

Professional Biography



KEVIN J. PATARIU, P.E. | PARTNER

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Kevin Patariu is a partner with the firm's Patent Litigation practice. Kevin litigates complex intellectual property matters throughout the United States and before the International Trade Commission (ITC), where he has successfully litigated several Section 337 investigations through trial.

Kevin also has significant experience in patent post-grant proceedings before the U.S. Patent Office under the 2011 Leahy-Smith America Invents Act (AIA) which covers post-grant review (PGR), covered business method (CBM) patent review, *inter partes* review (IPR), patent reexamination, supplemental examination and reissue proceedings. Kevin is counsel of record for petitioners and patent owners in over 30 IPR proceedings, and he has prepared and prosecuted numerous *inter partes* and *ex parte* reexamination requests. Kevin has also successfully argued before the USPTO Board of Patent Appeals and Interferences (BPAI) in connection with an *inter partes* reexamination proceeding.

Kevin also practices in the areas of due diligence and freedom to operate investigations, patent prosecution and counseling, and preparation of infringement and validity opinions.

Kevin has litigation, patent prosecution, and engineering experience in the following technical areas:

- semiconductor device design
- semiconductor fabrication, characterization and testing
- software design and testing
- computer architecture and embedded systems
- computer graphics systems
- touch screens and touch screen controllers
- digital cameras and image processing
- automated mechanical transmission systems
- wired and wireless communication devices and systems
- mapping and route guidance systems
- location determination systems for cellular networks
- activated carbon processing

Prior to law school, Kevin worked as an electrical engineer for eight years, designing integrated circuits for a variety of applications, including copier/printer/scanner products, satellite and digital cable set top boxes, removable media card interfaces, and forward looking infrared array (FLIR) sensors. Kevin is the co-inventor of eight U.S. patents in the field of data encryption/decryption:

- U.S. Patent No. 7,194,627, titled "Method and system for data encryption and decryption"

- U.S. Patent No. 7,313,239, titled "Method and system for data encryption/decryption key generation and distribution"
- U.S. Patent No. 7,533,273 titled "Method and system for controlling an encryption/decryption engine using descriptors"
- U.S. Patent No. 7,912,220 titled "Packetization of non-MPEG stream data in systems using advanced multistream POD interface"
- U.S. Patent No. 7,925,024 titled "Method and system for data encryption/decryption key generation and distribution"
- U.S. Patent No. 8,234,504, titled "Method and system for data encryption and decryption"
- U.S. Patent No. 8,467,534, titled "Method and system for secure access and processing of an encryption/decryption key"
- U.S. Patent No. 9,094,699, titled "System and method for security key transmission with strong pairing to destination client"

Kevin is a licensed Professional Engineer (P.E.) in California.

Kevin is also active in *pro bono* matters. He is on the San Diego Steering Committee for California Lawyers for the Arts, the administrator of the California Inventor Assistance Program (CAIP), a *pro bono* program designed to assist financially under-resourced independent inventors and small businesses with patent applications. He is co-chair of the San Diego office *pro bono* committee, and he is the office liaison with the San Diego Volunteer Lawyer Program and the California Lawyers for the Arts. Kevin successfully appealed a denial of Social Security Disability benefits for a client referred through the SDVLP HIV/AIDS Legal Services Project. After a hearing before an Administrative Law Judge, the client was found to be disabled and entitled to benefits.

EXTERNSHIPS

- The Hon. Amy St. Eve, U.S. District Court for the Northern District of Illinois, September 2006 - April 2007

PROFESSIONAL RECOGNITION

- San Diego *Super Lawyers*, Rising Stars, 2015
- Illinois *Super Lawyers*, Rising Stars, 2009
- Recipient of the Wiley W. Manual award for Pro Bono Service

**The Supreme Court of Illinois does not recognize certifications of specialties in the practice of law and no certificate, award or recognition is a requirement to practice law in Illinois.*

PROFESSIONAL LEADERSHIP

- American Bar Association, Member
- American Intellectual Property Law Association, Member
- Intellectual Property Owners Association, Member
- ITC Trial Lawyers Association, Member
- Institute of Electrical and Electronics Engineers (IEEE), Member
- PTAB Bar Association, Member

RELATED EMPLOYMENT

Legal Employment

- Brinks Hofer Gilson & Lione, P.C., Chicago, IL, Associate, 2007 - 2010
- Brinks Hofer Gilson & Lione, P.C., Chicago, IL, Law Clerk, 2006
- Applied Micro Circuits Corporation, San Diego, CA, Law Clerk, 2006
- McAndrews, Held & Malloy, Ltd., Chicago, IL, Law Clerk, 2005

