



## DAVID P. LINDNER **SHAREHOLDER**

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### EDUCATION

J.D., summa cum laude  
DePaul University College of Law, 2004  
B.S., with Honors, Electrical Engineering  
University of Illinois, 1997

### BAR ADMISSIONS

Illinois  
Supreme Court of the United States  
U.S. Patent & Trademark Office  
U.S. Dist. Court, N.D. Illinois  
U.S. Dist. Court, C.D. Illinois  
U.S. Court of Appeals, Fed. Cir.

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David Lindner is experienced in all facets of patent protection, including litigation, counseling, and U.S. and foreign prosecution. David applies his extensive technical background to safeguarding client innovation in telecommunication systems, computer networks, mobile applications, Internet, computer software, business methods, vehicle navigation systems, sensing technologies, speech systems, power meters, electronic circuitry, medical devices, and oil drilling machinery.

A tireless advocate for his clients' intellectual property rights, David has litigated cases in federal district and appellate courts, and has appeared before the Patent Appeals and Interference Board (now the Patent Trial and Appeal Board). Clients appreciate his candor and commitment to finding practical, efficient solutions that let them focus on core business initiatives. David's incisive opinions on patentability and validity often guide critical litigation and business decisions.

As chair of the firm's Pro Bono Committee, David is actively involved with various local legal-aid agencies, assisting pro bono clients with issues ranging from copyright matters to administrative housing decisions. Thinking forward, he works to help individuals and strengthen communities before small problems have a chance to grow.

### EXPERIENCE | OVERVIEW

- *Monaghan Medical Corp. v. Smiths Medical ASD, Inc.* (D. Del.). Represented Monaghan Medical Corp. in a declaratory judgment and patent infringement matter involving a respiratory medical device.
- *Fractus, S.A. v. ZTE (USA), Inc.* (E.D. Tex.). Represents ZTE (USA), Inc. in a patent infringement matter.
- *EXFO Inc., et al. v. Viavi Solutions Inc.* (E.D. Tex.) Represented a communication service provider in a patent infringement action involving fiber optic testing devices.
- *Phoenix Licensing, L.L.C., et al. v. Progressive Corporation* (E.D. Tex.). Defended Progressive in a patent infringement action involving Internet-based marketing systems.
- *Ameranth, Inc. v. Hyatt Hotels Corporation* (S.D. Cal.). Represents a global hospitality corporation in patent litigation involving mobile app technology.
- *Transocean Offshore Drilling, Inc. v. Maersk Contractors USA, Inc.*, (S.D. Tex.). Represented Maersk Contractors in a patent infringement action relating to apparatus and methods for multi-activity offshore drilling.

- *Northgate Technologies, Inc. v. Stryker Corp* (N.D. Ill.). Represented Northgate Techs. Inc. in a medical device patent infringement matter.
- *JSDQ Mesh Technologies LLC, v. BelAir Networks Inc.* (D. Del). Represented defendants in a patent infringement matter involving wireless mesh technology.
- *Trudell Medical International v. PARI Respiratory Equipment, Inc.* (E.D. Va). Represented Trudell Medical International in a patent infringement action relating to a nebulizer apparatus.

### **PRACTICE GROUPS**

International Trade Commission (ITC)

Patent Prosecution

Litigation

Copyright

### **AREA OF FOCUS**

Electrical & Computer

### **FORWARD THINKING**

#### **Alerts**

- Is It Accessible? Internet Publications As CBM Prior Art, December 08, 2015
- Update: Is it Accessible? Internet Publications As CBM Prior Art, March 07, 2016
- U.S. Supreme Court Hears TC Heartland Case, March 28, 2017
- PTAB Same Party Joinder Goes POP!, December 11, 2018

#### **Blog Posts**

- Tick Tock: Timing Implications of Inter Partes Review in View of ITC Proceedings, August 24, 2016
- Updated: Is It Accessible? Internet Publications As CBM Prior Art , March 07, 2016

#### **Presentations**

- "2017 Litigation Update," Brinks Webinar, June 14, 2017

### **HONORS**

- Award for Excellence in Pro Bono Service, US District Court for the Northern District of Illinois and Federal Bar Association, May 2019
- Illinois Super Lawyers, Rising Stars, 2010, 2013-2014, 2016
- Order of the Coif

### **REPRESENTATIVE MATTERS**

- *Endeavor Meshtech, Inc. v. Ericsson Inc., et al.*, Civil Action No. 16-cv-2165 S.D. New York (2016-2017) Represented defendants in a patent infringement matter involving wireless communication enabled meter and network devices.
- *EXFO Inc., et al. v. Viavi Solutions Inc.*, Civil Action No. 15-cv-1685, E.D. Texas (2015-2016) Represented a communication service provider in a patent infringement action involving fiber optic testing devices.
- *Phoenix Licensing, L.L.C., et al. v. Hyatt Hotels Corporation, et al.*, Civil Action No. 14-cv-980, E.D. Texas (2014-2015). Representing defendants in a patent infringement matter involving marketing systems.
- *Ameranth, Inc. v. Hyatt Hotels Corporation*, Civil Action No. 12-cv-1627, E.D. Texas (2012-Present). Representing Hyatt Hotels Corp. in a patent infringement matter involving mobile app technology.
- *Northgate Technologies, Inc. v. Stryker Corp., et al.*, Civil Action No. 12-CV-7032, N.D. Illinois (2012-2014). Represented Northgate Techs. Inc. in a medical device patent infringement matter.

- *JSDQ Mesh Technologies LLC, v. BelAir Networks Inc., et al.*, Civil Action No. 12-CV-847, D. Del. (2012-2014). Represented defendants in a patent infringement matter involving wireless mesh technology.
- *Transocean Offshore Drilling, Inc. v. Maersk Contractors USA, Inc.*, Civil Action No. 07-CV-2392, S.D. Texas, Houston (2007-2014). Represented Maersk Contractors in a patent infringement action relating to apparatus and methods for multi-activity offshore drilling.
- *Phoenix Licensing, L.L.C., et al. v. Progressive Corporation, et al.*, Civil Action No. 12-cv-209, E.D. Texas (2012-2013). Represented Progressive Casualty Ins. Co. in a patent infringement matter involving marketing systems.
- *MacroSolve, Inc. v. Hyatt Corp.*, Civil Action No. 12-CV-45, E.D. Texas (2012). Represented Hyatt Corporation in a patent infringement matter involving mobile app technology.
- *Innovative Global Systems, LLC v. OnStar, LLC, et al.*, Civil Action No. 10-CV-574, E.D. Texas (2010-2011). Represented Progressive Casualty Ins. Co. in a patent infringement matter involving data communication devices.
- *Progressive Casualty Ins. Co. v. HTI IP, LLC*, Civil Action No. 10-CV-2066, N.D. Ohio (2010-2011). Represented Progressive Casualty Ins. Co. in a declaratory judgment action involving wireless diagnostic monitoring systems.
- *Trudell Medical International v. PARI Respiratory Equipment, Inc., et al.*, Civil Action No. 10-CV-955, E.D. Virginia, Richmond (2010-2011). Represented Trudell Medical International in a patent infringement action relating to a nebulizer apparatus.
- *PRE Holding, Inc. v. Monaghan Medical Corp., et al.*, Civil Action No. 09-CV-458, E.D. Virginia, Richmond (2009-2010). Represented Monaghan Medical Corp., et al. in a patent infringement action relating to an apparatus for aerosol medication inhalation system.