



James M. Dowd

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Jim Dowd is a trial lawyer and skilled appellate advocate with more than 25 years' experience helping clients resolve complex intellectual property and commercial disputes. Mr. Dowd has particular expertise before the US International Trade Commission, having tried more than a dozen Section 337 investigations since 2002 with the Commission ruling for his client each time. Mr. Dowd has argued before the US Courts of Appeals for the Federal and Ninth Circuits, and has appeared before the US Supreme Court and numerous other appellate courts. Mr. Dowd has conducted jury trials in federal and state courts throughout the country, including in California, New York, Texas, Virginia, and Wisconsin, among other jurisdictions. He has litigated numerous post-grant review proceedings before the US Patent and Trademark Office's Patent Trial and Appeal Board (PTAB), and has arbitrated patent disputes before the American Arbitration Association's International Centre for Dispute Resolution (ICDR).

Mr. Dowd has extensive experience resolving multinational "patent wars," assisting clients in coordinating legal strategy across Europe, Asia, Australia and South America, as well as the United States, including in matters with well over \$1 billion in controversy. He has litigated disputes at the intersection of patent and antitrust law, as well as disputes involving copyright, Lanham Act, trade secret and unfair competition claims. His cases have involved a diverse array of technologies, including biologics, circuit design, cryptography, flash memory, instruction set architectures, IoT, gaming systems, generative AI, GPS, life sciences, medical devices, photolithography, power management, relational databases, semiconductor manufacturing, wireless communications, and more. Representative past cases are noted below.

Solutions

Experience

REPRESENTATIVE INTERNATIONAL TRADE COMMISSION EXPERIENCE

- Certain Semiconductor Devices Having Layered Dummy Fill, Electronic Devices, and Components Thereof, ITC Inv. No. 337-TA-1342 (2023): Defended Skyworks Solutions Inc. in a patent-based investigation initiated by Bell Semiconductor LLC.
- Certain Movable Barrier Operator Systems and Components Thereof, ITC Inv. No. 337-TA-1118 (2020): Obtained exclusion order for The Chamberlain Group, Inc. prohibiting importation of products sold by rival Nortek Security & Control, LLC.
- Certain Mobile Electronic Devices and Radio Frequency and Processing Components Thereof, ITC Inv. No. 337-TA-1065 (2017): Defended Apple Inc. in a patent-based investigation initiated by Qualcomm Inc.
- Certain Laser-Driven Light Sources, Subsystems Containing Laser-Driven Light Sources, and Products Containing Same, ITC Inv. No. 337-TA-983 (2015): Defended ASML Holding N.V. in a patent-based investigation initiated by Energetiq Technology, Inc.
- Certain Electronic Devices, Including Wireless Communication Devices, Portable Music and Data Processing Devices, and Table Computers, ITC Inv. No. 337-TA-794 (2011): Defended Apple Inc. in a patent-based investigation initiated by Samsung Electronics Co. Ltd. et al.
- Certain Integrated Circuits, Chipsets, & Products Containing Same Including Televisions, ITC Inv. No. 337-TA-786 (2011): Defended MediaTek Inc. in a patent-based investigation initiated by Freescale Semiconductor, Inc.
- Certain Electronic Devices Having Image Capture or Display Functionality and Components Thereof, ITC Inv. No. 337-TA-672 (2010): Represented Eastman Kodak Company in a patent-based investigation against LG Electronics, Inc.
- Certain Semiconductor Integrated Circuits Using Tungsten Metallization and Products Containing Same, ITC Inv. No. 337-TA-648 (2010): Achieved summary determination of non-infringement for STMicroelectronics N.V. in a patent-based investigation initiated by LSI Corporation and Agere Systems Inc.
- Certain GPS Devices and Products Containing Same, Inv. No. 337-TA-602 (2010): Obtained exclusion order for Broadcom and Global Locate prohibiting importation of products sold by rival SiRF Technology, Inc.
- Certain GPS Chips, Associated Software and Systems, and Products Containing the Same, Inv. No. 337-TA-596 (2010): Represented Broadcom and Global Locate in defeating infringement allegations filed by rival SiRF Technology, Inc.
- Certain NOR and NAND Flash Memory Devices and Products Containing Same, Inv. No. 337-TA-560 (2008): Represented STMicroelectronics in defeating infringement allegations filed by rival SanDisk Corporation.
- Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio)

Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets, Inv. No. 337-TA-543 (2007): Obtained exclusion order for Broadcom prohibiting importation of products sold by rival Qualcomm.

- Certain NAND Flash Memory Circuits and Products Containing Same, Inv. No. 337-TA-526 (2006): Represented STMicroelectronics in defeating infringement allegations filed by rival SanDisk Corporation.
- Certain Microlithographic Machines and Components Thereof, Inv. No. 337-TA-468 (2003): Represented ASML Holding N.V. in defeating infringement allegations filed by rival Nikon Corporation.