Non-Legal Employment

- Broadcom Corporation, San Diego, CA, Senior Staff Design Engineer, 2001 - 2004
- Netgear Incorporated, San Diego, CA, System Architect/Printed Circuit Board Designer, 2000 - 2001
- Hewlett-Packard Corporation, San Diego, CA, ASIC Design Engineer, 1997 - 2000
- Texas Instruments Inc., Dallas, TX, Design Engineer, 1996 - 1997

EXPERIENCE

ITC SECTION 337 ACTIONS

IN THE MATTER OF CERTAIN TOUCHSCREEN CONTROLLERS AND PRODUCTS CONTAINING SAME, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-957

Counsel for Respondents Shenzhen Huiding Technology Co., Ltd. (d.b.a. Goodix) and Goodix Technology Inc. in a four-patent investigation before ALJ Essex (later transferred to ALJ McNamara) concerning touchscreen controllers used in smartphones; settled after the hearing. At the time of the hearing the Office of Unfair Import Investigations recommended a finding of no violation. Participated in filing of nine IPR petitions during the pendency of the investigation challenging the asserted patents, five of which were instituted and four pending at the time of settlement.

IN THE MATTER OF CERTAIN AUDIO PROCESSING HARDWARE AND SOFTWARE AND PRODUCTS CONTAINING SAME, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-949

Counsel for non-parties Fortress Investment Group LLC and AND34 Funding LLC in a five-patent investigation before ALJ Pender concerning processing audio signals to avoid interference in tablets, desktops, and laptops; the Commission selected the investigation for the second ever 100-Day Pilot Program to determine within 100 days whether Complainant has standing to sue or if the investigation should be immediately terminated for failure to include Fortress Investment Group LLC or AND34 Funding LLC as additional Complainants; the ALJ found that Complainant has standing to sue, and the Commission denied respondents' motion for oral argument and determined not to review the ALJ's initial determination; settled by the parties before the hearing.

IN THE MATTER OF CERTAIN POINT-TO-POINT NETWORK COMMUNICATION DEVICES AND PRODUCTS CONTAINING SAME, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-892

Counsel for Respondents AmTRAN Technology Co., Ltd. and AmTRAN Logistics, Inc. in a three-patent investigation before ALJ Shaw concerning smart televisions, blu-ray players and other devices and software involved in point-to-point communications and content delivery networks; complainant Straight Path IP Group, Inc. sought to terminate the investigation days before the hearing and the parties subsequently settled.

IN THE MATTER OF CERTAIN ELECTRONIC IMAGING DEVICES, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-850

Counsel for Respondents HTC Corporation and HTC America Inc. in a four-patent investigation before ALJ Essex concerning camera functionality, messaging, and image processing systems in smartphones; prior to the hearing one patent was dismissed; obtained final determination finding non-infringement, and none of the domestic industry licensees practiced two of the remaining three asserted patent. Complainant FlashPoint Technology, Inc. did not appeal the final determination.

IN THE MATTER OF CERTAIN CONSUMER ELECTRONICS AND DISPLAY DEVICES AND PRODUCTS CONTAINING SAME, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-836

U.S. International Trade Commission

Counsel for Respondents HTC Corporation and HTC America Inc. in a four-patent investigation before ALJ Essex concerning CPU architecture, floating point rasterization and framebuffering, and large area wide aspect ratio flat panel technologies; settled favorably prior to the hearing.

IN THE MATTER OF CERTAIN PORTABLE ELECTRONIC DEVICES AND RELATED SOFTWARE, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-797

Counsel for Respondents HTC Corporation and HTC America Inc. in an investigation before ALJ Gildea concerning smartphones; settled favorably after the hearing.

IN THE MATTER OF CERTAIN ELECTRONIC IMAGING DEVICES, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-726

U.S. International Trade Commission

Counsel for Respondents HTC Corporation and HTC America Inc. in a three-patent case investigation before CALJ Luckern concerning camera functionality in smartphones; win at trial and initial ID finding non-infringement, invalidity based on-sale bar, and none of the domestic industry licensees practiced the asserted patents; Commission reviewed the ID, affirmed the findings on petition and also found HTC had an implied license to practice the asserted patents for its Windows-based products; Other respondents Nokia and RIM settled shortly before trial and LG settled after trial and before the initial determination; Summary Affirmance at the Federal Circuit.

IN THE MATTER OF CERTAIN AUTOMOTIVE MULTIMEDIA DISPLAY AND NAVIGATION SYSTEMS, COMPONENTS THEREOF, AND PRODUCTS CONTAINING SAME, U.S. INTERNATIONAL TRADE COMMISSION INVESTIGATION NO. 337-TA-657*

Counsel for Respondents Alpine Electronics Inc. and Alpine Electronics of America, Inc. in a six patent investigation concerning global positioning systems and vehicle navigation systems; settled favorably prior to the hearing.

