

Intellectual Property Litigation

Intellectual property litigation can be time-consuming and expensive. Willenken lawyers regularly litigate patent, copyright, trademark, and trade secret lawsuits in trial and appellate courts throughout the United States and are aware of the key strategies that need to be employed to resolve these cases as efficiently as possible.

Our **patent practice** focuses on the prosecution and defense of infringement lawsuits involving "complex" technologies such as computer hard disk drives and medical devices and software as well as "simple" technologies such as household products and sporting equipment. We have represented our clients at the trial court level and have argued patent appeals in the United States Court of Appeals for the Federal Circuit.

Our **copyright and trademark practice** is centered around the prosecution and defense of copyright, trademark, and trade dress infringement lawsuits. We protect the works and marks of our clients, while at the same time defending those accused of infringing the rights of another in such things.

Our **trade secret and unfair competition practice** involves the defense and prosecution of lawsuits involving the misappropriation of assets ranging from simple customer lists to complicated telecommunications technology.

Representative matters handled by the Willenken Firm are described below:

- Represented leading technology company in suit against former chief engineer and other former employees for theft of trade secrets. Obtained highly favorable settlement on the eve of taking the first deposition in the matter.
- Obtained highly favorable settlement on behalf of a major California utility accused of infringing twenty-one (21) different patents regarding telephony technology.

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Intellectual Property Litigation (cont.)

- In weeks before trial, obtained highly favorable settlement on behalf of major retailer accused of infringing sporting equipment.
- Obtained a highly favorable confidential settlement for several Asian entities—including one of China’s largest manufacturers of computer hard disk drives (HDDs)—in a lawsuit brought by a German company alleging the infringement of eleven (11) U.S. patents related to HDD spindle motors and integrated base plates.
- Represented Radiological Imaging Technology, Inc., a leading developer of radiation therapy dosimetry software based in Colorado Springs. On behalf of this client, we filed multiple patent infringement lawsuits across the country, including in the Northern District of California, the Northern District of Iowa and the Southern District of Ohio. Each lawsuit resulted in a favorable disposition for the firm’s client.
- After a two-week jury try, secured a verdict and permanent injunction on behalf of a firm client (ISWest) against a defendant using a similar confusing name. The Willenken Firm also represented ISWest in the appeal of this matter before the Ninth Circuit. The Ninth Circuit affirmed.
- Represented ICANN-accredited registrar in a trademark matter where the Plaintiff alleged that co-defendants improperly registered domain names that violated her rights in her trade name. After informing Plaintiff’s counsel that there was no basis to bring a lawsuit against a registrar, and that further prosecution of any claim against the firm's client would result in the filing of a Rule 11 motion, Plaintiff dismissed its claims against the firm's client.
- Represented brokerage firm against an infringer who attempted to utilize our client’s trade name in the same field of use as our client. After quickly obtaining a preliminary injunction on our client’s behalf, the defendant agreed to stipulate to a permanent injunction along the same lines, and the matter was resolved.
- Obtained a consent judgment and permanent injunction against a restaurant engaging in trademark infringement of our client’s famous mark. Our client was the owner of Coyote Ugly, the chain of bars that was the subject of a Jerry Bruckheimer movie by the same name starring Tyra Banks and John Goodman.
- In a copyright litigation, we sued seven defendants on behalf of our client, a manufacturer of ladies handbags. We brought an end to the infringing activities, recovered the infringing goods for destruction, and obtained money damages.
- Obtained a highly favorable confidential settlement in a copyright dispute brought against our client, an imaging products wholesaler. The litigation involved the alleged copying of source code and smart chips for computer printers.



Intellectual Property Litigation (cont.)

- Obtained a highly favorable confidential settlement in a copyright dispute over clothing designs brought against our clients, three retail chains and a clothing wholesaler.