

# INTELLECTUAL PROPERTY LITIGATION

Armstrong Teasdale's Intellectual Property (IP) Litigation team is led by trial lawyers with a proven track record in patent, trademark, copyright, and trade secret lawsuits and related antitrust and commercial litigation. Our lawyers combine their deep experience in the law with their knowledge of evolving technologies to defend our clients' interests and advance their business objectives.

Our U.S. IP litigators have significant experience managing disputes in tribunals around the country, including federal district and appellate courts, the Court of Federal Claims, the Patent Trial and Appeal Board (PTAB) and the Trademark Trial and Appeal Board (TTAB).

## PATENT LITIGATION

Armstrong Teasdale's patent litigation team has won defense and plaintiffs' verdicts in multimillion-dollar cases in some of the country's toughest patent venues, including in Delaware, Texas, Virginia and California. For every case, we create dynamic and efficient teams of skilled trial lawyers, technically trained patent lawyers and other IP professionals. Our team of IP professionals includes numerous patent lawyers and agents registered to practice before the USPTO, many of whom have industry experience and advanced degrees, including Ph.D.s, in fields such as electrical, computer, mechanical, aerospace, chemical, biochemical and biotechnical engineering. Our IP litigation team harnesses this valuable experience in executing winning strategies, yielding successful outcomes for clients in matters involving such disparate technologies as night vision goggles, industrial chemicals, nutritional supplements, retinal surgery devices, asphalt additives, computer memory devices, LEDs, silicon wafers, carbon capture technology, earth-moving machinery, electronic voting machines, consumer products, telemedicine technology and computer middleware.

This vast experience provides our IP litigators with the insight and tools needed to win IP disputes, regardless of size and complexity. We assess the potential risks and rewards of fighting IP lawsuits and provide creative strategies and solutions to our clients across a wide range of industries. These creative solutions include strategic use of cost-effective post-grant proceedings at the PTAB. Armstrong Teasdale has a robust PTAB practice led by established patent lawyers with extensive experience leveraging these proceedings—as an alternative to, or in parallel with, district court litigation—to achieve our clients' goals. At every stage of a case, we remain singularly focused on achieving our clients' objectives.

## TRADEMARK, TRADE DRESS AND UNFAIR COMPETITION LITIGATION/PASSING OFF

Our trademark litigation team actively defends the integrity of our clients' brand and product identities. Our lawyers monitor and enforce our clients' trademark rights both online and around the world. When disputes arise, we have successfully protected our clients' trademark and trade dress rights through infringement actions in federal court and cancellation and opposition proceedings at the Trademark Trial and Appeal Board. We strategize and coordinate investigations and enforcement actions against counterfeiters in the U.S., China and around the globe.

## COPYRIGHT LITIGATION

Our IP litigators work closely with copyright lawyers to ensure that clients' rights are broadly protected and enforced. We have successfully addressed numerous instances of misuse of copyrighted works in a wide range of media and industries. We enforce copyrights and defend against claims of infringement on behalf of clients online and elsewhere, including



enforcement through federal litigation, Digital Millennium Copyright Act demands, take-down complaints for online infringement and more.

## **TRADE SECRET LITIGATION**

Our noncompete and trade secrets lawyers have won or avoided many temporary restraining orders (TROs) and many preliminary injunctions in numerous state and federal courts for clients in over 100 industries. In addition, they have written award-winning articles on noncompete and trade secret litigation that have been cited by the courts. Our lawyers are skilled at quickly counseling clients and moving swiftly to obtain immediate injunctive relief through temporary restraining orders and preliminary injunctions, as well as permanent injunctions. Our lawyers also work with data innovation, security and privacy professionals to protect proprietary information before data breaches occur, as well as to formulate responses following a breach.

## **EXPERIENCE**

### **Secured Dismissal of \$35 Million Claim for Infringement**

Successfully defended a corporation against allegations of patent infringement and copyright infringement in federal court, resulting in dismissal of all counts.

### **Trade Secrets Litigation for Health Care Company**

Represented growing health services company in dispute brought against former employer and competitor who stole confidential product formulations and customer information.

### **Successful Defense of Game-Changing Technology for Agricultural Manufacturer**

Successfully defended game-changing agricultural equipment patents before the USPTO during reexamination related to a pending infringement suit in which the major manufacturer is the plaintiff.

### **Summary Judgment Affirmed on Appeal in Trademark Case**

Secured summary judgment for a manufacturer in dispute over use of the client's mark. The plaintiff in the case sought a permanent injunction in Wisconsin and Michigan and disgorgement of profits. The U.S. District Court for the District of Wisconsin granted summary judgment precluding an award of profits and denied a permanent injunction after trial. Both rulings were affirmed on appeal to the U.S. Court of Appeals for the Seventh Circuit.

### **Dismissal of Patent Claims with Prejudice for Telecom Company**

Successfully defended client against patent infringement claims brought by non-practicing entity, resulting in the plaintiff voluntarily dismissing its claims with prejudice.

### **Secured Dismissal for Biometric Solution Client in Patent Infringement Case**

Obtained voluntary dismissal with prejudice of a patent infringement case brought by a patent assertion entity against biometric solution client.

### **Successfully Defended Augmented Identity Company Against Patent Infringement Claims**

Successfully defended our client, a technology company focusing on augmented identity, against patent infringement claims brought by a non-practicing entity, resulting in the plaintiff voluntarily dismissing its claims with prejudice.

### **\$12 Million Jury Verdict in Patent Infringement Case**

Obtained jury verdict and award of \$12 million in past damages against a client's subsidiary for infringement of computer software patent. Additionally, obtained jury verdict of noninfringement on patent infringement counterclaims.



**Armstrong  
Teasdale**

**Dismissal in Patent Infringement Action**

Obtained order denying plaintiffs request for jurisdictional discovery in a patent infringement action. This resulted in the plaintiff voluntarily dismissing the case against the client.

**Obtained Consent Judgment for Manufacturer in Patent Infringement Case**

Successfully defended our client, a part and packaging manufacturer, against allegations of patent infringement and obtained a consent judgment of noninfringement.

**Successfully Defended Snack Chip Manufacturer Against Infringement, Other Claims**

Successfully defended client against claims of patent infringement, trademark infringement, trade secret misappropriation and unfair competition brought by leading manufacturer of snack chips. Secured a defense verdict on all claims.

**Multimillion-Dollar Patent Infringement Verdict**

Won multimillion-dollar jury verdict of patent infringement for trace detection equipment in the United States District Court for the Eastern District of Virginia.