U.S. DISTRICT COURT PATENT LITIGATION

OY AJAT LTD. V. GENORAY CO. LTD. AND GENORAY AMERICA, INC.

U.S. District Court for the Middle District of Florida

Counsel for Genoray in a three patent case before Judge Roy B. Dalton, Jr. and Magistrate Judge David A. Baker concerning power supply and image processing for dental x-ray imaging applications; dismissed as a result of settlement.

TRACBEAM, LLC V. T-MOBILE US, INC.

U.S. District Court for the Eastern District of Texas

Counsel for T-Mobile US, Inc., T-Mobile USA, Inc. and intervenor defendant TeleCommunication Systems, Inc. in a four patent case before Judge Schroeder concerning locating devices in a communications network; settled favorably a few weeks before trial.

VEHICLE IP LLC V. AT&T MOBILITY LLC

U.S. District Court for the District of Delaware

Counsel for Cellco Partnership (doing business as Verizon Wireless Inc.), TeleCommunication Systems, Inc. and Networks In Motion, Inc. in a one patent case before Judge Stark concerning systems for determining estimated times of arrival of vehicles; stipulated entry of final judgment of noninfringement after favorable claim construction order shortly before trial; appeal pending.

CALLWAVE COMMUNICATION LLC V. VERIZON SERVICES CORP. ET AL.

U.S. District Court for the District of Delaware

Counsel for Verizon in a five patent case before Judge Richard G. Andrews concerning location determination services; Judge Andrews granted a motion invalidating the asserted patent under Section 101; claims relating to asserted patent dismissed as a result of settlement.

IP CUBE PARTNERS CO., LTD. V. TELECOMMUNICATION SYSTEMS, INC.

U.S. District Court for the Southern District of New York

Counsel for TeleCommunication Systems Inc. in an IP asset sale contractual dispute before Judge Laura Taylor Swain and Magistrate Judge Ronald L. Ellis; case dismissed due to settlement after motion to dismiss fraud and negligent misrepresentation counts was granted.

KONINKLIJKE PHILIPS N.V. AND U.S. PHILIPS CORPORATION V. HTC CORPORATION AND HTC AMERICA, INC.

U.S. District Court for the District of Delaware

Counsel for HTC in a ten patent case before Judge Sleet involving user interfaces, audio processing and streaming, data compression, and device data entry; pending.

CHRIMAR SYSTEMS, INC. D/B/A CMS TECHNOLOGIES AND CHRIMAR HOLDING COMPANY, LLC V. ALPHA NETWORKS

INC.

U.S. District Court for the Eastern District of Texas

Counsel for Alpha Networks Inc. in a four patent case before Judge Gilstrap concerning networking equipment; dismissed as a result of settlement.

NONEND INVENTIONS, N.V. V. AMAZON, INC. AND AMAZON.COM LLC

U.S. District Court for the Eastern District of Texas

Counsel for Amazon, Inc. and Amazon.com LLC in a one patent case before Judge Gilstrap concerning streaming media content and media playback; dismissed as a result of settlement.

NONEND INVENTIONS, N.V. V. FUJITSU AMERICA, INC., AND FUJITSU LIMITED

U.S. District Court for the Eastern District of Texas

Counsel for Fujitsu America, Inc. and Fujitsu Limited in a three patent case before Judge Gilstrap concerning streaming media content and media playback; dismissed as a result of settlement.

NONEND INVENTIONS, N.V. V. HEWLETT-PACKARD COMPANY

U.S. District Court for the Eastern District of Texas

Counsel for Hewlett-Packard Company in a three patent case before Judge Gilstrap concerning streaming media content and media playback; dismissed as a result of settlement.

NONEND INVENTIONS, N.V. V. HTC AMERICA, INC.

U.S. District Court for the Eastern District of Texas

Counsel for HTC America, Inc. in a one patent case before Judge Gilstrap concerning streaming media content and media playback; dismissed as a result of settlement.

NONEND INVENTIONS, N.V. V. MICROSOFT CORPORATION

U.S. District Court for the Eastern District of Texas

Counsel for Microsoft Corporation in a three patent case before Judge Gilstrap concerning streaming media content and media playback; dismissed as a result of settlement.

NONEND INVENTIONS, N.V. V. PANASONIC CORP. AND PANASONIC CORP. OF NORTH AMERICA

U.S. District Court for the Eastern District of Texas

Counsel for Panasonic Corporation and Panasonic Corporation of North America in a three patent case before Judge Gilstrap concerning streaming media content and media playback; dismissed as a result of settlement.

