Matthew T. Furton

Partner

Chicago

matthew.furton@troutman.com

D 312.443.0445



Matt is an experienced business trial attorney, known for resolving complex commercial disputes through trials, arbitrations, appeals, and transactions.

OVERVIEW

Matt focuses on commercial and intellectual property litigation, representing both plaintiffs and defendants, from pre-suit investigation through trial and appellate proceedings. His clients include insurance entities, technology firms, and businesses across various sectors, such as software, telecommunications, real estate, and consumer products. Matt's philosophy emphasizes achieving pragmatic business solutions without litigation or trial when possible. However, Matt leads clients through trials and appeals when necessary.

Matt's commercial litigation experience spans breach of contract, fraud, RICO violations, securities fraud, antitrust violations, and business torts. He handles jury and bench trials in state, federal, and bankruptcy courts and has extensive appellate and arbitration experience. In the insurance sector, Matt represents insurers, reinsurers, producers, and other entities in complex disputes, including class actions, MDL proceedings, and consumer fraud claims. Matt is frequently called upon to represent the interests of entire industries that need to challenge the constitutionality of a statute, rule, or administrative ruling.

In intellectual property litigation, Matt serves as lead trial counsel in significant disputes involving copyright infringement, trademark infringement, unfair competition, and trade secret misappropriation. His work on soft IP cases includes securing injunctions, declaratory judgments, and relief through other tribunals, such as the TTAB and WIPO.

REPRESENTATIVE MATTERS

Business Litigation

- Represented a leading insurance brokerage in connection with a lawsuit in Florida against the Centers for Medicare and Medicaid Services (CMS) seeking to set aside CMS's termination of a leading agent's authorization to enroll consumers in ACA health insurance plans. After a motion for preliminary injunction was filed, CMS stipulated to the requested relief and reinstated the terminated agent's authority.
- Represented national and state trade associations, as well as several leading temporary staffing agencies, in connection with a challenge to the enforcement of newly enacted provisions of the Day and Temporary Labor Services Act in Illinois that imposed impossible and improper burdens on the temporary staffing industry.

©2026 Troutman Pepper Locke

Secured an injunction preventing enforcement of the new statute; currently on appeal.

- Represented national and state trade associations, as well as several leading consumer-lending businesses, in an action against the Illinois Department of Financial and Professional Regulation challenging the agency's rule-making activity. Secured an injunction preventing a state agency from applying a newly enacted statute to certain consumer lenders, which spared an entire industry from potentially catastrophic consequences.
- Represented a trade association in the defense of two defamation and tortious interference actions in Colorado. Secured dismissal for lack of personal jurisdiction and then, after refiling, secured summary judgment dismissing one claim and partial summary judgment that was followed by a voluntary dismissal with prejudice in the other action.
- Represented a global financial services company in connection with a fraud case alleging $10 million in losses from the company's allegedly fraudulent failure to file documents with government authorities and extraction of agreements under duress. Secured dismissal with prejudice and affirmation on appeal.
- Represented the two leading property and casualty insurance trade associations, as well as the relevant Chamber of Commerce and other trade associations, as amici in connection with an action to enjoin enforcement of the Illinois Workers Compensation Commission's emergency rule changing the system for compensability determinations arising from a global pandemic. Helped to secure a TRO prohibiting enforcement of the rule, and the IWCC subsequently repealed the rule that would have imposed costs on insurers and employers expected to be more than $1 billion.
- Represented a leading bicycle manufacturer in connection with breach of contract, UCC, and fraud claims asserted by a logistics and warehouse operator that claimed to be harmed by the bike company's decision to cease doing business with the logistics company. Defeated the TRO and preliminary injunction for the client and settled amicably.
- Represented a leading distributor of skin care products in a case where a skin care products manufacturer alleged the distributor engaged in price fixing of skin care products. Settled amicably.
- Represent a wholesale commercial insurance brokerage firm against a leading retail insurance brokerage firm in a breach of contract and trade secret dispute involving the promotion of self-insured products and services. Secured a TRO and preliminary injunction for the client. Settled amicably.
- Represented a leading national accounting firm in a shareholder derivative action. Settled amicably.
- Represented a leading auto insurer in an MDL class action alleging price fixing of auto body repair shop arrangements.
- Represented a non-standard auto insurer in a dispute with an insurance software and IT services company over the unsuccessful development and implementation of a customized, enterprise software suite. Settled amicably.
- Represented a college with more than 30,000 students in a dispute with an enterprise software vendor over the unsuccessful implementation of enterprise-level software. Settled amicably.
- Represented a software company in a breach of contract case against an enterprise-grade hardware manufacturer involving claims of underpayment of royalties. Settled amicably after preliminary injunction motion practice.
- Represented investors in a life insurance assets dispute with the trustee of a life insurance trust over $6.5M policy proceeds interpleaded by the life insurance company. Recovered over $6.5M in cash and judgments for the client against the trustee and notary that forged and falsely notarized sales documents.
- Represented promoters of investment products in a dispute with the Unsecured Creditors' Committee for an insolvent pension plan sponsor claiming losses of over $140M. The Committee assigned the claim for nothing to a third party after an intentionally premature summary judgment motion demonstrated the claim to be worthless.
- Represented an Asian distributor of chemical fertilizers in a dispute over the formation of a contract.
- Represented an international package delivery company in a dispute with the purchaser of uncollectible receivables over the quality of the receivables. Settled amicably after the motion to dismiss was granted in part.
- Represented merchant buyers of intangibles in a dispute with a seller over contractual terms. Secured summary judgment; affirmed on appeal.

