

# TODD M. SIEGEL

MANAGING PARTNER

503.473.0918 | todd.siegel@klarquist.com



## OVERVIEW

Todd practices in all aspects of intellectual property law, with an emphasis on patent litigation and post-grant challenges before the Patent Trial and Appeal Board (PTAB). He previously chaired Klarquist's litigation department and led Klarquist's post-grant practice group, which represents both patent owners and patent challengers in *inter partes* reviews (IPR), covered business method (CBM) reviews, and reexamination proceedings. Todd is an active member of the PTAB Bar Association and a frequent contributor to the Association's PTAB Round-up.

Todd's expertise spans a wide range of technologies, with substantial experience in mechanical, software, operating system, and internet technologies. Before law school, he worked as an information systems consultant for Andersen Consulting, now known as Accenture.

With extensive experience litigating intellectual property matters, Todd has a deep understanding of the legal and technical issue his clients face. He takes pride in delivering efficient and practical solutions to his clients.

Todd joined Klarquist as a lateral associate in 2000, became partner in 2007, and has served as the firm's managing partner twice.

## PROFESSIONAL ACTIVITIES

- ▶ Secretary, Communications Committee, PTAB Bar Association
- ▶ Member, Multnomah Bar Association
- ▶ Member, Federal Circuit Bar Association
- ▶ Member, Property Committee, Multnomah Athletic Club
- ▶ Former Volunteer, Multnomah County Children's Representation Project

## HONORS & AWARDS

- ▶ *IAM Patent 1000: The World's Leading Patent Professionals* | 2022

## EDUCATION

J.D., University of Missouri, Columbia, 1996

B.S., Industrial Engineering, University of Missouri, Columbia, 1991

## ADMISSIONS

Oregon, 2000

Missouri, 1996 (inactive)

U.S. Patent and Trademark Office, 2014 (Reg. No. 73,232)

U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the Eastern District of Missouri

U.S. District Court for the District of Oregon

## PRACTICE AREAS

Litigation

Post-Grant USPTO Proceedings

Intellectual Property Counseling

## TECHNOLOGY AREAS

Software & Internet Technology

Mobile Devices & Applications

Mechanical

**Klarquist**

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## REPRESENTATIVE CASES

Todd has represented parties in patent and trademark cases involving a wide variety of technologies, including the following cases (represented party underlined):

### REPRESENTATIVE PTAB PROCEEDINGS:

▶ *Signature Systems, LLC v. American Express Company and American Express Travel Related Services Company, Inc.*, CBM2018-00035: Successfully led PTAB trial on behalf of American Express where all challenged patent claims were deemed unpatentable. Decision was affirmed by the Federal Circuit.

▶ *Microsoft Corporation v. Uniloc 2017 LLC*, IPR2019-01471: Successfully led PTAB trial on behalf of Microsoft where all challenged patent claims were deemed unpatentable. The patent at issue involved security features for mobile devices.

### DISTRICT COURT PROCEEDINGS:

▶ *Leupold & Stevens, Inc. v. Lightforce USA dba Nightforce*, No. 3:16-cv-1570-HZ, 434 F. Supp. 3d 886 (D. Or. 2020): Led Klarquist's defense team. First, Nightforce prevailed on summary judgment by showing that U.S. Patent 6,816,305 was invalid in view of Nightforce's own prior art NXS riflescope designs sold since 1995, seven years prior to Leupold filing for its patent. On the eve of a trial set to address U.S. Patent 6,351,907, Leupold dropped that patent—shortly after Klarquist tracked down strong evidence relating to a handful of invalidating prior art Schmidt & Bender riflescopes sold in the U.S. before the critical date. Klarquist also had unearthed more than 50 year old federal government records to establish Weatherby Imperial riflescopes as invalidating prior art. The lawsuit was filed on August 2, 2016 and ended on June 14, 2021. The parties agreed to keep the terms of the settlement confidential.

▶ *D Three Enterprises, LLC v. SunModo Corporation*, No. 2017-1909, 2017-1910 (Fed. Cir.): Patent infringement litigation concerning solar panel mounts.

▶ *Global Equity Management (SA) Pty. Ltd. v. Expedia, Inc., et al.*, No. 2:16-cv-00095-RWS-RSP (E.D. Tex.): Patent infringement litigation concerning a graphic user interface for system virtualization.

▶ *Nonend Inventions N.V. v. T-Mobile USA Inc.*, Case No. 2:15-cv-624 (E.D. Tex.): Patent infringement litigation concerning wireless streaming technology.

▶ *Grupo Bimbo S A B de CV Barcel USA LLC v. Snak-King Corp.*, Case No. 2:13-cv-2147 (C.D. Cal.): Multi-faceted case involving trademark, trade dress, and patent infringement allegations.

▶ *BioControl, LLC v. Microsoft Corporation*, Case No. 2:14-cv-640 (E.D. Tex.): Patent infringement litigation concerning biofeedback regulation.

▶ *Walker Digital, LLC v. Amazon.com, Inc. et al.*, Case No. 11-cv-313 (D. Del.): Patent infringement litigation concerning online promotions.

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▶ *World Class Technology Corporation v. Ormco Corporation*, Case Nos. 3:13-cv-401 and 3:13-cv-441 (D. Or.): Patent infringement and trade secret misappropriation litigation concerning orthodontic brackets.

▶ *I2Z Technology, LLC v. Microsoft Corporation*, Case No. 3:11-cv-1103 (D. Or.): Patent infringement litigation concerning synchronizing portions of a computer display.

*Olympic Developments AG, LLC v. Amazon.com, Inc. et al.*, Case Nos. 3:11-cv-1655 (N.D. Cal.), 2:11-cv-0391 (W.D. Wash.) and 2:10-cv-7237 (C.D. Cal.): Patent infringement litigation concerning e-commerce and online payments.

▶ *EMG Technology, LLC v. Dr. Pepper Snapple Group, Inc. et al.*, Case No. 6:10-cv-0536 (E.D. Tex.): Represented Time Warner, Inc. and Time, Inc. in a patent infringement litigation concerning mobile devices and mobile Internet technologies.

▶ *DDB Technologies, L.L.C. v. Time, Inc.*, Case No. 1:10-cv-0428 (W.D. Tex.): Patent infringement litigation concerning simulating sporting events over the Internet.

Meeting

▶ *Enpat, Inc. v. General Electric Co.*, Case No. 6:08-cv-1895 (M.D. Fla.): Patent infringement litigation involving wind turbine and microcontroller technology.

▶ *Tobin Family Education & Health Foundation, et al. v. Amazon.com, Inc.*, Case No. 2:09-cv-0160 (M.D. Fla.): Patent infringement litigation involving affiliate marketing.

▶ *BTG Int'l v. Amazon.com, Inc.*, Case No. 04-cv-1264 (D. Del.): Patent infringement litigation involving affiliate marketing and online advertising.

▶ *Reiffin v. Microsoft Corporation*, Case No. 98-cv-0266 (N.D. Cal.): Patent infringement litigation concerning multithreading operating system technology.

▶ *K2 Sports, Inc. v. Take-Two Interactive*, Case No. 05-cv-6915 (S.D.N.Y.): Trademark infringement litigation regarding the "K2" mark and Take-Two's "2K Sports" mark.