LARGAN PRECISION CO., LTD. V. SAMSUNG ELECTRONICS CO., LTD, ET AL.

U.S. District Court for the Southern District of California

Counsel for Largan Precision in a six patent case before Judge Sabraw concerning optical lenses in smartphones, tablets, and other products; case terminated via settlement eight days before trial.

ROTHSCHILD STORAGE RETRIEVAL INNOVATIONS, LLC V. HTC CORPORATION AND HTC AMERICA, INC.

U.S. District Court for the Southern District of Florida

U.S. District Court for the Northern District of California

Counsel for HTC in a one patent case before Magistrate Judge Laporte concerning camera, image filtering, and image transmission functionality in smartphones; case transferred to the Northern District of California; stayed during the pendency of an *inter partes* review trial involving the asserted patent; the parties jointly moved for entry of a stipulated order of dismissal of all claims with prejudice; the order was granted, terminating the litigation.

QURIO HOLDINGS, INC. V. DIRECTV, LLC

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Northern District of California

Counsel for DirecTV in a three patent case before Judge Lee concerning gateways and control of media players over a wireless network; case transferred to the Northern District of California and before Judge Gilliam; filed three *inter partes* review petitions against the asserted patents; stayed during the pendency of the *inter partes* review proceedings; Qurio cancelled all claims for which an *inter partes* review trial was instituted; a joint stipulation of dismissal resulted in termination of the case.

TRANSDVIDEO ELECTRONICS, LTD. V. HULU, LLC

U.S. District Court for the District of Delaware

Counsel for Hulu in a two patent litigation before Judge Stark relating to video distribution systems; initiated an early claim construction proceeding on a case dispositive term; after obtaining a favorable claim construction ruling for Hulu, the parties jointly moved for entry of a stipulated order of dismissal of all claims with prejudice; the order was granted,

terminating the litigation.

TRANSDVIDEO ELECTRONICS, LTD. V. NETFLIX, INC.

U.S. District Court for the District of Delaware

Counsel for Netflix in a two patent litigation before Judge Stark relating to video distribution systems; initiated an early claim construction proceeding on a case dispositive term; after obtaining a favorable claim construction ruling for Netflix, the parties jointly moved for entry of a stipulated order of dismissal of all claims with prejudice; the order was granted, terminating the litigation.

E-WATCH, INC. AND E-WATCH CORPORATION V. HTC CORPORATION AND HTC AMERICA, INC.

U.S. District Court for the Eastern District of Texas

Counsel for HTC in a two patent case before Judge Gilstrap concerning capture and transmission of digital images; filed two *inter partes* review petitions against the asserted patents, and two *inter partes* review trials were instituted; stayed during the pendency of the *inter partes* review trials; the parties jointly moved for entry of a stipulated order of dismissal of all claims with prejudice; the order was granted, terminating the litigation.

E.DIGITAL, INC. V. TRANSCEND INFORMATION INC.

Counsel for Transcend in a one-patent case before Judge Huff concerning flash memory devices; dismissed as a result of settlement.

MONOLITHIC POWER SYSTEMS, INC. V. SILERGY CORPORATION, COMPAL ELECTRONICS, ET AL.

U.S. District Court for the Northern District of California

Counsel for Monolithic Power Systems in three-patent litigation concerning power integrated circuits; pending.

FLASHPOINT TECHNOLOGY, INC. V. HTC CORPORATION AND HTC AMERICA, INC.

U.S. District Court for the Eastern District of North Carolina

U.S. District Court for the District of Delaware

Counsel for HTC in a six patent case before Judge Sleet concerning camera, file system, and graphics processing functionality in smartphones; case transferred to the District of Delaware; filed five *inter partes* review petitions against the asserted patents, and five *inter partes* review trials were instituted; dismissed as a result of settlement.

WIRELESS MOBILE DEVICES LLC V. HTC CORPORATION AND HTC AMERICA, INC.

U.S. District Court for the Northern District of Texas

Counsel for HTC in a six patent case before Judge Godbey concerning navigation devices, and synchronization of data over a network; filed six *inter partes* review petitions against the asserted patents; dismissed as a result of settlement before institution of *inter partes* review petitions.

GRAPHICS PROPERTIES HOLDINGS INC. VS. ASUSTEK COMPUTER INC. AND ASUS COMPUTER INTERNATIONAL, ET AL.

U.S. District Court for the District of Delaware

Counsel for ASUS in two cases before Judge Stark concerning five patents involving floating point rasterization and framebuffering, removable backlighting in flat panel displays and large area wide aspect ratio flat panel technologies; dismissed as a result of settlement.

