



S. Calvin Walden

RETIRED PARTNER

NEW YORK

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S. Calvin Walden's practice focused on intellectual property advice and litigation, with an emphasis on patent litigation and IP-related arbitrations and licensing disputes, and on advising clients concerning intellectual property asset management, new products and licensing issues. Mr. Walden served as counsel for a broad range of clients, including public companies, private high technology and medical technology companies, and companies in the graphic arts.

Mr. Walden argued and tried cases in federal district courts across the country, and has successfully argued in the Federal Circuit, the Second Circuit Court of Appeals, and before the International Trade Commission. He had extensive first-chair experience arbitrating computer software cases in the AAA/ICDR.

Professional Activities

Mr. Walden was a member of the American Bar Association, the New York State Bar Association and the New York City Bar Association.

Experience

- Successfully argued before the Federal Circuit the review of a district court's dismissal of a case brought pursuant to 35 U.S.C. § 146; Federal Circuit affirmed that the district court lacked subject matter jurisdiction over an appeal of an interference under § 146 based on changes made in the AIA, and further affirmed that interference estoppel was correctly applied in the underlying interference. The Federal Circuit awarded costs.
- Successfully argued a four-patent case before the Federal Circuit; obtained reversal of all four summary judgment non-infringement verdicts, and remand to the district court for trial.
- Successfully tried a complex computer software case in the AAA/ICDR
- Was a member of the team that successfully tried a high-profile smartphone litigation leading to a jury verdict of over \$1 billion
- Successfully tried, and sustained on appeal, a 17-day bench trial resulting in a ruling that six patents were unenforceable as a result of inequitable conduct by the patentee and in an award of \$2.74 million in attorneys' fees
- Obtained a summary judgment of non-infringement, sustained on appeal, in a digital imaging patent case pending in the District of Delaware
- Successfully represented a manufacturer of GPS chips and software as a complainant in a Section 337 proceeding before the ITC, resulting in a finding of a violation based on infringement of all six asserted patents
- Successfully represented a digital camera technology company as a complainant in a Section 337 proceeding before the ITC against two cellular handset manufacturers, resulting in a finding of violation based on infringement of both asserted patents

Recognition

- Named to the Lawdragon 500 Leading Litigators in America list.

Credentials

EDUCATION

JD, Yeshiva University,
Benjamin N. Cardozo School of
Law, 1996

magna cum laude

Graduated First in Class

MA, English, State University
of New York at Stony Brook,
1994

BA, English, University of
North Carolina at Chapel Hill,
1989

ADMISSIONS

New York

US Court of Appeals for the
Federal Circuit

US District Court for the
Eastern District of New York

US District Court for the
Southern District of New York