REPRESENTATIVE DISTRICT COURT EXPERIENCE

- Bell Semiconductor, LLC. v. Skyworks Solutions, Inc., Case Nos. 1:22-cv-11291, -11390, -11839, and -11723 (D. Mass.): Represented Skyworks in defeating Bell's assertion of six patents across four related cases against nearly all Skyworks' products.
- Ravgen, Inc. v. Roche Molecular Systems, Inc. et al., Case No. 1:20-cv-01646 (D. Del.): Defending Roche against Ravgen's claims that its products infringe two Ravgen patents claiming methods of preserving maternal blood samples for analysis.
- California Institute of Technology v. Dell Technologies Inc. et al., Case Nos. 6:20-cv-01042 and 6:20-cv-01041 (W.D. Tex.): Defending Dell and HP Inc. against Caltech's allegations that certain chips implementing the 802.11 (WiFi) standard infringe Caltech's patents.
- Ravgen, Inc. v. Quest Diagnostics Inc., Case No. 6:20-0972 (C.D. Cal.): Achieved favorable settlement for Quest shortly after successfully moving to bifurcate and try Quest's inequitable conduct defenses first, before Ravgen's patent claims.
- Intellectual Pixels Ltd. v. Sony Interactive Entertainment LLC, Case Nos. 8:19-cv-01432 and 8:20-cv-01422 (C.D. Cal.): Defending Sony in two related matters in which IPL accuses Sony's PlayStation system of infringing multiple patents claiming web-streaming technology.
- DivX, LLC v. Hulu, LLC, Case No. 2:19-cv-01606 (C.D. Cal.): Defended Hulu against allegation that its video streaming service infringed seven DivX patents.
- California Institute of Technology v. Broadcom Ltd. et al., Case No. 2:16-cv-03714 (C.D. Cal.): Defended Apple and Broadcom against Caltech's allegations that certain chips implementing the 802.11 (WiFi) standard infringe Caltech's patents.
- Energetiq Technology Inc. v. ASML Netherlands B.V., et al., Case No. 2:15-cv-10240 (D. Mass.): Defended ASML and Excelitas Technology Corp. against Energetiq's allegations that certain plasma-based light sources used in ASML YieldStar metrology and inspection systems infringed Energetiq's patents.
- Wisconsin Alumni Research Foundation v. Apple Inc., Case No. 3:14-cv-00062 (W.D. Wisc.): Represented Apple in defeating WARF's claims that the Apple A7 and A8 processors infringed a patent directed to out-of-order execution of microprocessor instructions.
- California Institute of Technology v. Hughes Communications Inc. et al., Case No. 2:13-cv-07245 (C.D. Cal.): Defended Hughes against Caltech's allegations that certain chips implementing the 802.11 (WiFi) standard infringe Caltech's patents.
- MediaTek Inc. v. Freescale Semiconductor, Inc., Case No. 4:11-cv-05341 (N.D. Cal.): Conducted two-week jury trial for MediaTek that resulted in Freescale being found

to infringe MediaTek's valid patents.

- Smith & Nephew Inc. v. Arthrex Inc., Case No. 2:07-cv-00335 (E.D. Tex.): Conducted five-day jury trial for Smith & Nephew that resulted in a multimillion-dollar damages verdict against Arthrex.

REPRESENTATIVE APPELLATE EXPERIENCE

- Sony Interactive Entertainment LLC v. Intellectual Pixels, Ltd., Case No. 22-2118 (Fed. Cir.): Argued for Sony in appeal from PTAB proceedings that had upheld the validity of IPL's patent. The Federal Circuit reversed, finding multiple errors in the PTAB's analysis of the prior art, and remanded for further proceedings consistent with its opinion. Audio Recording: https://oralarguments.cafc.uscourts.gov/default.aspx?fl=22-2118_09072023.mp3
- The Chamberlain Group, Inc. v. Nortek, Inc. et al., Case Nos. 20-1965, 21-1829 (Fed. Cir.): Argued for Chamberlain in consolidated appeals from an ITC Final Determination excluding Nortek's products. The Federal Circuit affirmed the exclusion order, and remanded for further proceedings to determine whether a second, additional patent was also infringed. Audio Recording: https://oralarguments.cafc.uscourts.gov/default.aspx?fl=20-1965_11072022.mp3
- Specialized Bicycle Components, Inc. v. K.G. Motors, Inc., Case No. 15-1412 (Fed. Cir.): Argued for K.G. Motors d/b/a Stan's NoTubes against Specalized's challenge to the validity of Stan's U.S. Pat. No. 7,334,846. Crediting Stan's objective evidence of non-obviousness, the Federal Circuit upheld the validity of the patent. Audio Recording: <http://oralarguments.cafc.uscourts.gov/default.aspx?fl=2015-1412.mp3>

Recognition

- Named a 2020-2023 leading litigator in California by *IAM Patent 1000: The World's Leading Patent Practitioners*. The guide notes, "A doyen among ITC lawyers, Dowd can connect with clients' technical experts as peers and present resonant, thematically accessible arguments to administrative law judges; he is also a master at coordinating concurrent litigations on multiple continents."
- Selected as a "Future Star" in the 2012–2015 editions of *Benchmark Litigation*
- Named to the *Los Angeles Daily Journal's* "Top 75 IP Litigators in California" list in 2009

Credentials

EDUCATION

JD, Boston University School
of Law, 1997

cum laude

*Articles Editor, Boston
University Law Review; Honors
in Appellate Practice and
Procedure and in Federal Courts*

BA, Political Science, Saint
Michael's College, 1994

*Member, Omicron Delta Epsilon
(International Honors Society
for Economics)*

Harvard Business School, 2019

*Credential of Readiness (CRe)
with Honors, Business Analytics,
Financial Accounting, and
Economics for Managers*

ADMISSIONS

US Supreme Court

US Court of Appeals for the
Federal Circuit

US Court of Appeals for the
Fourth Circuit

US Court of Appeals for the
Ninth Circuit

California

Virginia

District of Columbia