

Wallace K. Lightsey,

MEMBER

Wallace is an experienced trial attorney, with well over 50 jury trials in his career. He has argued numerous appeals in the South Carolina appellate courts and the United States Court of Appeals for the Fourth Circuit. He has a diverse litigation practice involving complex securities, corporate, and intellectual property cases, as well as news media and First Amendment disputes. In the area of First Amendment litigation, he has represented Time Inc., The New York Times Company, The Associated Press, and Pulitzer Broadcasting, as well as local news media including The Greenville News, The Spartanburg Herald, WYFF TV, WHNS TV, WSPA TV, and other newspapers around South Carolina. He also has an active practice litigating disputes over intellectual property -- such as trademark, copyright, and trade secrets -- and in recent years has been lead counsel in copyright lawsuits involving close to a billion dollars at issue. In 2004, he was inducted into the American College of Trial Lawyers, an organization composed of a small percentage of the best trial attorneys in the U.S. and Canada.

Building on his substantial trial and courtroom experience, Wallace has been certified by the American Arbitration Association to its Roster of Neutrals for commercial arbitration, and has served as panel chair, panel member, and sole arbitrator in a number of arbitrations involving large, complex disputes as well as relatively simple ones.

Unlike many judges, Wallace likes helping to resolve discovery disputes and is available for appointment as a special discovery master in lawsuits where the parties anticipate having to deal with difficult discovery matters.



CONTACT

P: 864-242-8207

PRACTICE AREAS

- Alternative Dispute Resolution
 - Big Case Litigation
 - First Amendment
 - Intellectual Property
 - Shareholder Oppression
 - Architectural Works Copyright Infringement Litigation
 - Media and Communications
 - Novel Questions of Law
 - Appellate Advocacy
 - Litigation
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EDUCATION

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| 1983, J.D. | Harvard Law School, <i>cum laude</i> ; <i>Harvard Law Review</i> , Executive Editor, 1982-83, Editor, 1981-82 |
| 1979, A.B. | Duke University, <i>summa cum laude</i> ; Phi Beta Kappa |
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REPRESENTATIVE MATTERS

- Wallace has been handling copyright infringement litigation for about 20 years. Since the early 1990s, he has handled all of ASCAP's copyright enforcement litigation in South Carolina. Over the past ten years, he has represented the nation's two leading house plan designers, Donald A. Gardner Architects, Inc., and Frank Betz Associates, Inc., in architectural copyright litigation. In most of these cases he served in the role of lead attorney, working with other Wyche attorneys.
- Wallace has also handled a number of trade secrets and trademark infringement cases, though not nearly as many as in the copyright area. One trade secrets case, *Woven Electronics v. Advanced Wire Co.*, resulted in a multi-million dollar verdict for Wyche's client after a two-week trial, and the verdict was affirmed on appeal to the Fourth Circuit. Two trademark cases that involved significant discovery and motions before eventually settling were *Lowe Wild Dunes v. Ravenel Associates*, a dispute over the use of the "Wild Dunes" name in beach property rentals and management in the Charleston region, and *Avado Brands v. Blue Ridge Brewing Co.*, a dispute over the "HOPS" name in connection with restaurants, bars, and breweries.
- Along with Wyche attorneys Henry Parr and Bill Wilson, Wallace represented Cisco Systems in a complex case brought by a terminated reseller of Cisco networking hardware. The case was litigated to entry of judgment in favor of Cisco, and that judgment was successfully defended on appeal to the Fourth Circuit Court of Appeals.
- Wallace defended Forbes magazine in a substantial libel suit brought in federal court in South Carolina concerning an article about the promoter of the "Southern Connector" highway outside of Greenville. He obtained summary judgment for Forbes, which the Fourth Circuit affirmed.
- Wallace was lead counsel for Carolina First Corporation and its officers and directors in a shareholder derivative suit. He won a motion dismissing the suit on the pleadings for failure to meet the pre-suit demand requirement, which

was affirmed by the South Carolina Court of Appeals in what is now the leading South Carolina appellate opinion on the pre-suit demand requirement in shareholder derivative suits.

