum laude)
  - Materials Science Engineering
  - Received numerous honors and was involved in a variety of engineering societies, including serving as the president of the University of Michigan chapter of the Alpha Sigma Mu Metallurgical and Materials Science Honor Society

## **Admissions**

- Michigan
- Wisconsin
- U.S. Patent and Trademark Office