

## Intellectual Property Litigation

### An Emerging Leader in Intellectual Property Litigation

Andrews Kurth's team of nearly 30 intellectual property litigators and trial lawyers applies its advanced degrees, experience in various technical disciplines, and trial, litigation and appellate experience to complex patent, copyright, trademark and trade secret litigation. These qualifications, combined with our broad experience before state courts, government agencies, key federal jurisdictions and international forums, make us well-suited to handle intellectual property litigation regardless of complexity or jurisdiction.

### Our Litigation Philosophy

The overriding goal of every Andrews Kurth litigation team is to achieve a result that best serves the client's litigation, business and technical strategies. Implementation of this goal begins at the outset and drives the selection of the trial team and the selection of the forum to provide the best environment for the client, including but not limited to: court docket speed, the design of carefully tailored discovery, obtaining of a favorable Markman ruling and the strategic use of pre-trial motions.

It is not enough, however, to assemble a first-class trial team. The trial team must involve the client as a full partner, must pay careful attention to detail, must use state-of-the-art litigation support tools and must be comprised of aggressive advocates. Even then, pursuing litigation to verdict and through appeal may not be in the best interest of the client. Therefore, every Andrews Kurth litigation team is ready, willing and able to negotiate or use other means of dispute resolution to best further the client's interests. Winning the battle is not a desirable win without also winning the war.

### Experience

Our IP lawyers have legal, technical and commercial experience as IP litigators, trial lawyers and appellate advocates; in-house IP counsel; business executives; patent examiners; engineers and scientists. In addition, our lawyers lecture, teach and write regularly on intellectual property matters. Our technology and industry experience ranges across many technical disciplines, including software, electrical engineering, chemical, pharmaceutical, biotechnology and the Internet.

Our lawyers have enforced and defended our clients in patent, trademark, copyright and trade secret cases in federal and state courts throughout the United States and in the International Trade Commission. We also have extensive litigation experience with cases involving unfair competition, false advertising, non-competition covenants, related antitrust matters, e-commerce, Internet and domain-name-related issues, computer-related contracts, franchising agreements, licensing agreements, outsourcing agreements, non-disclosure agreements, distributorship arrangements and other technology-related arrangements.

Andrews Kurth's intellectual property lawyers' abilities to speak our clients' business and technical languages provides an advantage in securing the maximum competitive advantage possible from the exploitation and protection of intellectual assets. Andrews Kurth represents clients in virtually all industries in litigation matters involving intellectual property rights. Many of our litigators are also registered patent lawyers who routinely obtain patents, copyrights and trademarks, and bring that experience to bear in the enforcement of our clients' intellectual property rights and in defending against IP-based claims.

### Recent Federal Circuit Court of Appeals Experience

*John B. Adrain v. Superchips, Inc., et al.*, 218 Fed.Appx. 982 (Fed. Cir. 2007). Represented all of the appellees-defendants in a patent infringement appeal involving a device used for altering engine performance by reprogramming an automobile's onboard computer.

*Board of Regents, The University of Texas System v. Nippon Telephone and Telegraph Corporation*, 414 F.3d 1358 (Fed. Cir. 2005). Represented the appellee-defendant, Nippon Telegraph and Telephone Corporation, in an appeal involving trade secret claims based on alleged misappropriation and tortious interference with patent rights.

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*Sean Moore v. Moen, Inc., et al.*, No. 06-1474 (Fed. Cir. 2007). Represented the appellee-defendant, Moen Inc., in an appeal involving patented design infringement on shower curtain rods.

*Shanghai Meihao Electric, Inc. v. Leviton Manufacturing Company, Inc.*, 212 Fed.Appx. 977 (Fed. Cir. 2007). Represented the plaintiff-appellee Shanghai Meihao Electric, Inc., in a patent infringement appeal that involved ground fault circuit interrupters.

*Wyers v. Master Lock Co.*, 616 F.3d 1231 (Fed. Cir. 2010), *rehearing denied, cert denied*. Represented Master Lock in reversing a jury verdict, all three patents were held invalid as obvious, precedential opinion held it was a matter of common sense to combine the prior art .

### Relevant Court and Agency Experience

Our lawyers have represented clients with intellectual property cases throughout the United States in many of the leading fora of choice for intellectual property litigation, including the United States Court of Appeals for the Federal Circuit, the United States District Court for the District of Delaware, the Eastern District of Virginia and the Eastern District of Texas. Our representations are aided by our firm's offices in Texas, California, New York and Washington, DC (with its proximity to the Federal Circuit, the Patent and Trademark Office, the United States International Trade Commission and the District Courts for the District of Columbia and the Eastern District of Virginia).

[Click here](#) for a list of representative cases.