



Philip Robert Brinson

PARTNER

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RELATED SERVICES

- Commercial Litigation
- Intellectual Property Litigation
- Retail & Hospitality
- Cannabis, Hemp & CBD
- Entertainment & Recreation
- Employment
- Product Liability

OFFICES

- Houston
- Nashville
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OVERVIEW

Philip Robert Brinson is an experienced trial lawyer with unique skills developed through practical experience. He is a trusted advisor and determined advocate, as well as a formidable adversary. His depth of legal experience in a variety of practice areas, includes entertainment, fashion, media, sports, cannabis, hospitality and retail, employment, products liability, trucking/auto liability, professional liability, as well as business and commercial litigation. Over his colorful career, Philip has enjoyed first-chair trial success with cases involving copyright/trademark, Dram Shop and premises liability, assault/battery, employment, defamation, fraud, commercial, trucking/auto, and product liability litigation, and he is adept at presenting matters to state appellate courts and the United States Court of Appeals. He has represented clients throughout Texas, and in California,

Tennessee, New York, Florida, Nevada, Missouri, Colorado, Louisiana, Illinois, Delaware, Oregon, Washington, and Pennsylvania.

Entertainment, Recreation Law, and Intellectual Property

Philip represents both self-insured and insured clients, ranging from high-profile Grammy® and Emmy® award winning entertainers and producers to Fortune 500 companies. He has litigation experience on both sides of the docket in infringement actions for copyright and trademark in the entertainment, sports, esports, fashion, and hospitality industries, including matters involving the Digital Millennium Copyright Act and likeness misappropriation claims under copyright preemption principles. Philip has immersed himself in the entertainment industry which allows him to provide counsel to a wide array of clients, including musicians, actors, producers, and directors.

Philip also provides liaison support on behalf of various film commissions and film production industry organizations with the Texas Legislature focusing on the promotion of the Texas film industry and enhancement of incentive programs to provide opportunities in the film industry for Texas based actors, directors, crews, and production entities.

Hospitality, Liquor, and Cannabis Law

Philip represents a variety of venues, including nightclubs, restaurants, sports bars, theaters, music and film festivals, and rodeos. He serves as General Counsel to a multi-concept hospitality enterprise that developed, owns, and operates close to 40 sports bars and live music venues, in Texas and Louisiana. As General Counsel, Philip provides a full range of legal services, including personal injury defense, human resource and employee management, regulatory compliance and lobbying, risk management and loss prevention, alcohol commission compliance, litigation management, contract negotiation, trademark and copyright enforcement and protection, public relations, and commercial litigation. Philip's experience provides a unique perspective on how litigation affects his clients to formulate and coordinate prudent and pragmatic strategies to achieve solutions that deliver the greatest legal protection available, with minimal business interruption.

Philip has experience representing clients in the hospitality industry, including hotels, restaurants, and hospitality industry service providers in matters involving claims of violations of various human rights, including cases involving human and sex trafficking, workplace safety, and employment condition related compliance matters.

Philip represents distillers, brewers, and wineries, on various aspects of their operations, from providing legal assistance with licensing, brand and intellectual property protection, compliance, company structure, employment, to handling litigation matters. He also represents a wide array of clients involved in the cannabis and hemp industries, including growers and distributors for compliance, licensing, employment, and intellectual property.

Products Liability

Philip has represented numerous products manufacturers including EZGo division of Textron Inc., Bad Boy Buggies, Jacobsen, Cushman, Cynosure, Extremity Medical, Valkyrie Subsea, Bumbo, and several over product manufacturers of recreational vehicles, turf care equipment, oilfield pump equipment, pipeline testing. He also represents a number of medical device manufacturers and providers, including medical and aesthetic lasers, cranial bands, sterilization equipment, prosthetics, surgical instruments, implants, and software systems. Philip has first chair trial and extensive litigation experience in product liability matters for product manufacturing and marketing defect claims from vehicle rollovers and ejections to catastrophic pipeline failures and fire claims, in addition to medical device related claims. A deep understanding of the technical theories and his personal experience in working in the oil and gas service industry allows Philip to appreciate the implications of product liability claims and to develop the most effective defense.