GRAPHICS PROPERTIES HOLDINGS INC. V. HTC CORPORATION, HTC AMERICA, INC., ET AL.

U.S. District Court for the District of Delaware

Counsel for HTC in two cases before Judge Andrews concerning four patents involving CPU architecture, floating point rasterization and framebuffering, and large area wide aspect ratio flat panel technologies; stayed pending collateral U.S. ITC proceeding (Inv. No. 337-TA-836); dismissed as a result of settlement.

STYLEPATH, INC. V. JUST FABULOUS, INC.

U.S. District Court for the Central District of California

Counsel for Just Fabulous in patent litigation before Judge Gutierrez related to e-commerce websites, online marketing and product selection; dismissed as a result of settlement.

MYPOR IP INC. V. HTC CORPORATION AND HTC AMERICA, INC., ET AL.

U.S. District Court for the Eastern District of Texas

Counsel for HTC in a two patent case before Judge Davis concerning techniques for embedding searchable information in a file for transmission, storage and retrieval; prepared and filed *inter partes* reexamination requests that were subsequently granted and as a result obtained a stay of the case just weeks before claim construction hearing; stayed during pendency of proceedings before the USPTO; the PTAB affirmed the examiner's rejection of all claims of both asserted patents.

FLASHPOINT TECHNOLOGY INC. V. AIPTEK INC., ET AL.

U.S. District Court for the District of Delaware

Counsel for HTC in a 10 patent case before Judge Sleet concerning camera user interface functionality in smartphones; obtained a stay of the entire case after Judge Sleet lifted previous stay due to completion of reexaminations, in light of FlashPoint's filing of a complaint asserting four of the 10 patents before the U.S. International Trade Commission (Inv. No. 337-TA-850); dismissed as a result of settlement.

DATASCAPE, INC. V. KYOCERA WIRELESS CORP.

U.S. District Court for the Northern District of Georgia

Counsel for Kyocera in a six patent case before Judge Cooper relating to data transaction systems which communicate over a network with a plurality of non-standard I/O remote terminals. Datascape accused Kyocera cellular handsets and smartphones of infringement; settled favorably before trial.

PRO BONO LITIGATION

SOCIAL SECURITY ADMINISTRATION DISABILITY APPEAL

Social Security Administration Office of Disability Adjudication and Review

Lead counsel for a *pro bono* client in a Disability Insurance Benefits claim and appeal of a denial of benefits. The client was referred through the San Diego Volunteer Lawyer Program HIV/AIDS Legal Services Project. Represented the client at hearing in San Diego, California before Administrative Law Judge William K. Mueller. The client was granted disability benefits based on a finding of disability by the ALJ.

NEWS

11.09.2017

Perkins Coie Presents Seminar on Patent Law Issues Affecting Chinese Companies

Press Releases

On November 9, 2017, Perkins Coie LLP hosted a patent law seminar program at the Senmao Conference Center in Shanghai. The seminar addressed a variety of pressing intellectual property (IP) issues facing Chinese companies with business interests in the United States.

11.08.2017

Perkins Coie Partners with CCOIC and Zhonglun W&D to Present Key Sino-U.S. Trade and Investment Issues

Press Releases

On November 8, 2017, Perkins Coie LLP, along with the China Chamber of International Commerce (CCOIC) and the Zhonglun W&D Law Firm, hosted a program titled "Sino-U.S. Trade and Investment: New Regulations, Policies and Practices" at the Beijing Capital Club. Chinese and U.S. attorneys, senior officers and executives came together to explore the current state of some of the key regulatory, legal and practical issues of Sino-U.S. trade and investment.

11.07.2017

Perkins Coie Presents Seminar on Key U.S. IP Legal Issues Affecting Chinese Companies

Press Releases

On November 7, 2017, Perkins Coie LLP hosted a patent law seminar at the Oriental Bay International Hotel in Beijing. The seminar addressed current intellectual property (IP) legal issues facing Chinese companies and enterprises whose products are sold in the United States.

11.02.2017

Perkins Coie Partners with SZPA on Manufacturing Law Seminar for Chinese Companies

Press Releases

On November 2, 2017, Perkins Coie LLP, along with the Shenzhen Patent Association (SZPA), presented a seminar on timely and critical legal issues impacting international manufacturers who export or sell products and do business in the United States.

10.31.2017

Perkins Coie Partners with CNFI on Manufacturing Law Seminar for Taiwanese Companies

Press Releases

On October 31, 2017, Perkins Coie LLP, along with the Chinese National Federation of Industries (CNFI), presented a thoughtful and timely discussion of key legal issues impacting international manufacturers who sell products and do

business in the United States.