Intellectual Property Litigation

- Represented a leading cosmetic brand in a lawsuit against counterfeiters using ecommerce platforms. Secured preliminary and permanent injunctive relief and a large damages award.
- Represented a real estate developer in a copyright infringement action arising out of claims that the developer copied plans for a $35M empty-nester condo development. Case settled amicably after summary judgment motion was filed.
- Represented a leading manufacturer of vaporizers in a trademark infringement and breach of contract case with an e-juice company challenging the mark on a nine-figure product. Defeated the TRO and preliminary injunction motion for the client and settled amicably in anticipation of an IPO.
- Represent a billion-dollar consumer food brand in a trademark infringement and dilution action against a company adopting the same trademark for similar goods. Settled amicably during discovery.
- Represented a leading skin care distributor in connection with a post-trial motion practice and appeal of adverse rulings and jury verdict in a trademark infringement action. Secured reversal of a trademark cancellation order.
- Represented a leading VoIP speaker company in a contract, copyright, and trade secret case over the allegedly unauthorized distribution of VoIP speakers containing chips that circumvented copyright-protection measures. Settled amicably during extended jury trial.
- Represented the owner of the rights in a leading children's book/TV series in copyright infringement litigation alleging a photographer's images were used outside of the license terms. Secured summary judgment; reversed on appeal in a memorandum opinion and order that overruled prior precedent. The appellate opinion is now in a popular copyright law textbook.
- Represented a leading high-end restaurant chain in trademark infringement litigation arising from use of a confusingly similar name. Resolved amicably after the defendant changed its name.
- Represented a large real estate services firm in a case challenging the title to dozens of domain names transferred by a Receiver later found to have been improvidently appointed. Claims dismissed; affirmed on appeal to the Fifth Circuit.
- Represented a printer maintenance company in copyright and DMCA litigation arising from the alleged use of unauthorized software to repair computer equipment. Settled amicably after the dismissal of the most serious claims.
- Secured the removal of an infringing mobile application from the Apple App Store on behalf of a leading mobile application developer.
- Secured a domain name transfer order on behalf of a municipal railroad network.

