PANITCH
Intellectual Property Law
SCHWARZE

Two Commerce Square, 2001 Market Street, Suite 2800, Philadelphia, PA 19103 // Toll free 888-291-5676

IP Litigation

Litigation serves as an important legal tool and at Panitch Schwarze, we focus specifically on intellectual property litigation, representing both plaintiffs and defendants.

Our attorneys are widely respected for their legal skills, technical expertise, and trial capabilities. Panitch Schwarze Belisario & Nadel LLP is ranked by *The Best Lawyers in America®* as a Tier 1 Patent Litigation and Intellectual Property Litigation law firm in Philadelphia, and nationally ranked law firm in the same categories. Relying on their professional experiences, our attorneys have successfully litigated all manners of intellectual property cases before administrative agencies, state courts, and federal courts, including litigation involving patent, trademark, copyright, trade secret, trade dress cases, computer fraud and abuse, cybersquatting and licensing/contract disputes.

Knowledge, experience, and preparation distinguish our firm's attorneys within the field of IP litigation. Given that such litigation frequently involves highly technical issues, it is imperative that an attorney be able to fully understand and effectively communicate relevant information to the client, judge, and jury. Our attorneys possess the technical knowledge and communication skills necessary to translate highly complex information to a less technologically versed judge and jury. The professional experiences and academic qualifications of our attorneys place them at the vanguard of their respective fields in terms of technical expertise and makes them well-equipped to engage in successful advocacy for every client.

The value of such expertise is bolstered by meticulous attention to detail. It is not enough to simply understand the technology. While technical understanding and sound legal strategies are required, it is the thorough preparation for trial that often determines success. Such preparation includes assembling the team best suited to handle the case, collecting, producing, and reviewing all necessary documents, and drafting well-written briefs.

These steps lay the foundation for successful litigation and place our attorneys in the best position to defend or obtain the intellectual property rights our clients deserve.

Our widely respected litigation practice has attracted a worldwide clientele. In addition to representing many North American companies, our attorneys also represent a wide array of companies from around the globe.

Attorneys / Agents

Martin G. Belisario
Dennis J. Butler
Ragi A.I. Elias
Weihong Hsing, Ph.D.
Clark A. Jablon
Keith A. Jones
Bridget H. Labutta
Stephen E. Murray
Alan S. Nadel
Ronald L. Panitch
William W. Schwarze
Bijal Shah-Creamer
John D. Simmons

Industries Served

Agriculture
Automotive
Pharmaceuticals / Biotechnology / Chemicals
Business Services
Construction
Consumer Goods / Retail
Electronics / Manufacturing / Machinery
Energy
Entertainment
Financial / Banking
Medical / Medical Equipment / Medical Devices
Technology / Software

Our attorneys are accustomed to coordinating a multination approach and are adept at working with counsel in other countries to ensure that litigation efforts both in the U.S. and abroad are successful.

While litigation is sometimes necessary, one particular area of expertise we have successfully utilized in defending against accusations of patent infringement are challenges in the U.S. Patent and Trademark Office called inter partes reexamination. Our attorneys and patent agents have successfully challenged dozens of patents in this manner resulting in a cost effective result for our clients.

- Computer Fraud and Stored Communications
- Copyright Litigation
- Litigation Practice
- Patent Litigation
- Trade Secrets Litigation
- Trademark Litigation
- Trial Practice
- Unfair Competition Litigation

Representative Matters:

- Advertising Specialty Institute, Inc. v. Landmark Corporate Marketing, et al., represented defendant Landmark Corporate Marketing, trade secrets and contract
- Aletto Brothers, Inc. v. Oscar Heyman & Brothers, Inc., SD of NY, represented defendant, Oscar Heyman, trademark infringement
- AMI Entertainment Network, Inc. v. A&E Television Networks, LLC, E.D. Pa., represented plaintiff, AMI Entertainment Network, Inc., trademark infringement
- AMI Entertainment Network, Inc. v. Big Fish Games, Inc., ED of PA, represented plaintiff, AMI Entertainment, patent infringement
- Aperio Technologies, Inc. v. Olympus America Inc., et al., District of DE, represented Defendants, Olympus/Hamamatsu, patent infringement
- Atomizing Systems, Inc. v. True Fog USA et al., Dis. N.J., represented plaintiff, Atomizing Systems, copyright infringement
- BSES Limited v. LT Industries, Inc., District of MD, represented Plaintiff BSES Limited, patent infringement
- Chia Yi Chin Jwu Enterprises Co. Ltd. v. IDEA Nuova, Inc. et al., S.D.N.Y., represented defendant, Idea Nuova, patent infringement
- Creative Compounds v. S.A.N. Nutrition Corp. and Starmark Laboratories, SD of FL, represented defendants, S.A.N. Nutrition Corp. and Starmark Labs, patent infringement
- Crystal Image Technology, Inc v. Samsung Electronics Co., Ltd, W.D. Pa., represented defendant(s), Samsung Electronics Co., Ltd., patent infringement.
- DMI Sports, Inc. v. Regent Sports Corp., E.D. Pa., represented plaintiff, DMI Sports, Inc., patent infringement
- E.J. Breneman v. Road Science, ED of PA, represented defendant, Road Science, patent infringement
- Fish Net, Inc. v. Foster and Smith, Inc. et al., E.D. Pa., represented defendant, Foster and Smith, trademark infringement and cybersquatting
- Gamajet Cleaning Systems, Inc. v. Spraying Systems Co., E.D. Pa., represented plaintiff, Gamajet Cleaning Systems, Inc., patent and

copyright infringement

- Grandeye Limited v. ImmerVision, WD of TX, represented defendant, ImmerVision, patent infringement
- Henry Company v. Stelwagon Roofing Supply, Inc., E.D. Pa., represented plaintiff Henry Company, trademark infringement
- Heraeus Electro-Nite Co. v. Midwest Instrument, E.D. Pa., represented plaintiff, Heraeus Electro-Nite Co., patent infringement
- Heraeus Electro-Nite Co. v. Vesuvius USA Corp., E.D. Pa., represented plaintiff, Heraeus Electro-Nite Co., patent infringement
- Illinois Tool Works Inc. v. Ion Systems, E.D. Pa., represented plaintiff, Illinois Tool Works, Inc., patent infringement
- Karl Storz Endoscopy-America, Inc. v. Richard Wolf Medical Instruments Corp., ND of IL, represented defendant Richard Wolf, patent infringement
- Medicis Pharmaceutical Corporation et al. v. Activis MidAtlantic LLC, District of DE, represented plaintiff Alyzan, Inc., patent infringement
- Medicis Pharmaceutical Corporation, et al. v. Stiefel Laboratories, Inc., WD of TX, represented plaintiff, Alyzan, Inc., patent infringement
- Merit Industries, Inc. v. JVL Corp, E.D. Pa., represented plaintiff, Merit Industries, Inc., patent infringement
- Patent Group v. Vesdia Corporation, ED of TX, represented defendant Vesdia Corporation, patent infringement
- Penn Emblem Company v. World Emblem International, SD of FL, represented plaintiff, Penn Emblem Company, patent infringement
- Playworld v. BCI Burke, LLC, ED of PA, represented defendant, BCI Burke, trade dress and trademark infringement
- Prism Technologies, LLC v. VeriSign, Inc. et al., Dist. Del., represented defendant, VeriSign, Inc., patent infringement
- SAP v. Graphics SAP, Inc., District of DE, represented plaintiff, SAP, trademark infringement
- Schiller Grounds Care, Inc. v. The Toro Company, E.D. Pa., represented plaintiff, Schiller Grounds, patent infringement
- ScriptPro, LLC v. Yuyama USA et al., Dis. Kansas, represented defendants, Yuyama Mfg. Co., Ltd., Yuyama USA, and AutoMed Technologies, Inc., patent infringement
- Source, Inc. v. Access Development, Inc. et al., E.D. Texas, represented defendant(s), Mall Networks, patent infringement
- SRL, LLC v. Munchkin Inc., District of MA, represented defendant, Munchkin, trademark infringement.
- T.C. Millwork, Inc. et al. v. KGM Gaming, LLC, E.D. Pa., represented defendant(s), KGM Gaming, LLC, patent infringement and state law tort claims
- Viskase Companies, Inc. v. World PAC Int'l AG et al., ED of VA, represented defendants, World PAC, patent infringement and state law tort claims
- Yuyama Manufacturing Company, Ltd. V. JVM Limited, District of MD, represented plaintiff, Yuyama Mfg., patent infringement
- Zenith Products Corp. v. Elite Home Fashions, LLC et al., E.D. Pa., represented plaintiff, Zenith Products Corp., design patent infringement
- Zenith Products Corp. v. Splash Home, Inc., E.D. Pa., represented plaintiff, Zenith Products Corp., design patent infringement
- Zenith Products Corporation v. Carnation Home Fashions, Inc., District of DE, represented plaintiff, Zenith Products Corporation, trademark and copyright infringement