05.02.2017

Perkins Coie Co-hosts Patent Litigation Seminar on International Trade Commission Issues

Press Releases

Perkins Coie co-hosted a seminar presenting and discussing updates on intellectual property (IP) litigation at the United States International Trade Commission (ITC).

01.04.2016

Perkins Coie Announces 2016 Partner Class

Press Releases

Perkins Coie announced that 22 counsel and senior counsel have been promoted to partner.

07.2015

General Counsel Features Perkins Coie article on the Fast Pace of IPRs and its Strategic Advantage

Today's General Counsel

The America Invents Act created new administrative trials for litigating patent invalidity issues before the USPTO's Patent Trial and Appeal Board by inter partes review. IPR trials can be initiated by any person who is not the patent owner and not otherwise barred from filing an IPR petition on a given patent. [View full article.](#)

01.13.2014

Perkins Coie Announces 2014 Counsel Promotions

Press Releases

Perkins Coie has announced that 39 attorneys have been promoted to the position of Counsel, effective January 1, 2014.

PUBLICATIONS

12.2017/01.2018

Patent Hurdles

Articles

Intellectual Property Magazine

James Coughlan and Kevin Patariu look at some of the benefits and disadvantages of running concurrent challenges with the PTAB and the ITC.

10.2017

Inter Partes Review Proceedings: A Fifth Anniversary Report

IPR@5

An In-Depth Look at Factors Affecting Your IPR Strategy

Fifth anniversaries are milestone occasions. Following our prior reports marking the passage of three and four years of *inter partes* review practice, we proudly offer this year's report, *Inter Partes Review Proceedings: A Fifth Anniversary Report*.

02.2017

Selecting The Best Invalidity Ground in an Inter Partes Review

Articles

IP Magazine

A successful petition for *inter partes* review (IPR) reflects a variety of considerations, including claim construction, selection of prior art and whether to use an expert declaration.

11.2016

Anatomy of a Patent Case, Bloomberg BNA and the Federal Judicial Center

General Publications

Contributing author for a new chapter on America Invents Act proceedings in the third edition of *Anatomy of a Patent Case*, a book prepared by the Complex Litigation Committee of the American College of Trial Lawyers and published by the Federal Judicial Center and *Bloomberg BNA*. The FJC makes the book available to all sitting district court judges, and *Bloomberg BNA* makes the book available to the public.

09.2016

Inter Partes Review Proceedings: A Fourth Anniversary Report

IPR@4

An In-Depth Look at Factors Affecting Your IPR Strategy

Perkins Coie is marking the fourth anniversary of *inter partes* review (IPR) with a report focused on the changes and progress of IPR proceedings, particularly since September 2015. As IPR proceedings have become more familiar during the past four years, growing clarity on many issues has resulted from decisions by the U.S. Court of Appeals for the Federal Circuit and U.S. Supreme Court. [Click here](#) to read the full report.

09.2015

Inter Partes Review Proceedings: A Third Anniversary Report *IPR@3*

A Look Into IPR Statistics and Their Impact on IPR Strategy

When *inter partes* review (IPR) proceedings became effective in September 2012, few people would have predicted the transformative effect it would have on patents and the litigation landscape. Three years in, IPR has become the preferred procedure for challenging the validity of a patent. [Read the full report.](#)

07.01.2015

Perkins Coie Attorneys Publish Article on the Strategic Use of Inter Partes Review (IPR) Proceedings Against Patents Asserted at the U.S. International Trade Commission (ITC)

General Publications

Today's General Counsel

Jim Coughlan, Bing Ai, Kevin Patariu, and John Schnurer published an article in the June/July 2015 issue of *Today's General Counsel* on the strategic use of *inter partes* review (IPR) proceedings against patents asserted at the U.S. International Trade Commission (ITC).

June/July 2015

Inter Partes Review is Fast Paced, Often Strategically Advantageous

Articles

Today's General Counsel

The article outlines the strategic use of *inter partes* review (IPR) proceedings against patents asserted at the U.S. International Trade Commission (ITC). There is a misconception that IPR proceedings are not useful to parties sued for patent infringement at the ITC, perhaps because of the fast pace that is typical of ITC investigations. While it may not be possible to obtain a stay of an ITC investigation during the pendency of an IPR proceeding, a party accused of infringement in an ITC investigation should consider filing an IPR petition relatively early in the life cycle of an ITC investigation as a cost effective and beneficial part of an overall strategy for defending against an action at the ITC.