Arbitration

- Represented a national insurer in multiple AAA arbitrations arising out of loss-sensitive insurance programs. Matters included collateral litigation in state and federal trial and appellate courts across the country.
- Represented a health care insurer in an arbitrated dispute involving the dissolution of a joint venture established to provide health care services to Medicaid beneficiaries.
- Represented a national, multiline insurer in an arbitration with a leading retail chain arising from process failures in the placement of fleet auto insurance that resulted in a very large, undesirable claim that the retail chain wanted to avoid.
- Represented an Asian manufacturer of industrial goods in an international arbitration arising from breach of contract claims related to the development of custom tooling for assembly line equipment.
- Represented a software development firm in an arbitration with a developer over breach of contract claims.
- Represented an insurtech system developer in a dispute with an insurance company over the implementation of enterprise-wide software.
- Represented a large company in a dispute with a software company over allegedly copied software.
-

Represented an Asian distributor of chemical fertilizers in multiple international arbitrations arising from the alleged breach of various sales contracts.

AWARDS

- *Chambers USA*: Litigation: General Commercial, Illinois (2025-2026)
- *Best Lawyers in America*®, Commercial Litigation (2023-2027), Insurance Law (2020-2027)
- *Super Lawyers*® Illinois, Business Litigation (2012-2025)

TOP AREAS OF FOCUS

- Business Litigation
- Insurance + Reinsurance
- Intellectual Property
- Litigation + Trial

ALL AREAS OF FOCUS

- Antitrust
- Business Litigation
- Insurance + Reinsurance
- Intellectual Property
- International
- Litigation + Trial
- Trademark + Copyright

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Distinguished Service Award from the Indiana University School of Law (2024)
- Past president, Indiana University Maurer School of Law Board of Advisors
- Co-chair, Fall Benefit, Chicago Bar Foundation (2021)
- Chicago Volunteer Legal Services Volunteer of the Year Award (2019)
- Board of directors, Public Interest Law Initiative
- Board of advisors, Legal Preparatory Academy
- Fellow, Litigation Counsel of America
- Member, Trial Law Institute, Order of Veritas
- Member, Advisory Council, Center for Law and Public Policy
- Member, Chicago Bar Association
- Judicial Evaluation Committee (2017-2022)
- Former chair, Insurance Law Committee
- Member, Lawyers Club of Chicago

EDUCATION AND CERTIFICATIONS

EDUCATION

- Indiana University Maurer School of Law, J.D., *magna cum laude*, 1995, Order of the Coif; notes and comments editor, *Indiana Law Journal*
- University of Michigan, B.A., 1992

BAR ADMISSIONS

- Illinois

COURT ADMISSIONS

- U.S. District Court, Northern District of Illinois
- U.S. District Court, District of Colorado
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Northern District of Illinois, Trial Bar
- U.S. District Court, Eastern District of Michigan
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Eleventh Circuit

SPEAKING ENGAGEMENTS

- Speaker, "Drafting Dispute Resolution Clauses to Preserve Business Relationships," Troutman Pepper Locke and the Chicago International Arbitration Center, September 22, 2026.
- Speaker, "Grassroots / Legislative Involvement / Q&A," Illinois Search & Staffing Association Legislative Conference, February 26, 2026.
- Panelist, "The Price of Peace: Common Issues in the Valuation of Lawsuits," AIRROC's Education Day, July 17, 2025.
- Speaker, "Privacy Training for Company Employees," DRI 2025 Insurance Roundtable, March 12, 2025.
- Speaker, "The Price of Peace: Techniques for Evaluating the Value of a Claim," Complex Claims & Litigation Forum 2025, February 25, 2025.
- Speaker, "The Price of Peace; Valuation of Claims in Litigation," APCIA General Counsel Conference, October 2, 2023.
- Speaker, "Defending Trade Secret Misappropriation Claims in a Global Manufacturing Environment," International Chamber of Commerce, October 26, 2021.
- Speaker, "Defending Disparate Impact & Rate Discrimination Allegations," APCIA General Counsel Conference, September 29-30, 2021.
- Speaker, "Managing the Impact of the Coronavirus Outbreak on the Supply Chain," International Chamber of Commerce, March 2020.

PUBLICATIONS

- Co-author, "Illinois Adopts Substantial Workers' Compensation Reform to Address COVID-19," Locke Lord QuickStudy, June 9, 2020.