

MORRIS NICHOLS ARSHT & TUNNELL



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PRACTICE AREAS

Intellectual Property Litigation
Patent Litigation
Trade Secret Litigation
Trademark & Copyright Litigation
Business & Contract Litigation
Alternative Dispute Resolution

EDUCATION

J.D., cum laude, 1980, Villanova
University School of Law
Staff Member, 1978-1979 and Editor,
1979-1980, *Villanova Law Review*
B.B.A., 1977, University of Notre
Dame

CLERKSHIPS

Law Clerk to The Honorable William
Duffy, Delaware Supreme Court,
1980-1981

ADMISSIONS

Delaware, 1980
Pennsylvania, 1981
U.S. Court of Appeals for the Federal
Circuit
U.S. Court of Appeals for the Third
Circuit

Tom is a member of the Intellectual Property and Corporate & Business Litigation Groups. He is an experienced trial lawyer, with a practice concentrated in the areas of intellectual property and general business litigation. He practices predominantly in the United States federal courts, but also has extensive experience in the Delaware Court of Chancery.

Tom has represented predominately corporate clients, including Georgia-Pacific, QUALCOMM, Sony, Honeywell, Ameritech, Visteon, Advanced Energy, Websense, Youbet.com and Riverbed in diverse areas of litigation, including complex contract and other commercial disputes, as well as patents and trademarks.

He has been ranked as a leading attorney by *Chambers USA* in the Delaware Intellectual Property category and listed in *The Best Lawyers in America*.

Professional Activities

- American Bar Association
- Delaware State Bar Association
- Office of the Child Advocate (Volunteer Guardian Ad Litem, 2004-Present)

Community Activities

- Archmere Academy (Board of Trustees)
- Special Olympics Delaware (Board of Directors)

Representative Matters

- Served as counsel for Cadence Pharmaceuticals and SCR Pharamtop in ANDA bench trial. *Cadence Pharmaceuticals, et al. v. Exela Pharma Sciences, et al.*, C.A. No. 11-733 (LPS) (Trial 5/20/13 – 5/28/13, and 7/9/13)
- Served as counsel for Riverbed Technology in patent jury trial. *Riverbed Technology, Inc. v. Silver Peak Systems, Inc.*, C.A. 11-484 (RGA) (Trial 3/24/14 – 3/26/14, 3/31/14, and 4/1/14)
- Served as counsel for Websense in patent jury trial against Finjan. *Finjan, Inc. v. Websense Inc.*, C.A. No. 10-593 (GMS) (Trial 11/30/12 – 12/20/12)
- Served as counsel to defendant Honeywell International in trial against Solvay S.A. Resulted in favorable finding from the jury. *Solvay S.A. v. Honeywell International Inc.*, C.A. No. 06-557 (SLR) (Trial 09/21/2011-09/27/2011). Also represented Honeywell against multiple defendants in a patent infringement suit. *Honeywell International Inc., et al. v. Nikon Corporation, et al.*, C.A. No. 04-1337-LPS (Consolidated)
- Represented defendant Taleo Corporation in jury trial. *Kenexa BrassRing Inc. v. Taleo Corporation*, C.A. No. 07-521 (SLR) Trial 06/27/2011- 06/28/2011.
- Served as lead counsel for QUALCOMM in a breach of patent license dispute against Texas Instruments. *Texas Instruments Incorporated v. QUALCOMM Incorporated*, C.A. No. 20569.
- Represented Ameritech in a cellular partnership dispute. *Cincinnati Bell Cellular Systems Company v. Ameritech Mobile Phone Service of Cincinnati, Inc., et al.*,

C.A. No. 13389.

- Served as lead counsel for Advanced Energy in three separate patent infringement suits. *Advanced Energy Industries, Inc. v. Astec America Inc., et al.*, C.A. No. 98-450-JJF; *MKS Instruments, Inc., et al. v. Advanced Energy Industries, Inc.*, C.A. No. 00-1004-JJF; *MKS Instruments, Inc., et al. v. Advanced Energy Industries, Inc.*, C.A. No. 03-469-JJF
- Represented Yobet.com in two patent license disputes against TVG in AAA arbitration (2008 and 2011). *ODS Technologies, L.P., et al. v. Yobet.com, Inc.*, Case No. 14133Y159105; *Yobet.com, Inc. v. ODS Technologies, L.P., et al.*, Case No. 14 133 Y 01948 08

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