06.14.2013

USPTO Patent Trial and Appeal Board Completes the First Patent Invalidity Trial Under the America Invents Act *Updates*

In its first "final" decision under the America Invents Act (AIA), the United States Patent and Trademark Office (USPTO)'s Patent Trial and Appeal Board (PTAB) has invalidated and cancelled all five challenged claims of U.S. Patent No. 6,553,350, finding that the claims recited unpatentably abstract ideas and did not recite a "useful" invention as required by 35 U.S.C. § 101. A jury in a Texas federal district court had previously found that the petitioner, SAP America, Inc., infringed three of the claims at issue in the petition, awarding patent owner Versata Software, Inc. \$345 million in damages. A Federal Circuit panel affirmed that award last month, although SAP has petitioned for rehearing (on grounds relating to infringement and damages rather than validity).

PRESENTATIONS

11.09.2017 / 2017年11月9日

Intellectual Property Law Seminar 专利法律研讨会

Seminars

Shanghai, China

Participated on a panel discussion highlighting some of the legal issues facing companies or enterprises whose tangible or intangible products sold in the United States, including practical advice on intellectual property issues and post-grant petitions before the USPTO.

11.08.2017 | 2017年11月8日

Sino - U.S. Trade & Investment: New Regulations, Policies and Practices 中美贸易投资研讨会 : 最新法规、政策和实务

Seminars

Beijing, China

Participated on a panel discussion highlighting the current state of some of the key regulatory, legal and practical issues of Sino-U.S. trade and investment.

11.07.2017 / 2017年11月7日

Patent Law Seminar 专利法律研讨会

Seminars

Beijing, China

Participated on a panel discussion highlighting some of the legal issues facing companies or enterprises whose tangible or intangible products sold in the United States, including criminal trade secret law, protecting company secrets at the U.S. border and practical advice on intellectual property issues.

11.02.2017 | 2017年11月2日

China Legal Seminar | 中国法律研讨会

Seminars

Shenzhen Patent Association & Perkins Coie / Shenzhen, China

Presented on a panel discussion of key legal issues facing international manufacturers, including criminal trade secrets law, protecting company secrets at the U.S. border, legal liability for defective products in the U.S. and updates on U.S. intellectual property law.

10.31.2017 | 2017年10月31日

Taiwan Legal Seminar | 台湾法律研讨会

Seminars

Chinese National Federation of Industries (CNFI) & Perkins Coie / Taipei, Taiwan

Presented on a panel discussion of key legal issues facing international manufacturers, including criminal trade secrets law, protecting company secrets at the U.S. border, legal liability for defective products in the U.S. and updates on U.S. intellectual property law.

04.2017

Update on Intellectual Property Litigation at The U.S. International Trade Commission

Speaking Engagements

Moderator at a seminar in Chicago, Illinois held in conjunction with the ITC Trial Lawyers Association, on comparison between ITC and U.S. District Court litigation, in-house, ALJ, Commissioner perspectives on ITC litigation and U.S. Customs handling of exclusion orders.

03.2017

USPTO Patent Invalidity Trials: Perspectives From The PTAB Bar Association 2017 Conference and Federal Circuit Case Update

Speaking Engagements

Speaker at a seminar in Taipei, Taiwan held in conjunction with a local Taiwanese law firm to discuss takeaways from the PTAB Bar Association 2017 Conference, updates on Federal Circuit case law impacting PTAB trials and implications for Taiwanese technology companies.

03.2017

Patent Litigation Seminar in Shenzhen, China

Speaking Engagements

Speaker at a seminar in Shenzhen, China in conjunction with the Shenzhen Intellectual Property Office on litigation defense strategies for Chinese companies sued at the International Trade Commission.

12.2016

Recent Developments in U.S. Patent and Trade Secret Laws and Litigation Trends and Their Impacts to Chinese Companies

Speaking Engagements

Speaker at a seminar in Shenzhen, China, sponsored by the Shenzhen Patent Association, to discuss trends in patent litigation before U.S. federal courts and Section 337 investigations before the U.S. International Trade Commission, U.S. trade secret laws, and to explore interplays between litigation and the *inter partes* review proceedings. The seminar also focused on impacts of these trends to Chinese technology companies and enterprises.

12.2016

Recent U.S. Case Law Updates on Willful and Induced Infringement

Speaking Engagements

Taipei, Taiwan

Speaker at symposium in Taipei, Taiwan held in a conjunction with a local Taiwanese law firm to discuss recent case law updates on willful infringement and induced infringement, and discuss how to conduct risk assessments in view of these new cases.

04.2015

Patent Litigation Seminar in Beijing, China

Patent Litigation Seminar sponsored by Tsinghua University School of Law; Beijing, China. Speakers include ITC Commissioner Johanson and U.S. Patent Office and Trade Officials discussing U.S. District Court and administrative proceedings before the U.S. International Trade Commission (ITC) and USPTO Patent Trial and Appeal Board (PTAB). The seminar was moderated by Di Zhang in both English and Chinese.

