

Rising Star: Mayer Brown's Paul Hughes

Law360, Los Angeles (July 26, 2017, 4:59 PM EDT) - Mayer Brown's Paul Hughes is equally compelled by the intellectual property appellate work he's done at the Federal Circuit and the U.S. Supreme Court — where he recently helped score his client Impression Products a complete win — as he is by the pro bono work he's done on immigration and incarceration issues, earning a spot as one of four appellate practitioners under 40 honored by Law360 as Rising Stars.

HIS GREATEST CHALLENGE AS AN ATTORNEY:

When Hughes took on the Supreme Court case of Shaidon Blake, an incarcerated man, regarding the Prison Litigation Reform Act of 1995, many commentators saw it as a sure loser. But Hughes and his team were able to change the narrative, which had been focused on whether or not Blake had exhausted all of the procedural mechanisms offered by the prison before he challenged their actions in state court.

"We scoured every docket over the course of several years on Maryland court's electronic PACER system to find examples of other prisoners in Mr. Blake's situation who had faced these circumstances to see what the prison officials had done," he said. "What we found out was that what they had done was entirely inconsistent with what the state of Maryland was representing to the Supreme Court about the way its system worked. We further found that the state of Maryland had even filed briefs in Maryland, just regular old district court cases that contradicted what Maryland was telling the Supreme Court."

The justices spent much of the oral argument focusing on these facts.

RISING ★ ★ ★ ★ ★ STAR



Paul Hughes
Mayer Brown

Age: 34

Home base: Washington, D.C.

Position: Partner

Law school: Yale Law School

First job after law school:

Clerk for Judge Diana Gribbon Motz of U.S. Court of Appeals for the Fourth Circuit

“The opinion by Justice Elena Kagan cemented that we very successfully changed the narrative of the case. We got a very powerful opinion in favor of our client that then led to a very favorable resolution on remand,” he said.

PROUDEST MOMENT IN HIS CAREER:

“I would say my proudest moment as an attorney might also be shortly followed by one of the lowest moments as an attorney,” he said.

After President Donald Trump signed Executive Order 13769 in January, temporarily halting the entry of many immigrants and refugees from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen, Hughes and a former classmate of his sought an injunction to enjoin aspects of it that related to Dulles Airport.

“We obtained an injunction on that same Saturday evening and just had that first sense of relief and excitement that we thought we had really made a huge difference,” he said. “A few hours after the injunction issued we learned that it wasn't actually being implemented at Dulles airport. Cory Booker has even made a copy of this injunction we had won and was trying to persuade the officials on the ground to execute it. That day was such a ball of emotion.”

WHAT MOTIVATES HIM:

“What I love about the appellate law and the practice I have is it lets me integrate a career where I'm representing some of the largest most sophisticated companies in the world and helping them solve some of their most difficult complex problems — and there's immense satisfaction that comes from doing that work — while at the same time, simultaneously being able to represent some of the least powerful individuals: incarcerated criminals, new immigrants to the country, those who've had their civil rights denied,” he said.

HIS RECENT WIN AT THE SUPREME COURT:

Earlier this year, Hughes was on the team that helped Impression Products Inc., a small West Virginia-based remanufacturer of printer cartridges, overcome a Federal Circuit loss in a patent exhaustion case brought by printer giant Lexmark International Inc.

“We ultimately got the matter reversed in a complete win for Impression Products,” he said. “It saved this small, family-owned company that has been a really phenomenal company out there in Charleston. It is uniquely good for both industry and consumers alike. Being able to provide that win both for our client and for the industry much more broadly was a very positive recent experience and a great victory we had this year.”

ADVICE FOR YOUNG ATTORNEYS:

“There are always opportunities in federal and state appellate courts to provide legal services to individuals who aren't represented or are underrepresented,” he said, “and that experience at a young point in a lawyer's career will be incredibly useful to them as they develop in all aspects of their career. Finding those opportunities will often take hard work and doing those cases, many of which are going to

be pro bono, will require lots of additional hours in their already busy and packed schedules."

He added: "Having that sense of entrepreneurship of developing one's practice with those sorts of cases, I think is what's critical to just developing a thriving appellate practice."

— *As told to Dave Simpson*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2017 Rising Stars winners after reviewing more than 1,200 submissions. This interview has been edited and condensed.

All Content © 2003-2017, Portfolio Media, Inc.