- Zenith Products Corporation v. Design Home Solutions, LLC, SD of FL, represented plaintiff, Zenith Products Corporation, patent infringement
- Zenith Products Corporation v. DHI Corp., WD of WI, represented plaintiff, Zenith Products Corporation, patent infringement
- Zenith Products Corporation v. Hardware Resources, MD of PA, represented plaintiff, Zenith Products Corporation, patent infringement
- Zenith Products Corporation v. Kenney Manufacturing, District of RI, represented plaintiff, Zenith Products Corporation, patent and trade dress infringement
- Zenith Products Corporation v. Organize-It-All, Inc., District of NJ, represented plaintiff, Zenith Products Corporation, copyright infringement
- Zenith Products Corporation v. Popular Bath, District of DE, represented plaintiff, Zenith Products Corporation, patent infringement

MEDIA CENTER

An Overview of Damages in Patent Litigation // February 21, 2019
Keith A. Jones will be discussing the damages in patent litigation. Read more

Panitch Schwarze Attorney Presents at AIPLA Mid-Winter Meeting // February 7, 2019
Panitch Schwarze partner Dr. Jeffrey W. Gluck recently participated in a presentation entitled "*Oracle v. Google* – Getting More (or Less) Than You Licensed" during the 2019 Mid-Winter meeting of the American Intellectual Property Law Association (AIPLA) in Tampa, Florida. Read more

IP Attorney Bridget H. Labutta Participates in Villanova Law School Roundtable // October 9, 2018
Intellectual property attorney Bridget H. Labutta recently participated in a professional development roundtable at Villanova University's Charles Widger School of Law. Labutta discussed her career path and provided insight into the qualities that make a successful intellectual property attorney. Read more

PIPLA Year in Review Meeting // April 30, 2018
Panitch Schwarze partner John Simmons, who also serves as president of the Philadelphia Intellectual Property Association (PIPLA), is proud to announce that the organization's annual year-in-review meeting will be held May 10, 2018. Read more

Panitch Schwarze Attorney Speaks at IP Law Symposium // April 5, 2018
Intellectual property lawyer participates in annual Penn Intellectual Property Group event at University of Pennsylvania Law School Read more

IP Attorney John D. Simmons Assumes Presidency of PIPLA // November 7, 2017
Panitch Schwarze Belisario & Nadel LLP is proud to announce that John D. Simmons will lead the Philadelphia Intellectual Property Law Association (PIPLA) for the 2017 – 2018 program year, while attorney Keith A. Jones will continue to serve on the organization's board. Read more

Penn State Honors IP Attorney Dennis J. Butler with Alumni Achievement Award // October 24, 2017
Panitch Schwarze partner honored by Penn State Harrisburg's School of Science, Engineering, and Technology for success, leadership, and contribution to society Read more