04.2015

Patent Litigation Seminar in Shenzhen, China

Patent Litigation Seminar Sponsored by the Shenzhen Patent Law Association; Shenzhen, China. Speakers include ITC Commissioner Johanson and U.S. Patent Office Officials discussing U.S. District Court and administrative proceedings before the U.S. International Trade Commission (ITC) and USPTO Patent Trial and Appeal Board. The seminar was moderated by Di Zhang in both English and Chinese.

03.2015

U.S. Patent Litigation: New Developments, Trends and Essentials

Speaking Engagements

Speaker at a seminar in Beijing, China, sponsored by the Tsinghua University Law School, to discuss the role of intellectual property law as a driver of innovation, research and development, economic growth, and prosperity in the United States and China, trade secret disputes in the United States and China, including the dispute between SI Group and Sino Legend before the United States International Trade Commission (ITC) and Chinese courts, trends in U.S. District Court and ITC litigation in view of recent Supreme Court and Federal Circuit decisions, the basics of ITC investigations, how to establish a domestic industry to support an ITC Section 337 action, remedies before the ITC, and the emergence of post-grant proceedings before the USPTO Patent Trial and Appeal Board (PTAB).

03.2015

U.S. Patent Litigation: New Developments, Trends and Essentials

Speaking Engagements

Speaker at a seminar in Shenzhen, China, sponsored by the Shenzhen Patent Association, to discuss recent trends in U.S. District Court and International Trade Commission (ITC) litigation in view of Supreme Court and Federal Circuit decisions in the last 18 months, establishing a domestic industry to support an ITC Section 337 action, the role of Commissioners in ITC investigations, remedies before the ITC, and the emergence of post-grant proceedings before the USPTO Patent Trial and Appeal Board (PTAB), including advanced tips for practitioners before the PTAB.

07.2014

IP Nuances in The Next Landscape: Semiconductor Patenting And Business Issues

Speaking Engagements

Semiconductor Technology Symposium (STS) speaker at the SEMICON West 2014 conference in San Francisco, to discuss recent trends in semiconductor patent filings, opportunities and challenges for the protection of inventions, impact of recent legislation and court decisions on patent licensing, and innovative solutions for reducing expenses associated with costly patent litigation.

10.2013

Patent Issues And Litigation In U.S.: What Makes Good Innovations Into Great IP?

Speaking Engagements

Speaker at IMPACT-IAAC 2013 conference in Taipei to discuss the U.S. patent system, patent litigation trends, dealing with non-practicing entities (NPEs) in patent litigation, *inter partes* review proceedings before the USPTO Patent Trial and Appeal Board, and building a strong patent portfolio.

10.2013

Advanced Legal Strategies for Litigating Patent Disputes at the U.S. International Trade Commission

Speaking Engagements

Speaker at Chinese National Federation of Industries (CNFI) all-day seminars in Taipei, Taichung, and Tainan to address advanced patent litigation topics, strategies and practice pointers and practical tips in view of the ITC's most recent rule changes, opinions and orders.

10.2011

Fighting Patent Battles in the United States: Strategies and Tactics for Taiwanese Companies

Speaking Engagements

Hsinchu, Taiwan

Speaker at Asia Pacific Intellectual Property Association (APIPA) all-day symposium in Hsinchu, Taiwan to discuss key issues, practice pointers, and best practices for Taiwanese companies doing business or looking to do business in the U.S. or with U.S. companies.

PRACTICES

- [Patent Litigation](#)
- [ITC Litigation](#)
- [Trade Secrets](#)
- [Litigation](#)
- [IP Enforcement Programs](#)
- [Intellectual Property Law](#)
- [Patent Law](#)
- [Trademark, Copyright, Media & Brand Protection](#)
- [E-Discovery Services & Strategy](#)
- [Post-Grant Overview](#)
- [Inter Partes Review \(IPR\)](#)
- [Covered Business Method Review \(CBM\)](#)
- [Reexaminations and Reissues](#)
- [Taiwan Practice](#)
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INDUSTRIES

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BAR AND COURT ADMISSIONS

- California
- Illinois
- District of Columbia
- Minnesota
- New Jersey
- New York
- Texas
- U.S. Patent and Trademark Office
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of Texas

- U.S. District Court for the Northern District of Texas

EDUCATION

- Northwestern University Pritzker School of Law, J.D., cum laude, 2007, *Journal of International Law and Business* , Executive Editor
- Cornell University, M.Eng., Electrical Engineering, 1996
- Cornell University, B.S., Electrical Engineering, 1995