



## INTELLECTUAL PROPERTY & TECHNOLOGY LITIGATION

OUR INTELLECTUAL PROPERTY PRACTICE GROUP IS STAFFED TO MEET THE CHALLENGES  
OF ONE OF THE FASTEST-MOVING AREAS OF THE LAW.

---

**S**hook, Hardy & Bacon offers a superior record of success in high-stakes intellectual property litigation. Staffed to meet the challenges of this fast-paced area of law, the SHB Intellectual Property & Technology Litigation Practice includes attorneys with diverse undergraduate degrees that allow them to communicate on a wide variety of scientific matters. This practice also leverages the expertise of over 125 SHB analysts who hold advanced degrees in fields such as agriculture; biochemistry, immunochemistry and organic chemistry; electrical and mechanical engineering; pharmacology; toxicology; and computer software and hardware. With access to more than 300 full-time litigators, SHB trial teams combine veteran legal talent with specialized technical knowledge to provide the most dynamic, cost-effective services to clients.

The SHB Intellectual Property & Technology Litigation Practice regularly handles patent, trademark and copyright infringement cases, as well as trade secret violation cases, in state and federal courts throughout the country. Moreover, SHB intellectual property attorneys recognize that these issues frequently overlap with other areas of the law. Their first objective in today's global business environment is to avoid costly litigation through extensive client counseling. This dual focus on preventative advising and resourceful defense takes advantage of

the firm's established practitioners in international law, licensing, antitrust, franchising, and products liability. By addressing the full range of legal needs, SHB supplies the comprehensive solutions that often escape specialty law firms.

In addition, the SHB intellectual property team supplements its patent and trademark practice with a state-of-the-art graphics department and a jury research staff. At a fraction of the cost demanded by outside consultants, SHB graphics specialists work to create sophisticated demonstrative exhibits on an expedited basis, while jury analysts examine complex litigation issues from a juror's perspective. As a testimony to this competitive edge, three *Fortune* 250 companies have named SHB litigators to ALM's "Who Represents America's Biggest Companies."

### **Patent Infringement Litigation**

In September 2007, SHB obtained a \$69.5 million jury verdict in the U.S. District Court, District of Kansas, for client Sprint Nextel in the high-profile case *Sprint Communications Co. v. Vonage Holdings LLC and Vonage America, Inc.* Culminating three weeks of trial, the jury found that Vonage had infringed all 14 asserted patent claims of the six patents at issue and that all of the asserted patent claims were valid. The verdict is believed to be among the largest patent infringement verdicts in the United States during that year, and is the largest verdict of any type ever in Kansas history.

SHB's patent litigation group comprises patent litigators having both unparalleled legal expertise and outstanding scientific knowledge in a wide array of technologies. Our clients range from *Fortune* 50 businesses to start-up companies.

Our patent litigation group has the capability to represent clients in a number of jurisdictions. Although our main offices are located in Kansas City, Missouri, we have patent attorneys practicing in offices throughout the nation, including our offices located in Texas, Florida, California, and the District of Columbia. The SHB trial team in *Sprint Communications v. Vonage*, for example, consisted of attorneys from the firm's Kansas City, Washington, D.C., and Houston offices. Additionally, we maintain a database of cost-effective local counsel that we team with in handling patent cases throughout the United States.

Nearly every attorney in our patent litigation group is licensed to practice before the U.S. Patent and Trademark Office and has a technical degree. We also regularly enlist assistance from our corps of scientific analysts, who bring highly specialized expertise to our technically complex cases.

#### **WORLD-CLASS IP EXPERIENCE**



In 2008, *IP Law & Business* recognized SHB as one of the year's "go-to firms for the world's most forward-thinking companies," citing Shook as a law firm on the cutting edge for international trademark litigation.

#### **Trademark Litigation**

The attorneys at SHB have extensive experience litigating cases for trademark and trade dress infringement, dilution, state and federal unfair competition, and Lanham Act claims. We have achieved major victories for our clients in various trademark matters and have attained excellent results for our clients in a cost-effective manner. Many of our attorneys are experienced in the procurement, monitoring and enforcement of trademark rights, including substantial experience in the prosecution of state and federal trademark applications. This breadth and depth of experience translates into a strategic edge when litigating matters based on federal and/or state statutory trademark rights.

#### **Copyright Litigation**

SHB's copyright litigation group has handled all aspects of copyright infringement litigation, from preliminary injunctions through trial. The group is composed of IP attorneys who not only have litigated copyright infringement matters, but who also have prosecuted copyright applications, handled the monitoring and enforcement of copyrights, and counseled clients regarding copyright issues.

#### **Intellectual Property Prosecution, Opinions and Counseling**

The firm's Intellectual Property Practice Group includes almost 50 attorneys who exclusively practice in this highly specialized area of the law. In addition to our extensive intellectual property litigation capabilities, the group's attorneys are well experienced in the procurement of domestic and foreign patent and trademark protection. While handling a large, active docket of cases filed at the U.S. Patent and Trademark Office, they are also responsible for hundreds of client files relating to patent, trademark and copyright protection outside

the United States. These matters are handled through an established network of associate counsel in more than 80 countries, and include national filings as well as patent proceedings under the provisions of the Patent Cooperation Treaty (PCT) and the European Patent Convention. The group represents a broad variety of multinational and U.S. companies doing business internationally.

SHB's intellectual property attorneys also possess experience in advising clients on maintaining, protecting and exploiting proprietary trade secrets.

An important aspect of intellectual property law is addressing ownership rights between employer and employee, as well as between businesses and their independent contractors. We regularly address these issues with clients.

Our firm's intellectual property lawyers are highly experienced in drafting and negotiating patent, trademark, copyright, and trade secret licenses domestically and in foreign countries, including the European Economic Union.

We regularly prepare and present infringement and validity opinions with respect to third-party patents, search for and identify third-party patents and applications having potential strategic value to clients, negotiate the acquisition of selected third-party patents or applications on behalf of clients, and assist clients in reviewing and evaluating their current patent portfolios to determine which patents are most likely infringed by target products or technologies.

Overall, SHB's intellectual property practice group offers a full range of legal services to meet all client needs. Our attorneys' commitment to and experience in the field of intellectual property is truly second to none.

**For additional information about SHB's Intellectual Property & Technology Litigation Practice, please contact:**

- **Trent Webb — 816.559.2320 | [bwebb@shb.com](mailto:bwebb@shb.com)**