Panitch Schwarze Life Sciences Practice Leader Speaks at Inaugural USTC Alumni Life Sciences Symposium // October 12, 2017
Dr. Weihong Hsing took part in the recent USTC (University of Science and Technology of China) Alumni Life Sciences Symposium in Jersey City, N.J. discussing the latest trends and challenges in global life sciences industry. Read more

IP Attorney Bridget H. Labutta to Participate in Villanova Law School Panel Discussion // September 11, 2017
Intellectual property attorney, Bridget H. Labutta, will participate in a panel discussion at Villanova University's Charles Widger School of Law as a part of the school's professional development program. Read more

7 Panitch Schwarze Attorneys Named Among 'Best Lawyers in America' // August 15, 2017
The intellectual property law firm of Panitch Schwarze Belisario & Nadel LLP is pleased to announce that seven of its attorneys have been named to the 2018 edition of *The Best Lawyers in America*®, one of the legal profession's oldest and most respected peer-review publications. Read more

Chambers USA Ranks Panitch Schwarze Among Top IP Attorneys for 2017 // May 26, 2017
Philadelphia and Wilmington IP lawyers ranked among top intellectual property practitioners in U.S. Read more

John D. Simmons to Lead Philadelphia IP Law Association // May 18, 2017
Panitch Schwarze Belisario & Nadel is proud to announce that partner John D. Simmons has been elected to serve as president of the Philadelphia Intellectual Property Law Association (PIPLA). Read more

Corporate Counsel Publishes Panitch Schwarze Attorneys' Article on Venue // February 23, 2017
Panitch Schwarze partner John D. Simmons, along with associate Keith A. Jones, wrote an article entitled, "Is Change on the Way for Patent Litigation Rules?" Read more

PTAB Grants Rehearing of Patent in Delaware Litigation // February 4, 2016
In a rare move, the U.S. Patent Trial and Appeal Board recently granted rehearing of its denial to institute *inter partes* review of Greatbatch Ltd.'s U.S. Patent No. 7,327,553. Read more

Partner Alan Nadel Speaks On U.S. Patent and Trademark Office Patent Litigation Alternatives // September 11, 2015
Patent attorney Alan Nadel of Panitch Schwarze Belisario & Nadel LLP will present a CLE on effective strategies to manage patent and trademark litigation. Read more

Panitch Schwarze Attorneys Recognized as 'Leaders in their Field' in Chambers USA 2015 // June 16, 2015
Panitch Schwarze Belisario & Nadel LLP is pleased to announce that Ronald L. Panitch, William W. Schwarze, Martin G. Belisario, Alan S. Nadel, and Clark A. Jablon have been ranked as "Leaders in their Field" in the 2015 Chambers & Partners USA Directory in the field of Intellectual Property law. Read more

9 Panitch Schwarze Attorneys Named Pennsylvania 'Super Lawyers' and 'Rising Stars' for 2015 // May 15, 2015
Panitch Schwarze Belisario and Nadel LLP is pleased to announce that Ronald L. Panitch, William W. Schwarze, Martin G. Belisario, and Alan S. Nadel have been named to the Pennsylvania Super Lawyers list as five of the top attorneys in Pennsylvania for 2015. Read more

Panitch Schwarze Named a Top IP Law Firm by Forbes // May 4, 2015
Panitch Schwarze Belisario & Nadel LLP, an intellectual property law firm, is pleased and honored to announce that Forbes magazine has recognized it as a top IP law firm in the Forbes Legal Black Book created by Forbes Business Division. Read more

Panitch Schwarze Attorneys Named 2015 'IP Stars' // April 15, 2015
Panitch Schwarze Belisario & Nadel LLP, an intellectual property law firm, is pleased to announce that attorneys Ronald L. Panitch, William W. Schwarze, and Alan S. Nadel have been named 2015 IP Stars by Managing Intellectual Property, a leading source of news and analysis on intellectual property issues worldwide. Read more

PTAB Rules in favor of BBiTV against Hawaiian Telcom // April 1, 2015
Panitch Schwarze Belisario & Nadel LLP is pleased to announce that today the United States Patent and Trademark Office's Patent Trial and Appeal Board (PTAB) ruled in favor of its client Broadband iTV, Inc. ("BBiTV"). Read more

