

Partner

Robert A. Whitman

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Profile

Robert (Bob) Whitman is an accomplished patent litigator with over 30 years of experience. Bob also provides strategic counsel on intellectual property matters such as licensing, portfolio management, patent reissues, *inter partes* reviews (IPRs), and the acquisition and utilization of intellectual property rights.

He has served as first chair in intellectual property litigation in U.S. District Courts, arbitration, and mediation, as well as before the International Trade Commission (ITC) and the U.S. Patent Trial and Appeal Board.

Bob has achieved a strong record of courtroom success. He has handled some of the nation's highest-profile patent disputes, including representing Toyota Motor Corp. in a widely publicized case concerning the intermittent windshield wiper invention. He successfully obtained a dismissal of this case despite a prior multi-million-dollar verdict against Ford on the same patent issue, an event that inspired the film "Flash of Genius." He also represented Spansion against Samsung in an ITC action described as the largest ITC case ever brought, related to flash semiconductor memory. In a multi-jurisdiction patent litigation involving over 20 patents, Bob represented Conner Peripherals against IBM, which revolved around computer hard drives and a court referred to as "the largest patent litigation in history."

His background as in-house litigation counsel for a Global 50 company gives him a distinctive perspective on addressing client needs with efficiency and insight.

Representative Matters

- *ChanBond LLC v. Atlantic Broadband Group, LLC et al.* (D. Del. 2015-21). Represented ChanBond LLC, first chair, in patent litigation against cable TV industry. Resulted in \$125 million settlement halfway through jury trial.

Education

J.D., Seton Hall Law School, 1991, *magna cum laude*

B.S., Electrical Engineering, Rutgers University, 1988

Bar Admissions

New York

U.S. Patent and Trademark Office

U.S. Supreme Court

U.S. Court of Appeal for the Federal Circuit

Numerous U.S. District Courts, including the Southern and Northern Districts of New York, Northern District of California, and the Eastern District of Texas

Services

Advertising, Marketing + Promotions

Copyrights

Entertainment + Media

International IP Protection

IP Litigation

Appellate Practice

Brand Enforcement

Commercial + Technology

- *UiPath, Inc. v. Shanghai Yunkuo Information Technology Co. Ltd.* (AAA Arbitration 2023). Represented UiPath, first chair, in arbitration against ex-employee's Chinese company for trade secret misappropriation and breach of contract. Awarded injunction and over \$70 million in damages after full hearing.
- *CommScope, Inc. v. Rosenberger Technology (Kunshan) Co., Ltd., et al.* (D.N.J. 2019-24); *CommScope Technologies LLC v. Rosenberger Site Solutions, LLC, et al.*, (D. Del. 2020-24). Representing base station antenna companies Rosenberger and PROSE defending against allegations by CommScope of patent infringement and trade secret misappropriation.
- *United States and Micron Tech., Inc. v. United Microelectronics Corp. et al.* (N.D. Cal. 2017-23). Represented Jinhua Integrated Circuit Co. Ltd. in defending against civil and criminal trade secret misappropriation allegations initiated by Micron Technologies.
- *Avocent Corporation v. ZPE Systems, Inc. et al.* (N.D. Ala. 2018); *Avocent Huntsville, LLC v. ZPE Systems, Inc.* (N.D. Cal. 2017-19). Represented ZPE Systems, first chair, defending against allegations by Avocent of patent infringement, trade secret misappropriation and breach of contract. ZPE successfully countered with allegations of patent misuse and Walker Process antitrust violations, resulting in a highly favorable settlement.
- *McRo, Inc. v. Bandai Namco Games America, Inc. et al.* (C.D. Cal. 2012-20). Represented McRo (dba Planet Blue) in patent litigation against video game designers.

Disputes

Copyright Disputes

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

IP Transactions

Patent Preparation +
Prosecution

Product Clearance + Legal
Opinions

PTAB Trial Practice

Reissue + Reexamination
Proceedings

Trade Secrets

Trademark + Brand
Protection

Industries

Computer Software +
Hardware

Electronics

Energy + Clean Technology

Environmental Engineering

Internet + E-Commerce