



## *Richard W. O'Neill*

**PARTNER**

---

BOSTON

+ 1 617 526 6497

RICHARD.O'NEILL@WILMERHALE.COM

Richard "Chip" O'Neill's practice focuses on complex commercial litigation and appellate matters, with an emphasis on intellectual property matters. His experience covers a range of subject areas, including patent law, breach of contract matters, and complex business disputes.

Mr. O'Neill has represented clients in patent disputes involving the diverse technologies of integrated circuits, digital cameras, wireless communications, semiconductor processing, disk drives, pharmaceuticals, video systems, hearing aids, data storage systems, handwriting recognition, television interactive program guides, lasers, and the mineral fortification of beverages. He has also assisted several clients in protecting their trademark rights, including cases involving claims of trademark infringement, dilution, and cybersquatting. His practice has covered all facets of litigation, including discovery, settlement, alternative dispute resolution, trials, and appeals.

Mr. O'Neill is a member of the Boston and American Bar Associations, and the Federal Circuit Bar Association.

---

## *Solutions*

Litigation

Intellectual Property Litigation

Appellate and Supreme Court  
Litigation

Intersection of Antitrust and IP

Trials

---

## Experience

Represented client as both plaintiff and defendant in complex international dispute involving breach of contract allegations and dozens of networking, video, and wireless communication patents asserted in two US district court cases, an investigation before the US International Trade Commission, more than 10 *inter partes* review proceedings at the US Patent and Trademark Office, and in three foreign jurisdictions. The cases settled on favorable terms.

Defended client in international dispute involving more than 50 electronic circuitry and wireless communication patents asserted across several US district court cases, two US International Trade Commission investigations, numerous *inter partes* review proceedings before the US Patent and Trademark Office, and in multiple foreign jurisdictions.

Defended client against claims of infringement with respect to 25 wireless technology patents asserted across multiple cases originally filed in the Eastern District of Texas. In the first case, we prevailed on all 14 asserted patents, including all five patents asserted at trial, for which the Texas jury found no infringement. We also successfully obtained transfer of a second case to the Northern District of California, and ultimately obtained rulings that neither patent asserted in that case was infringed. The plaintiff did not prevail on any asserted patent.

Represented defendant in connection with five semiconductor substrate patents asserted in the District of Arizona. After obtaining pre-trial rulings that led the plaintiff to drop three of the asserted patents, the case resolved on terms very favorable to our client.

Represented defendant in Western District of Texas case alleging infringement of two patents directed to microprocessor power-saving technologies. Following a two-week trial, the jury found no infringement of either patent.

Represented client in connection inventorship dispute involving wind turbine technologies. Following a two-week trial, we obtained judgment that our client was the proper owner of the patent, and we successfully defended that ruling on appeals to the Federal Circuit and US Supreme Court.

Represented plaintiff before Central District of California in case involving three patents directed to wireless communication technologies. Following a three-week trial, the jury found infringement with respect to all three patents. After a three-day hearing, the judge entered a permanent injunction, and we subsequently secured multiple contempt rulings for violation of the injunction. We also successfully defended the jury infringement verdicts and district court injunction before the Federal Circuit.

Represented complainant before the International Trade Commission with respect to two patents directed to digital camera technologies. Following a two-week trial, the ALJ found a violation of Section 337 with respect to both patents.

Represented complainant before the International Trade Commission with respect to two patents directed to power-saving technologies for mobile devices. Following a three-week trial, the Commission found a violation of Section 337 with respect to both patents.

Represented accused infringer before District of Massachusetts in case involving

patent directed to motor-based technologies. Obtained summary judgment of non-infringement and dismissal of remainder of case as a Rule 11 sanction. Successfully defended district court's summary judgment ruling and sanction order in two different appeals before the Federal Circuit.

Represented patentee before District of Massachusetts in case involving allegations of multiple antitrust violations based on patent directed to laser technologies. Successfully obtained dismissal of all antitrust claims through early motion practice.

Represented accused infringer before Western District of New York in case involving patent directed to video camera technologies. Obtained summary judgment of invalidity.

Represented patentee before District of Massachusetts in case involving three patents directed to data storage technologies. Following a three-week trial, the jury found infringement with respect to all three patents.

Represented accused infringer before Western District of New York in case involving patent directed to electronic handwriting recognition technology. Obtained summary judgment of invalidity.

Represented appellant before Federal Circuit in case involving patents directed to electronic programming guides. Successfully obtained reversal of district court's order entering summary judgment of noninfringement.

Represented patentee before Federal Circuit in appeal involving genetically modified seed technologies. Successfully defended district court infringement finding.

---

## ***Recognition***

- Named a "*Massachusetts Super Lawyers*" Rising Star in the May 2006, 2007 and 2008 issues of *Boston Magazine*.
- Named to the Lawdragon 500 Leading Litigators in America list.

---

## *Credentials*

### **EDUCATION**

JD, George Washington  
University Law School, 1997

*with highest honors*

*Order of the Coif, Moot Court  
Board*

BA, Political Science, College of  
the Holy Cross, 1992

### **ADMISSIONS**

Massachusetts

US Supreme Court

US Court of Appeals for the  
Federal Circuit

US Court of Appeals for the  
First Circuit

US Court of Appeals for  
Veterans Claims

US District Court for the  
District of Massachusetts