Panitch Schwarze Successful in Defeating Inter Partes Review Attempt by Unified Patents Inc. // January 8, 2015
Panitch Schwarze Belisario & Nadel LLP is pleased to announce that on behalf of its client, Broad Band iTV (BBiTV), it has been successful in defeating an attempt by Unified Patents, Inc. to initiate an Inter Partes Review before the Patent Trial and Appeal Board against BBiTV's patent. Read more

Panitch Schwarze Ranked Among 2015 'Best Law Firms' // November 3, 2014
U.S. News has named Panitch Schwarze Belisario & Nadel LLP as a 2015 Best Lawyers® "Best Law Firm." and was specifically mentioned nationally and in the Philadelphia metropolitan area for Intellectual Property. Read more

Subject Matter Conflicts in IP // October 2, 2014
John Steele, Esq., will give a presentation on Subject Matter Conflicts in IP. CLE will be applied for but is not guaranteed Read more

Panitch Schwarze Opens New Location in Delaware // September 10, 2014
Panitch Schwarze Belisario & Nadel LLP is pleased to announce its expansion of its Intellectual Property practice with the opening of a new Wilmington, Delaware office. Read more

Panitch Schwarze Announces New Location in Delaware // August 25, 2014
Panitch Schwarze Belisario & Nadel LLP is pleased to announce its expansion of its Intellectual Property practice with the opening of a new Wilmington office at the Wells Fargo Tower, 2200 Concord Pike, Suite 201, Wilmington, DE 19803. Read more

5 Panitch Schwarze Intellectual Property Attorneys Named in 'Best Lawyers in America' 2015 // August 19, 2014
Intellectual Property attorneys from Panitch Schwarze Belisario & Nadel LLP were included in the oldest and most respected peer-review publication in the legal profession. Best Lawyers recognized each of these attorneys for their Intellectual Property practice. Read more

U.S. Supreme Court Ruling Impacts Business-Related Software Inventions // July 14, 2014
The U.S. Supreme Court recently ruled on a patent case, Alice Corp. v. CLS Bank, regarding whether business-

related software inventions are entitled to patent protection under 35 U.S.C. § 101, which defines the statutory categories of inventions entitled to patent protection. Read more

Panitch Schwarze Intellectual Property Attorneys Recognized as 'Leaders in their Field' in Chambers USA 2014 // July 10, 2014
Panitch Schwarze Belisario & Nadel LLP is pleased to announce that Ronald L. Panitch, William W. Schwarze, Martin G. Belisario, Alan S. Nadel, and Clark A. Jablon have been ranked as “Leaders in their Field” in the 2014 Chambers & Partners USA Directory for the field of Intellectual Property. Read more

Inequitable Conduct: A Recap of Therasense and Subsequent CAFC Decisions // June 26, 2014
Summer Associate William Kaufmann will give a presentation on Inequitable Conduct. Lunch will be provided. CLE is being applied for but is not guaranteed. Read more

8 Panitch Schwarze Intellectual Property Attorneys Named Pennsylvania 'Super Lawyers' and 'Rising Stars' for 2014 // May 23, 2014
Panitch Schwarze Belisario and Nadel LLP is pleased to announce that Ronald L. Panitch, William W. Schwarze, Martin G. Belisario, and Alan S. Nadel have been selected to the Pennsylvania "Super Lawyers" list as four of the top attorneys in Pennsylvania for 2013. Read more

Australian and New Zealand Patent Law // May 14, 2014
Matt Adams, Partner with AJ Park in New Zealand, will hold a presentation on various updates in New Zealand and Australian patent law. Lunch will be served. CLE will be applied for but is not guaranteed Read more

Panitch Schwarze Ranked Among 2014 'Best Law Firms' // November 1, 2013
U.S. News has named Panitch Schwarze Belisario & Nadel LLP *as a 2014 Best Lawyers® "Best Law Firm."* and was specifically mentioned nationally and in the Philadelphia metropolitan area for Intellectual Property. Read more

