

**PARTNER**

Portland Office
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EDUCATION

J.D., Order of the Coif, New York
University School of Law, 1983

B.S.E., *cum laude* in Mechanical
and Aerospace Engineering,
Princeton University, 1979

ADMISSIONS

Oregon, 1989
Washington, 2006
U.S. Patent and Trademark Office,
1984 (Reg. No. 31,312)
U.S. Supreme Court
U.S. Court of Appeals for the
Federal, Second, Fifth, Ninth, and
Eleventh Circuits
U.S. Court of Federal Claims
U.S. District Court for the Eastern
District of Michigan
U.S. District Court for the District
of Oregon
U.S. District Court for the Eastern
District of Texas
U.S. District Court for the Western
District Washington

PRACTICE AREAS

Litigation
Post-Grant USPTO Proceedings

TECHNOLOGY AREAS

Software & Internet Technology

John D. Vandenberg

For 33 years, John has been litigating patents around the country for technology clients including Microsoft, SAP, eBay, Nautilus, and Mentor Graphics.

Supreme Court and Courts of Appeals: John has argued a dozen appeals before the Court of Appeals for the Federal Circuit. He successfully argued before the Supreme Court of the United States in *Nautilus, Inc. v. Biosig Instruments, Inc.*, No. 13-369, for rejection of the Federal Circuit’s “insolubly ambiguous” and “amenable to construction” test for enforcing the Patent Act’s mandate that patent claims “particularly point [] out and distinctly claim []” the patent’s invention.

Court Trials: John has first-chair tried patent infringement suits, copyright infringement suits, trademark infringement suits, and product-configuration trade dress suits. Most recently, he and a team at Klarquist obtained an \$8.42 Million jury verdict in a false advertising action.

PTAB Trials: John has been lead counsel in Patent Office trial proceedings.

Patent-Law Training and Advocacy: Since 2004, John has been the primary editor of an extensive summary of substantive defenses and related strategies in patent infringement suits, posted at patentdefenses.klarquist.com. He speaks throughout the nation on patent law, district-court patent litigation, PTAB patent trials, and patent appellate practice. He emphasizes untraditional approaches to successfully defending against a patent infringement suit while improving the law and patent system in the process. To the same end, he has authored many Amici briefs in the U.S. Supreme Court and the Federal Circuit on behalf of scores of technology companies and associations.

John joined Klarquist in 1989 as an associate and became partner in 1991.

Professional Experience

- Pratt & Whitney Aircraft
East Hartford, Connecticut
Engineer, jet engine development

Professional Activities

- Vice Chair, Federal Circuit Bar Association, PTAB–TTAB Committee
- Former Vice Chair, Federal Circuit Bar Association, Patent and Trademark Office Committee
- Board of Directors (President), Seattle Intellectual Property American Inn of Court

Honors & Awards

- 2008 – 2018 *The Best Lawyers in America*®, Portland, OR, IP Litigation and Patent Litigation
- 2012, 2013, and 2016 *The Best Lawyers in America*®, Portland, OR, Patent Litigation Lawyer of the Year
- 2011, 2012, and 2015 *The Best Lawyers in America*®, Portland, OR, IP Litigation Lawyer of the Year
- 2006 – 2017 *Oregon Super Lawyers*®
- 2010 – 2016 Ranked in *Chambers USA*, Oregon, Intellectual Property
- 2014 – 2017 *IAM Patent 1000: The World's Leading Patent Professionals*
- 2014, 2015 *IP Stars*, Managing IP Magazine
- 2014 *BTI Client Service All-Star*