Employment

Philip has significant experience representing businesses and management in most areas of employment law, including discrimination, workplace harassment, compensation, unfair competition, trade secret violations, and restrictive covenants. In addition to his litigation experience with employment matters, Philip routinely assists management with workplace investigations and preventative business and employment counseling and training.

Agriculture, Rodeo, and Ranching

Philip has career long experience representing companies engaged in agriculture and ranching operations, and currently serves as Outside General Counsel of a cattle ranch in Central Texas that has been in operation for almost 150 years. He provides legal services relating to land and boundary disputes, property damage and inventory loss, contract disputes, water rights, and grazing and hay leases. Philip also represents rodeo operations, including rodeo production and youth roughstock production events.

REPRESENTATIVE EXPERIENCE

Representative Experience

- *Jonathan Jowsey. V. Little Woodrow's, et al.*; in the 295th Judicial District Court of Harris County, Texas – Premises Liability – Directed Verdict for Little Woodrow's and Defense Verdict for 8086, LLC
- *Caesars Enterprise Services, LLC v. Tipping Point Gaming, LLC*; in the District Court of Clark County, Nevada – Breach of Contract – Defense Verdict (one month trial)
- *Adrianna Diaz v. Cynosure, Inc., et al.*, in the Superior Court of the State of California for the County of Los Angeles, California – Aesthetic Laser Defect and Misrepresentation – Defense Verdict (two month trial)

- *Richard King v. Patti LaBelle, Pattonium, Inc., Efreem Holmes, Zuri Edwards, and Norma Harris*, In the US District Court for the Southern District of Texas – Houston Division – Assault and Battery/Defamation – Defense Verdict
- *Sherry Helton v. Daniel Lee Alford, III*, in the County Court at Law of Burleson County, Texas, Breach of Contract/Land Use Dispute for Cattle Operation – Defense Verdict
- *Dewain Joseph Flinn, Jr. v. 2170 Portsmouth, Ltd. and Frank Porrovecchio*, In the 280th Judicial District Court of Harris County, Texas – Dram Shop/Security – Defense Verdict
- *Xavier Benavides v. Cushman, Inc.*, In the 280th Judicial District Court of Harris County, Texas – Product Liability – Defense Verdict
- *Rick Huckaby, et. al. v. A.G. Perry & Son, Inc.*, In the 124th Judicial District Court of Gregg County, Texas – Auto/Truck Collision – Defense Verdict
- *Mitchell Hobbs v. Fast Eddie's*, NO. 12-1125-C368, In the 368th District Court of Williamson County, Texas – Dram Shop – Motion for Summary Judgment Granted
- *Valkyrie Commissioning Services v. Oceaneering Internations, Inc.*, Arbitration in Houston, Texas, Intellectual Property Infringement

CREDENTIALS

Admissions

- Texas
- Tennessee
- U.S. District Court, Eastern, Northern, Southern, and Western Districts of Texas
- U.S. District Court, Middle District of Tennessee
- U.S. District Court, District of Colorado
- U.S. Court of Appeals, Fifth Circuit

Memberships

- State Bar of Texas
- Houston Bar Association
- Austin Bar Association
- Texas Association of Defense Counsel
- Tennessee Bar Association
- Defense Research Institute
- Houston Livestock Show and Rodeo: Committeeman
- Houston Museum of Natural Science: Member
- Houston Zoo: Member
- The Houston A&M Club
- Texas Media Production Alliance

- Professional Liability Underwriting Society

Education

- J.D., South Texas College of Law, 1993
- B.S., Economics, Texas A&M University, 1988

Honors

- AV Preeminent® Attorneys – Judicial Edition, Martindale-Hubbell (2023)
- Top Rated Lawyer-AV® Preeminent™, Martindale-Hubbell
- Recognized as a Texas Super Lawyer, *Texas Monthly* magazine in the areas of Business Litigation, Civil Litigation: Defense, and Entertainment & Sports (2013-2019)