Is Trade Secret Definition an Active Litigation Matter? // October 8, 2013
Regardless of your role in any litigation, for the foreseeable future, trade secret criminal prosecution is here to stay and we need to conduct ourselves and represent our clients accordingly. Read more

5 Panitch Schwarze Intellectual Property Attorneys Named Among 'Best Lawyers in America' for 2014 // August 15, 2013
Intellectual Property attorneys from Panitch Schwarze Belisario & Nadel LLP were included in the oldest and most respected peer-review publication in the legal profession. Best Lawyers recognized each of these attorneys for their Intellectual Property practice. In addition, Ronald L. Panitch was named the 'Best Lawyers' 2014 Philadelphia Litigation - Patent "Lawyer of the Year." Read more

The Rise of Non-Practicing Entity (NPE) Patent Litigation // July 13, 2013
The biggest news of this year in the patent industry is the dramatic increase in patent litigations filed by non-practicing entities, or NPEs. A record 60 percent of all patent litigations in the past year were filed by NPEs, which affects the entire landscape of patent litigation. Read more

What Companies Need to Know about the Leahy-Smith America Invents Act (AIA) Patent Reform Legislation: Part II // April 1, 2012
Part II of this series of articles looks at new examination provisions, fees, fee structures, and review processes. Read more

What Companies Need to Know about the Leahy-Smith America Invents Act (AIA) Patent Reform Legislation: Part I // March 1, 2012
Part I of this series of articles will focus mainly on key litigation-related provisions that are effective now. Read more

Panitch Schwarze Hosts Leahy-Smith America Invents Act Live Seminar & Webinar // December 16, 2011
Panitch Schwarze attorneys Alan Nadel, Clark Jablon, John Simmons, and Dennis Butler hosted a live seminar and webcast entitled "Leahy-Smith America Invents Act" on November 30, 2011. The presentation discussed major changes found in the sweeping new law including the introduction of the first-tofile system, the post grant review proceedings, and the impact this will have on patent litigation. Read more

4 Panitch Schwarze Intellectual Property Attorneys Named 'Best Lawyers in America' for 2012 // November 18, 2011
Four attorneys were recently selected by their peers for inclusion in The Best Lawyers in America 2012-2013. In addition, the firm was ranked in the Best Law Firms rankings, published in November's U.S. News and World Report's Money issue. Read more

FROM THE BLOG

November 8, 2018
Understanding the Use of Decision Trees in Mediation
A useful tool in preparing for mediation or in a mediation itself is a decision tree. Decision trees, also known as flow charts, help attorneys to make decisions early in the mediation process and plan for potential outcomes. Read more

December 27, 2017
2017 Supreme Court and Federal Circuit IP Year in Review
Throughout 2017, Panitch Schwarze has carefully watched key intellectual property disputes at the U.S. Supreme Court and the Court of Appeals for the Federal Circuit (CAFC). The following 2017 cases will impact the protection of intellectual property in the United States. Read more

December 5, 2017
A Successful Association of Legal Administrators Regional Conference
I recently attended the Association of Legal Administrators (ALA) Regional Conference in Nashville, TN on a scholarship from the First State Chapter of ALA. At the conference I attended seminars that focused on leadership, communication and innovative thinking for administrators in the legal profession. Read more

November 2, 2017
3 Key Takeaways from the ALA Intellectual Property Conference
Intellectual property law changes at an ever-quickening rate, which is one reason Panitch Schwarze takes continuing education seriously. With practice areas across the IP legal spectrum and global services spanning 28 countries, we need to be more than efficient. We need to be on top of our game. Read more

June 7, 2017
UPC Update: Surprise UK Elections Likely to Delay Start of Unitary Patent System
As we have discussed previously, European Union member countries are completing the final steps to

implement an intergovernmental system that will streamline the process for securing and enforcing patent rights across Europe. Having a simpler, centralized system in place will open up a new patent portfolio management strategy for small and medium-sized IP-driven companies. Read more