



Mini Kapoor Ph.D.

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PRACTICES Occupational Safety and Health Act (OSHA) and Workplace Disasters, Environmental Litigation, Litigation, Intellectual Property Litigation, Chemical, Crisis Management, Trials

Mini Kapoor is a partner in the Occupational Safety and Health and Litigation practice groups in the firm's Houston office. Mini has handled OSHA compliance matters and OSHA administrative trials in several states across the country for clients in multiple industry sectors including, supply-chain, retail, telecommunications, healthcare, and manufacturing. On the compliance side, her experience includes process safety, industrial hygiene, PPE, fall protection, material handling & storage, record-keeping, electrical, and machine guarding. She has successfully defended clients in OSHA administrative trials, including trials on PPE in California, powered industrial trucks in Utah, recordkeeping in Iowa, and other regulatory matters in other trials in California. Mini is certified in OSHA standards for industrial hygiene, respiratory protection, and electrical standards.

As a litigator, Mini has handled commercial, intellectual property, and labor and employment matters, including personal injury, trade secrets litigation and matters involving breach of employment agreements.

A registered lawyer at the U.S. Patent and Trademark Office, Mini has a Ph.D. in Biochemistry. Prior to her legal career, she was a faculty member at the University of Texas M.D. Anderson Cancer Center, where she conducted federally funded research in cancer genetics. Mini has served on federal grant review panels for the National Institutes of Health and the National Cancer Institute. She has also served as a reviewer on technology grants at M.D. Anderson Cancer Center and the University of Houston.

Mini is a prolific writer who has published on both legal and scientific topics. Among other notable journals, her articles have appeared in the *Houston Law Review* and the *Proceedings of the National Academy of Sciences*.

QUALIFICATIONS

EDUCATION

- J.D., University of Houston Law Center, 2012, *with honors*; Associate Editor, *Houston Law Review*
- Ph.D., Biochemistry and Molecular Biology, University of Kansas Medical Center, 1995
- M.Sc., Biosciences, University of Roorkee Roorkee India, 1990

- B.Sc., KLDV College Meerut University Roorkee India, 1988

CLERKSHIPS

- Judicial Intern, Honorable Judge Vanessa Gilmore, Federal Court for the Southern District of Texas, January-May 2011

LANGUAGES

- Hindi

ADMISSIONS

- Texas
- U.S. Patent and Trademark Office

COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
 - U.S. District Court for the Eastern District of Texas
 - U.S. District Court for the Southern District of Texas
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "OSHA Toolbox Tuesdays Webinar Series," presenter, September 12, 2023.
- "OSHA Announces Expansion of Submission Requirements for Injury and Illness Data for High-Hazard Industries," author, OSHA Client Update, August 3, 2023.
- "OSHA Launches National Emphasis Program For Warehouses and Distribution Centers," author, OSHA Client Update, August 1, 2023.
- "Employers Should Prepare for Increased Fall-Related Inspections," author, OSHA Client Update, June 2, 2023.
- "OSHA Updates," presenter, Employment Law Updates, Houston, TX, April 27, 2023.
- "OSHA Legal Updates," presenter, American Industrial Hygiene Association Gulf Coast Chapter - Professional Development Conference, Houston, TX, April 22, 2022.
- "Update on OSHA Vaccine ETS Litigation," presenter, Society of Chemical Manufacturers & Affiliates, December 21, 2021.
- "OSHA Vaccine ETS Compliance," presenter, Society of Chemical Manufacturers & Affiliates, November 16, 2021.
- "OSHA Issues Revised COVID-19 Guidance for Workplaces," presenter, myLawCLE, February 22, 2021.
- "COVID, Premises Liability, Workplace Screening and Responding to a Positive Case," speaker, COVID Compliance USA SafetyNow Virtual Summit, December 1, 2020.
- "Practical Strategies to Limit Premises Liability Claims Involving COVID-19," co-author, Franchising.com, September 15, 2020.
- "Employers Providing Face Masks Should Review Their Health and Safety Obligations," co-author, LexisNexis, April 6, 2020.
- "COVID-19 and OSHA," co-author, LexisNexis, March 18, 2020.
- "2019 OSHA Update," presented to Claims Committee of Assurex Global Construction Risks (AGCR), September 10, 2019.
- "Patents and Trademarks," presenter, State Bar of Texas Intellectual Property Workshop, Texas A&M University, Corpus Christi, TX, 2017.