PROFESSIONAL BACKGROUND

1986-Present	Wyche, P.A.
1984-85	Law Clerk, Hon. Warren E. Burger, Chief Justice of the United States Supreme Court, Washington, D.C.
1983-84	Law Clerk, Hon. John Minor Wisdom, United States Court of Appeals for the Fifth Circuit, New Orleans, LA

BAR & COURT ADMISSIONS

- **U.S. Court of Appeals for the Eleventh District, 2016**
 - **U.S. Court of Appeals for the First Circuit, 2011**
 - **U.S. Supreme Court, 1991**
 - **U.S. District Court, District of South Carolina, 1988**
 - **U.S. Court of Appeals for the Fourth Circuit, 1988**
 - **South Carolina Bar, 1986**
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PROFESSIONAL & COMMUNITY ACTIVITIES`

- **Certified Member of the American Arbitration Association Roster of Neutrals**
 - **South Carolina Bar Foundation, President, 2011-12; Director, 2008-2011**
 - **Wyche Executive Committee, Chair, 2007-2013**
 - **The Family Effect Foundation, Chair, 2010-2011, Director, 2008-2014**
 - **The Warehouse Theatre, Director, 2011-2015**
 - **Greenville United Way Palmetto Society Board, 2010-2013**
 - **Greenville Chamber of Commerce Board of Governors, 2009-2012**
 - **South Carolina Commission on Lawyer Conduct, Chairman, 1997-2004**
 - **Litigation Counsel of America, Fellow**
 - **American Bar Association Foundation, Fellow**
 - **College of Charleston, Board of Visitors**
 - **Greenville Symphony Orchestra, President, 1994-95; First Vice President, 1993-94; Board of Trustees, 1991-95**
 - **Project Host Soup Kitchen, Treasurer, Board Member**
 - **Head Start, Volunteer reader**
 - **South Carolina Bar Association House of Delegates**
 - **South Carolina Board of Commissioners on Grievances and Discipline, 1993-97**
 - **South Carolina Fee Disputes Resolution Board**
 - **South Carolina Bar Association Committees: Ethics Advisory Committee; Professional Responsibility Committee; Professionalism Committee; Continuing Legal Education Committee**
 - **South Carolina Secretary of State Blue Ribbon Committee on Corporations**
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PUBLICATIONS & PRESENTATIONS

- Co-author, "The Novel Remedy of Ex Parte Civil Seizure under the Defend Trade Secrets Act", *SC Lawyer*, January 2018
- Contributing Author, *Wyche Inside IP*
- How Much is Your Nonprofit's Brand Worth? The Path to Trademark Protection, as seen in *South Carolina Lawyers Weekly*
- Doing Business in South Carolina Guide, author of Section VII: Intellectual Property
- "From the Client Interview to the Boardroom: Presenting Your Case When the Stakes Are High, as heard on the "South Carolina Business Review" with Mike Switzer on October 30, 2008
- Lectures and addresses to numerous Continuing Legal Education seminars on various topics including copyright, trade secrets, defamation, invasion of privacy, legal ethics, punitive damages, and appellate briefs
- Author, "South Carolina", in 50-State Survey: Media Libel Law (Libel Defense Resource Center/Media Law Resource Center ed., 2001 to present)
- Author, "South Carolina", in 50-State Survey: Media Privacy and Related Law (Libel Defense Resource Center/Media Law Resource Center ed., 2001 to present)
- The *Medimmune* Decision: A Major Legal Development for Patent Licenses, as heard on "South Carolina Business Review" with Mike Switzer broadcast on March 29, 2007
- Author, "Defamation and Invasion of Privacy", in *South Carolina Law of Damages*, 2004
- Chairman and Contributing Author, *South Carolina Jurisprudence*, "Libel and Slander", 1993
- Contributing Author, *South Carolina Jurisprudence*, "Appeal and Error", 1992
- Lightsey, "A Critique of the Promise Model of Contract", 26 *Wm. & Mary Law Review* 45, 1984
- Note, "Disengaging Sales Law from the Sales Construct: A Proposal To Extend the Scope of Article 2 of the UCC", 96 *Harvard Law Review* 470, 1982

HONORS AND AWARDS

2016	Ranked Second by South Carolina <i>Super Lawyers</i>
2015	Named the 2016 Greenville Litigation - Intellectual Property "Lawyer of the Year" by <i>Best Lawyers</i> ®
2015	<i>SC Lawyers Weekly</i> "Leadership in Law 2015"
2015	<i>Greenville Business Magazine</i> "50 Most Influential 2015"
2014	<i>Best Lawyers</i> Greenville Appellate Practice "Lawyer of the Year"
2013	Recognized by <i>The National Trial Lawyers</i> as a Top 100 Trial Lawyer
2013 - Present	Recognized as "Legal Elite" by <i>Greenville Business Magazine</i>
2013 - Present	Named One of the Top 10 Lawyers in SC by South Carolina <i>Super Lawyers</i>
2012 - Present	Named One of the Top 25 Lawyers in SC by South Carolina <i>Super Lawyers</i>
2012	Named Greenville's "Bet-the-Company Litigation Lawyer of the Year" by <i>Best Lawyers</i>
2008 - Present	Listed in South Carolina <i>Super Lawyers</i>
2004 - Present	Listed in <i>Chambers USA</i>

**1997 -
Present
2004**

Listed in *Best Lawyers In America*

Inducted as a Fellow, American College of Trial Lawyers
