

Peter M. Boyle

Partner

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Services

Antitrust Litigation
Complex Commercial Litigation
Antitrust & Trade Regulation
White Collar Crime & Internal
Investigations
Government & Regulatory
Patent Litigation

Industries

Health & Life Sciences
Media & Entertainment
Financial Services

Peter Boyle focuses his practice on antitrust litigation and counseling matters, in particular, antitrust issues relating to intellectual property, distribution matters and trade associations. He has substantial experience litigating private treble damages actions under both federal and state antitrust laws. Mr. Boyle has handled numerous complex litigation matters implicating the overlap between the antitrust and intellectual property laws, including antitrust and economic issues arising in patent cases, such as antitrust counterclaims, misuse defenses and patent damages claims. Several of these cases required not only a reconciliation of the tensions between the IP and antitrust laws but also a sophisticated analysis of how other bodies of law and regulatory schemes, such as FDA laws and regulations, affect competition in the relevant industries.

In addition to his litigation practice, Mr. Boyle also represents clients in connection with government investigations, including antitrust merger review and civil non-merger matters. He has represented clients before the Federal Trade Commission and the U.S. Department of Justice in connection with merger matters, including multinational and consummated mergers and investigations into alleged anticompetitive practices, and U.S. Department of Justice civil investigative demands relating to third-party payers' contracts with health care providers. Mr. Boyle also has substantial experience counseling clients on gun-jumping and pre-merger integration planning issues in connection with large merger matters. He has represented clients in criminal antitrust matters and related internal investigations. Mr. Boyle has represented clients in litigation and government investigation matters in the telecommunications, financial services, health care, pharmaceutical and transportation industries, among others. Mr. Boyle has been recognized by the prestigious 2009 *Legal 500 US* in the area of Antitrust law. He has been named a Washington, D.C. "Super Lawyer" in 2020 and also in 2018 and



the five years immediately preceding for Antitrust Litigation and a “Top 100 Washington, D.C. Super Lawyer” in 2016 by *Super Lawyers* magazine.

Experience

Defended a Blue Cross plan against chiropractors' claims alleging purported antitrust violations under group boycott and exclusive dealing theories. The trial court granted our motion to dismiss and the ruling was upheld on appeal.

Represented a pharmaceutical company before FTC regarding antitrust review of merger with another pharmaceutical company and negotiation of consent with FTC.

Defended AT&T in an antitrust class action against allegations that it and other wireless carriers colluded, in violation of the antitrust laws, to deprive content providers from receiving payment for their works by all agreeing not to implement technologies that would prevent P2P file sharing. The court granted a motion to dismiss all defendants from the action with prejudice.

Successfully represented a large maker of electronic test, measurement and monitoring equipment in an antitrust and business tort action in the Central District of California. The suit, which involved claims of price fixing and monopolization of post-production motion picture editing and deceptive advertising and marketing of a film editing computer system, was settled on terms favorable to our client.

Represented nine states and the District of Columbia in a remedy phase of government antitrust action against an international software company.

Represented TALX Corp. in connection with an antitrust enforcement action brought by the Federal Trade Commission (FTC) challenging a series of consummated mergers between and among Unemployment Claims Management vendors. We successfully negotiated a highly unusual Consent Order with the FTC, which required our client only to waive certain contractual rights for a limited period of time and which avoided the more common remedy in these types of actions – divestiture of assets.

Represented a restaurant franchisor in defending against antitrust action alleging, among other things, vertical price fixing and Robinson-Patman Act claims. The court ruled for our client on all claims prior to trial.

Served as antitrust counsel to BellSouth in its acquisition by AT&T.

Persuaded the Department of Justice not to take any action against a financial institution for alleged violations of

fair lending laws despite a referral to the DOJ by the FDIC.

Education

Fordham University School of Law J.D. (1993)

Swarthmore College B.A. (1988) Economics and Psychology

Admissions

District of Columbia (1995)

New Jersey (1994)

New York (1994)

Court Admissions

U.S. District Court for the District of Columbia

Professional & Community Activities

American Bar Association, Antitrust Law Section, Litigation Section, Member

Fordham Law Review, Notes and Articles Editor (1992-1993)

Insights

[Alerts](#)

Supreme Court Limits FTC's Authority to Obtain Monetary Relief in Federal Court Under Section 13(b) of the FTC Act

April 23, 2021

[News Releases](#)

Kilpatrick Townsend's Antitrust Team Again Selected as One of the World's Best

December 30, 2020

[Alerts](#)

Department of Justice Updates Merger Remedies Manual

September 4, 2020

[News Releases](#)

23 Kilpatrick Townsend Attorneys Recognized in *2020 Washington, D.C. Super Lawyers*

April 27, 2020



[In The News](#)

Kilpatrick Townsend Partner Thomas Lang Featured by *Law360* re: "Ex-FTC Litigator Joins Kilpatrick's Antitrust Team"

April 19, 2020

[News Releases](#)

Kilpatrick Townsend Bolsters Antitrust Team

April 6, 2020

[In The News](#)

Kilpatrick Townsend's Antitrust Team Selected as One of the World's Best

January 23, 2020

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2018 Washington, D.C. Super Lawyers

May 7, 2018

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2017 Washington, D.C. Super Lawyers

May 22, 2017

[In The News](#)

Kilpatrick Townsend's Peter Boyle Interviewed in Global Competition Review article "Vertically Challenged."

May 1, 2017

[Alerts](#)

Department of Justice Releases Guidance for Human Resources Professionals

November 3, 2016

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2016 Washington, D.C. Super Lawyers

May 2, 2016

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2015 Washington, D.C. Super Lawyers

April 29, 2015



[In The News](#)

Kilpatrick Townsend's Media Report March 6-12, 2015

March 13, 2015

[Alerts](#)

U.S. Supreme Court Refines & Limits Antitrust State Action Defense

February 26, 2015

[Alerts](#)

FTC v. St. Luke's Health System, Ltd.: Ninth Circuit Holds that Acquisition of Physician Group Practice Violates Antitrust Laws, Requires Divestiture

February 11, 2015

[Alerts](#)

FTC Updates Merger Filing Thresholds

January 20, 2015