- "World Intellectual Property Day—Innovation Changing Lives," host and moderator, University of St. Thomas, Houston, TX, 2017.
 - "Intellectual Property Protection Strategies for Companies," presenter and moderator, Texas Life Science Forum, Houston, TX, 2016.
 - "Intellectual Property Protection," presenter, Society of Physician Entrepreneurs, Houston, TX, 2016.
 - "Circumstances Mandating A Commercial Marketing Notice By A Biosimilar Applicant Ripe for Guidance from the High Court," co-author, *Houston Law Review*, 2016.
 - "The Recent Federal Circuit Decision in *Acorda Therapeutics v. Mylan Pharmaceuticals* May Not be the Last Word on Jurisdiction in ANDA Cases," co-author, *Patently O*, 2016.
 - "What the Aftermath of Hurricane Alice Has Done to Digital Health," presenter, Texas Life Science Forum, Houston, TX, 2015.
 - "High Court Underscores the Significance of Patent Invalidity and Non-infringement Opinions," co-author, *Houston Lawyer*, 2015.
 - "Is your company prepared for a product recall?" co-author, *Inside Counsel*, 2016.
 - "High Court Addresses the Effect of Opinions on Charges of Inducement of Infringement," co-author, *The IP Beacon*, 2015.
 - "Teva Will Increase Reliance on Experts in Patent Cases," author, *Law360*, 2015.
 - "Non-asbestos Causes of Mesothelioma," author, Defense Research Institute, 2012.
 - "Proposal for Resolution to Challenges Posed by DNA Sequence Patents on the Development of Multiplex Genetic Tests," author, *Houston Law Review*, 2012.
 - "Petroleum-Engineering Firm Could Be Liable for Reserve Estimates," author, American Bar Association Section of Litigation, Energy Litigation News & Developments, 2012.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Industrial Hygiene Association, 2021 - Present
 - Leadership Council on Legal Diversity Mentor, 2019
 - Intellectual Property American Inn of Court
 - Leadership Council on Legal Diversity Pathfinder, 2015
 - Leadership Council on Legal Diversity Mentor, 2015
 - State Bar of Texas
 - Houston Bar Association
 - Defense Research Institute (DRI)
 - Registered to practice before U.S. Patent and Trademark Office
 - Houston Intellectual Property Law Organization
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SELECTED CLIENT REPRESENTATIONS

- *Hamilton v. ConocoPhillips Co.*, In the 267th Judicial District, DeWitt County, Texas, 2021: Secured a defense verdict for ConocoPhillips in a three week jury trial of claims involving breach of an oil and gas lease's implied covenant to accommodate the landowner's use of his surface as a habitat for a rare cat, the jaguarundi; dissolution of temporary injunction and denial of permanent injunction in favor of the client.
- *California Dep't of Indus. Relations v. The Home Depot*, 2021, California OSHA: Represented The Home Depot at the OSHA trial in this matter and secured dismissal of a critical citation.
- *Lumbley, et al. v. Shell Oil Co.*, In the 5th Judicial District Court, Lea County, New Mexico, 2020: Successfully represented a major energy company in a five-week jury trial of environmental contamination claims. Plaintiffs claimed personal injury and property damage from an alleged

neighborhood cluster of asthma, lupus and autoimmune diseases. Plaintiffs' counsel sought multi-million dollar damages, including punitive damages. The jury returned a verdict for the company on all claims.

- *Universal Truckload, Inc. v. Dalton Logistics, Inc.*, -F.3d.-, 2020 WL 39012 (5th Cir. 2020): On behalf of Hess Corp., obtained summary judgment in the trial court and affirmance on appeal, defeating claims seeking more than \$1.5 million for the transportation of rig equipment under alleged contracts and North Dakota law.
- *Occupational Safety & Health v. Walmart Stores, Inc.*, 2019, Utah OSHA: Represented Walmart at the OSHA trial in this matter and secured dismissal of critical citations.
- *Labor Comm'r v. Walmart Distribution Ctr.*, 2018, Iowa OSHA: Represented Walmart at the OSHA trial in this matter and secured dismissal of the citation.
- *Labor Comm'r v. Interline Brands, Inc.*, 2018, California OSHA: Represented Home Depot at the OSHA trial in this matter and secured dismissal of the citations.
- *Blagman v. AT&T, Inc.*, 2017, Harris County, Texas: Represented AT&T in this premises liability lawsuit and defeated all claims against AT&T at summary judgment stage.
- *Universal Truckload, Inc. v. Dalton Logistics, Inc.*, 2017, US for the Southern District of Texas: Represented Hess Corporation, a global energy company in this commercial dispute regarding a transportation agreement defeated all claims against Hess at summary judgment stage.
- *Henderson v. NFL*, 2017, US District Court for the Southern District of Texas: Represented the NFL in this copyright infringement lawsuit that resulted in dismissal of all claims against the NFL.
- Represented a large manufacturer of educational products for children in a trademark infringement lawsuit in 2017 and obtained a favorable settlement.
- *Ambrose v. Kelly et al.*, 2016, Galveston County, Texas: Represented AT&T in two premises liability lawsuits and defeated all asserted claims against AT&T at summary judgment stage.
- Represented a corporate clothing company in a trade secrets lawsuit in 2016 and obtained a favorable resolution.
- Represented a chemical company in a toxic tort lawsuit in 2015 by more than 50 plaintiffs and obtained a favorable resolution.
- Represented a pro bono client in a breach of services contract action in 2015 and obtained a favorable settlement.
- Represented a large corporate client in analysis of environmental and legal issues arising from EPA enforcement action, including pre-enforcement review of administrative orders, costs of different strategic options and strengths of various defenses, and review and analysis of documents for responding to EPA enforcement action in 2014.
- Represented a manufacturer of petrochemicals in a trade secrets lawsuit in 2013 and obtained a permanent injunction and a favorable settlement.
- Represented a large petrochemical company in a breach of warranty and contract dispute in 2013 involving defective lifeboats and obtained a favorable settlement.
- Represented City of Houston as a volunteer prosecutor and tried misdemeanor jury trials in 2012.

AWARDS AND RECOGNITIONS

- Included in the "Ones to Watch" category of Best Lawyers in America, Woodward/White, Inc., 2022-2025
- Included in *Texas Super Lawyers Rising Stars* directory, Thomson Reuters, 2022
- Included in *Texas Super Lawyers Women's Edition Rising Stars* directory, Thomson Reuters, 2023