

Partner

Nicholas T. Peters

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📍 Chicago, IL



## Profile

“I’ve found patent applications tend to move forward more efficiently when attorneys look at them from the examiner’s perspective, keeping in mind there’s a real person behind the process.”

Clients turn to Nicholas T. Peters for sophisticated licensing negotiations, patent portfolio management, litigation support, and handling of complex patent procedures.

Nick has extensive experience in “atypical” practices at the U.S. Patent and Trademark Office (USPTO), including reissues, reexaminations, post-grant procedures, and oral argument before the appeal board. Nick also has helped clients with worldwide patent portfolio litigation management and licensing negotiations including those related to standard essential patents.

Nick’s clients range from individual inventors and small technology-based companies to large multinational corporations, who benefit from his background in physics, electrical engineering, and mechanical engineering. Their industries include wireless communication, magnetic storage media erasure, medical and imaging devices, microchip and semiconductor technology, mechanical water systems elements, software, and various e-commerce or Internet-based businesses.

Before attending law school, Nick worked with the Living State Physics Research Group at Vanderbilt University. There he helped design and run a type of electromagnetic field detector called a Superconducting Quantum Interference Device (SQUID). This work was published in *Science* magazine and in *Review of Scientific Instruments* and mentioned in major news sources. It also led to Nick being named a co-inventor on U.S. Patent Number 7,002,341.

Nick is a member of Fitch Even’s Executive Committee and Compensation Committee.

## Representative Matters

- Conducts complex patent office procedures on behalf of clients, including reissue, reexamination, and post-issuance practices. Select cases:
  - Lead counsel on several reexamination procedures resulting in original patent claims being upheld in 2023 and 2024 including for patent owners Quartz Auto Technologies LLC and Katana Silicon Technologies LLC
  - *Google Inc. and Apple Inc. v. ContentGuard Holdings, Inc.* (PTAB 2015). Lead partner for patent owner ContentGuard’s strategy and preliminary response preparation for 19 separate *inter partes* review petitions filed against a family of patents, resulting in all petitions being dismissed without institution of trial.

### Education

J.D., Loyola University Chicago School of Law, 2003, *cum laude*

M.S., Physics, Vanderbilt University, 2000

B.S., Mathematics and Engineering Science, Vanderbilt University, 1998, *magna cum laude*

### Bar Admissions

Illinois

U.S. Patent and Trademark Office

U.S. District Court for the Northern District of Illinois

### Recognition

Named a Top 10 Most Active Attorney Representing Patent Owners in IPR by Patexia (case range 2013–19)

Named a Top 50 Best Performing/Most Active Attorney Overall in IPR by Patexia (case range 2013–19)

Named a Leading Lawyer in Illinois in Intellectual Property Law and Patent Law (2021–24)

Selected for inclusion in Illinois Super Lawyers – Rising Stars for Intellectual Property Law and Intellectual Property Litigation (2008–16)

Selected as an Emerging Lawyer in Illinois in Intellectual Property Law (2015)

Loyola University Chicago School of Law

Loyola Intellectual Property Fellow

Chicago Intellectual Property Colloquium Fellow

### Services

International IP Protection

IP Litigation

Appellate Practice

Brand Enforcement

Commercial + Technology Disputes

Copyright Disputes

- *United Microelectronics Corp., et al. v. Lone Star Silicon Innovations LLC* (PTAB 2018). Institution denied as to all claims after preliminary response.
- *Micron Technology, Inc. v. Limestone Memory Systems LLC* (PTAB 2016). Institution denied as to all claims after preliminary response.
- *Apple Inc. v. Limestone Memory Systems LLC* (PTAB 2016). Institution denied as to all claims after preliminary response.
- Manages worldwide Standard Essential Patent licensing campaign relating to 3G and 4G wireless communication technologies.
- Creates valuable patent assets for a variety of software startup companies.
- Oversees U.S. patent prosecution for internationally based innovations by medical company focused on electrosurgery, vessel sealing, argon plasma coagulation, waterjet surgery, and cryosurgery.
- Prepares and manages intellectual property for multinational company developing new communication bus technology.
- Conducts U.S. patent prosecution together with various worldwide patent professionals for non-U.S.-based clientele.

IP Professional Responsibility + Malpractice  
ITC Section 337 Disputes  
Northern District of Illinois Local Counsel Services  
Patent Litigation  
Standard Essential Patents  
Trade Secret Litigation  
IP Portfolio Management  
IP Strategy Development  
Patent Preparation + Prosecution  
Product Clearance + Legal Opinions  
PTAB Trial Practice  
Reissue + Reexamination Proceedings

#### Industries

Computer Software + Hardware  
Electronics  
Energy + Clean Technology  
Environmental Engineering  
Internet + E-Commerce  
Material Science  
Mechanical Engineering + Manufacturing

## Presentations + Publications

### Presentations

- “Navigating the Patent Gauntlet: Considerations for New Product Launch,” Fitch Even Webinar, with David M. Kogan, February 23, 2023.
- “Tales from the IPR Counsel’s Table,” Fitch Even Webinar, with Paul B. Henkelmann, June 4, 2020.
- Adjunct Professor, University of Illinois College of Law, Patent Defenses course (2015)
- “Are Abstract Technological Advances Patentable? Go Ask *Alice*,” Fitch Even Webinar, with Steven G. Parmelee, July 24, 2014.
- “The Leahy-Smith America Invents Act: A First Look,” Fitch Even Webinar, October 4, 2011.
- “Matching Patent Prosecution to Your Business Goals,” Fitch Even Webinar, September 21, 2011.
- Guest Lecturer on Intellectual Property, New Venture Formation course, University of Illinois at Chicago, October 7, 2010.

### Memberships

- American Intellectual Property Law Association
- Chicago Intellectual Property Alliance