



## DOMINIC P. ZANFARDINO **SHAREHOLDER**

### EDUCATION

J.D.,  
Loyola University Chicago School of Law, 1990  
B.S., cum laude, Biology  
Loyola University Chicago, 1982  
M.D. Candidate,  
Loyola University Chicago Stritch School of Medicine, 1982-1984

### BAR ADMISSIONS

U.S. Patent & Trademark Office  
U.S. Dist. Court, W.D. Michigan  
U.S. Dist. Court, N.D. Illinois  
U.S. Dist. Court, E.D. Wisconsin  
U.S. Dist. Court, Dist. of Colorado  
U.S. Court of Appeals, Fed. Cir.  
U.S. Court of Appeals, 10th Circuit  
Illinois Supreme Court

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Combining the advocacy skills of a courtroom veteran with the relationship mind-set of a general counsel, Dominic Zanfardino is far more than just an accomplished first-chair litigator. Clients consider him an integral member of their strategy teams who advises on virtually all intellectual property issues that impact third-party relationships. Dominic's deep knowledge of his clients and their businesses lets him identify potential issues and resolve controversies quickly and effectively.

Dominic has represented clients in patent disputes in a wide variety of industries, from medical devices and biotechnology, to household products, to Internet content delivery.

Dominic's practice focuses on patent infringement litigation. He has represented clients in district and appellate courts throughout the country as well as before the United States Patent and Trademark Office.

### EXPERIENCE | OVERVIEW

- Dominic has represented clients in trademark, copyright, trade secrets, contract, tortious interference, unfair competition and false advertising disputes.
- Dominic provides general intellectual property counsel in areas relating to biotechnology and medical devices. His strong scientific background as a biologist and medical student gives him particular insight into these fields.

### PRACTICE GROUPS

Appellate  
Litigation

### AREA OF FOCUS

Biotechnology & Pharmaceutical

### FORWARD THINKING

#### Alerts

- Supreme Court in *Kimble v. Marvel Enterprises, Inc.*, Upholds Rule Barring Contracts for Post Expiration Patent Royalties, June 22, 2015
- Federal Circuit Finds that Laches Remains a Viable Defense in Patent Cases , September 18, 2015

- U.S. Supreme Court Hears "Oil States" Oral Arguments Regarding Constitutionality of the Patent Office Review Board, November 29, 2017

#### Presentations

- "Rule 30(b)(6) – The Corporation Speaks," AIPLA Spring Meeting, San Diego, California, May 2009
- "Willful Infringement and Opinions of Counsel in the U.S. Post-*Seagate*," Managing the Risks of Patent Litigation Worldwide, Brinks Gilson & Lione Seminar, Chicago, Illinois, November 1, 2007
- "KSR v. Teleflex: The Supreme Court Revisits The Obviousness Test for Patentability," 2007 Intellectual Property Seminar and Golf Outing, Brinks Gilson & Lione Seminar, Chicago, Illinois, June 5, 2007
- "E-Discovery Amendments to the Federal Rules of Civil Procedure," Recent Developments in IP Litigation, Brinks Gilson & Lione Seminar, Chicago, Illinois, September 28, 2006
- "En banc Decision-Making by the Federal Circuit-Knorr Bremse and Phillips," Seventh Bench and Bar Conference, Kiawah Island, South Carolina, June 24, 2005
- "*Knorr-Bremse v. Dana Corporation*: How This Landmark Decision May Affect Your Company," Brinks Gilson & Lione Client Seminar, Chicago, Illinois, October 12, 2004 and November 3, 2004

#### HONORS

- Leading Patent Practitioner, Intellectual Asset Management magazine's "IAM Patent 1000: The World's Leading Patent Practitioners," 2017-2018
- Illinois Super Lawyer, Intellectual Property Litigation, 2007, 2009-2017
- Leading Intellectual Property Lawyer, Leading Lawyers Network, Law Bulletin Publishing Company, 2004-2012, 2014-2016

#### AFFILIATIONS

- American Bar Association
- Chicago Bar Association
- American Intellectual Property Law Association
- Federal Circuit Bar Association
- Intellectual Property Law Association of Chicago
- Intellectual Property Owners Association
- Richard Linn American Inn of Court

#### TECHNICAL BACKGROUND

- Biopharma

#### REPRESENTATIVE MATTERS

- *Akamai Techs., Inc. v. Limelight Networks, Inc.*, No. 2009-1372, et al. (Fed. Cir. 2011) – Patent appeal (amicus counsel)
- *Alticor Inc. V. G&H Nutrition, LLC*, Civil Action No.1:10-CV-497 (W.D. Mich.) - Trademark
- *American Tool Companies, Inc. v. SunriseTrading Group, Inc.*, Civil Action No. H-96-3790 (S.D. Tex.) - Patent and Trademark
- *Amway Corp. v. Carbon Block Corp. of Am.*, Civil Action No.1:96-CV-844 (W.D. Mich.) - Patent
- *Amway Corp. v. Procter & Gamble Co.*, Civil Action No.1:98-CV-726 (W.D. Mich.) - Tortious Interference
- *Aristocrat Techs. Australia Pty Ltd. v. International Gaming Techs.* (Fed. Cir. 2010) - Patent appeal
- *Atari Games Corp. v. Taito Corp.*, Civil Action No. 94 C 4494 (N.D. Ill.) - Copyright
- *Biomet, Inc. v. Depuy, Inc.*, Civil Action No. 3:96 CV 417S (N.D. Ind.) - Patent and Unfair Competition
- *Biomet v. Depuy Orthopaedics, Inc.*, Civil Action No. 3:96 CV 0422RM (N.D. Ind.) - Patent
- *Biomet v. Depuy, Inc.*, Civil Action No. 3:96 CV 0531RM (N.D. Ind.) - Patent

- *Boston Scientific Corp. v. Wilson-Cook Medical Inc.*, Civil Action No. 00 CV 40085 (D. Mass.) - Patent
- *Bio-Technology General Corp. v. Genentech, Inc.* (Reported at 267 F. 3d 1325 Fed. Cir. 2001) - Patent Appeal
- *Compuware Corp. v. Health Care Services Corp.*, Civil Action No. 01 C 0873 (N.D. Ill.) - Contract, Trade Secret and Copyright
- *Cook Biotech Inc. v. Organogenesis Inc.*, Civil Action No. IP02-0700 C H/K (S.D. Ind.) - Patent
- *Hoechst Celanese Corp. v. BP Chems. Ltd.*, Civil Action No. G-93-001 (S.D. Tex.), 78 F. 3d 1575 (Fed. Cir. 1996) - Patent
- *Holcomb HealthCare Services L.L.C. v. Nikken USA, Inc.*, Civil Action No. 3 99 0543 (M.D. Tenn.) - Patent and Unfair Competition
- *Kaken Pharmaceutical Co., Ltd. v. Eli Lilly and Co.*, Civil Action No. IP 86-1241-C (S.D. Ind.) - Patent
- *Kannar v. Altacor Inc.*, Civil Action No. 2:09-cv-2500 (C.D. Cal.) – Patent
- *Kennecott Corp. v. Kyocera Int'l, Inc.*, Civil Action No. IP 86-1241-C (S.D. Ind.) - Patent
- *McKesson Techs., Inc. v. Epic Sys. Corp.*, No 2010-1291. (Fed. Cir. 2011) – Patent appeal (as amicus counsel)
- *McKinley Medical L.L.L.P. v. Zdeb*, Civil Action No. 99-S-1178 (D. Colo.) - Patent Contract
- *Molly Schwartz, Inc. v. Intimate Boutique 2, Ltd.*, Civil Action No. 97 C 1503 (N.D. Ill.) - Trademark
- *Molly Schwartz, Inc. v. Intimate Boutique 2, Ltd.*, Civil Action No. 97 C 6527 (N.D. Ill.) - Trademark
- *Nike Inc v. Wolverine World Wide, Inc.*, Civil Action No. 93-125-MA (D. Ore.), Appeal Reported at 43 F. 3d 644, (Fed. Cir. 1994) - Patent
- *One World Technologies Ltd. et al. v. Rexon Industrial Corp., Ltd. et al.*, Civil Action, No. 04 C 4337 (N.D. Ill.) - Patent
- *Oxford Gene Technology, Ltd. v. Motorola, Inc.*, Civil Action No. 02 C 9344 (N.D. Ill.) - Patent
- *Price Pfister, Inc. v. Laloo Enterprises Inc.*, Civil Action Nos. BO57027 and BO54745 (Cal. Ct. App. 2d Dist.) - Trademark
- *Organogenesis Inc. v. Cook Biotech Inc.*, Civil Action No. 02CV11182 NG (D. Mass.) - Patent
- *Owens Corning Fiberglas Corp. v. Knauf Fiber Glass GmbH*, Civil Action No. IP 89 547C (S.D. Ind.) - Patent
- *Pall Corp. v. PTI Technologies, Inc.*, Civil Action Nos. 97 CV 1134(DGT)(RML) and 98 CV 2871(DGT)(RML) (E.D.N.Y.) - Patent
- *Procter & Gamble Co. v. Haugen*, Civil Action No. 1:95-CVO094 K (D. Utah); Appeal Reported at 222 F. 3d 1262 (10th Cir. 2000) and 317 F. 3d 1121 (10th Cir. 2003) - Unfair Competition
- *Procter & Gamble Co. v. Amway Corp.*, Civil Action No. H-97-2384, 80 F. Supp. 2d 639 (S.D. Tex. 1999); Appeal Reported at 242 F. 3d 539 (5th Cir. 2001) and 376 F. 3d 496 (5th Cir. 2004) - Unfair Competition
- *Quixtar Investments, Inc. (Various Internet Enforcement Matters)* - Trademark
- *Quixtar Investments, Inc. v. Seifert*, Civil Action No. 1:99 CV 614 (W.D. Mich.) - Trademark
- *Star Scientific, Inc. v. R.J. Reynolds Tobacco Co.*, Civil Action Nos. AW-01 CV 1504 and AW-02 CV 2504 (D. Md.) - Patent
- *Sterling Drug, Inc. v. Bayer AG*, Appeal Reported at 14 F. 3d 733 (2d Cir. 1994) - Trademark appeal
- *Tec Air, Inc. v. Nippondenso Mfg. U.S.A.*, Civil Action No. 91 C 4488 (N.D. Ill.) - Patent
- *Wolverine World Wide, Inc. v. Nike, Inc.*, Civil Action No. 1:92 CV 886 (W.D. Mich.); Appeal Reported at 38 F. 3d 1192 (Fed. Cir. 1994)- Patent