ANDRUS.
INTELLECTUAL PROPERTY LAW



Andrus Intellectual Property Law, LLP
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790 North Water Street, Suite 2200
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World-Class Legal Services for Patents, Trademarks and Copyrights

Established in 1939, Andrus is the longest-operating intellectual property law firm in the State of Wisconsin. Our distinguished history evidences our ability to adapt to, and operate in, complex and rapidly changing business and technical environments.

Andrus provides a diverse range of IP procurement and portfolio management services. We provide our clients with IP expertise throughout the world through a network of highly rated and experienced professional associates. Our range of services covers the entire suite of IP rights including patents, trademarks, copyrights and trade secrets.

We are practiced in managing extensive intellectual property portfolios for Fortune 50 and 500® companies, major universities, and research centers. We operate with a commercial focus so that our clients can make timely and cost-effective decisions regarding management of their intellectual property. We invest significant time and resources to stay up-to-date on developing technologies, the global economy and the state of individual industries.

We have experience and expertise in:

- Patents
- Trademarks
- Copyrights
- Trade Secrets
- Transactions
- Client Counseling
- Litigation

Our expertise also includes these technology areas:

- Mechanical
- Electrical/Software
- Biotechnology
- Chemistry/Pharmaceutical

Our History

Andrus has a long-standing reputation for providing world-class legal service exclusively in the area of intellectual property law.

The firm was founded in 1939 when Elwin Andrus resigned his position as patent counsel to A.O. Smith Corporation to enter private practice in Milwaukee. In 1941, Merl Sceales joined the firm, which then became known as Andrus & Sceales. In 2014, as we celebrated our 75th anniversary, the firm was renamed Andrus Intellectual Property Law.

During its history, Andrus has represented individuals, small businesses and major corporations. The firm has continued to expand and now represents major, multi-national clients from the U.S., Europe, Australia, Asia and all points in between.

The Andrus name continues to signify high-quality, affordable legal representation. Our mission is to continue to provide our clients with experienced intellectual property counsel and timely advice regarding the procurement, management and protection of intellectual property rights.



Practice Area: Patents

The Patent Practice Group at Andrus provides a diverse range of procurement and portfolio management services including protection of utility, design, provisional and plant patents.

Our attorneys work with clients to recognize protectable rights, draft applications, develop filing strategies, prosecute patent applications, and commercialize, protect and enforce patents. Members of the Patent Practice Group also have extensive experience in administrative appeals, interferences, derivation proceedings, petitions, protests, reissues, reexaminations and *inter partes* reviews (IPRs). Our attorneys also counsel clients on protecting proprietary information as trade secrets and through non-disclosure agreements.

Having successfully prosecuted thousands of U.S. patents, we have a proven track record of obtaining and managing patents for Fortune 50 and 500® companies. Since each member of the Patent Practice Group is a registered patent attorney licensed to practice before the U.S. Patent and Trademark Office, we are able to recognize and solve both technical and legal issues. As a result, our attorneys provide experience-based services at reasonable costs, and our clients are able to make timely and cost-effective decisions regarding development and management of their patent portfolio.

Andrus' attorneys also have vast experience in managing international portfolios for their domestic clients, utilizing a network of international IP professionals. Andrus' attorneys spend a considerable amount of time and effort as active members of select international IP societies, such as the International Association for the Protection of Intellectual Property (AIPPI) and the International Trademark Association (INTA), in order to expand and cultivate relationships with international IP professionals. This well-managed network ensures that our domestic and foreign clients enjoy the highest-quality service at a great value.

Our attorneys and associates have extensive experience in international filings and portfolio management, particularly in Patent Cooperation Treaty (PCT), European Patent Office (EP) and Chinese Patent Office filings, as well as experience filing in numerous individual foreign countries. Conversely, our extensive network of international IP professionals calls on the attorneys of Andrus to be their U.S. representatives for foreign-priority filings in the U.S. We have an extensive Paris Convention and PCT U.S. national stage practice from patent professionals around the world. Our longstanding relationships with foreign law firms ensure that we understand the many nuances of communicating with, providing services for, and the billing practices of foreign clients.

The size of our firm combined with the breadth of our technical expertise allows Andrus to handle foreign- originating cases in any technology field at a reasonable cost. We are also able to tailor flat and alternative fee arrangements per request.

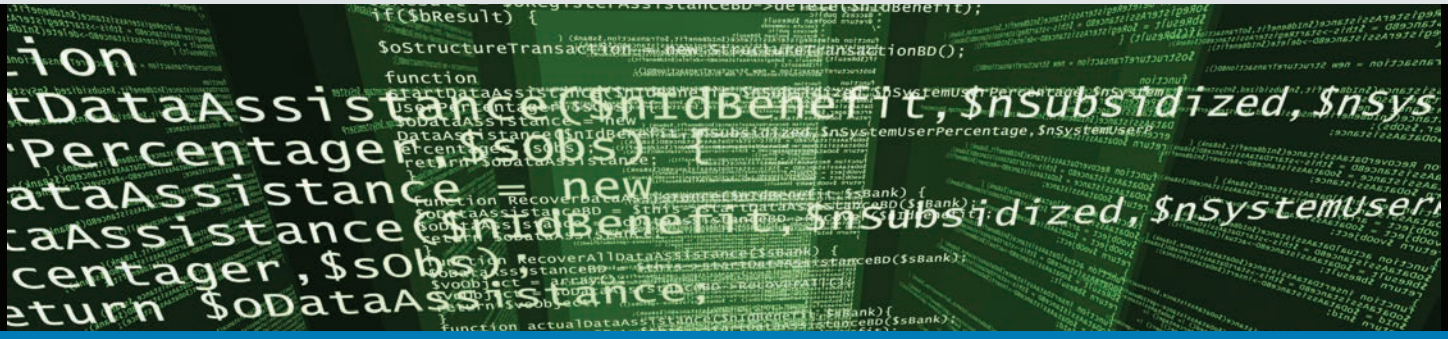


Practice Area: Trademarks and Copyrights

The Trademark & Copyright Practice Group at Andrus provides a diverse range of procurement and portfolio management services, including the protection and enforcement of trademarks, trade dress and copyrights. We also operate via a network of foreign associates to provide worldwide protection for our clients' most valuable assets.

From the inception of a trademark, trade dress or copyright, our attorneys are committed to the protection, commercialization and enforcement of that IP. That is why we invest time and energy to understand each client's business strategies and associated IP. With that knowledge in hand, the Trademark & Copyright Practice Group assists our clients in selection, right-to-use evaluation, registration, assignment, maintenance, portfolio management and licensing.

Having successfully registered thousands of U.S. and foreign trademarks, we have a proven track record of obtaining and managing protection for trademarks and trade dress of Fortune 50 and 500® companies. We also counsel publishers, software developers, companies, manufacturers and other business entities on how to protect their copyrighted works. Our attorneys also draft and negotiate agreements involving copyrighted works, including development agreements, services agreements, licenses and assignments. The Trademark & Copyright Practice Group is also experienced in bringing and defending opposition and cancellation proceedings in the Trademark Trial and Appeal Board (TTAB). Our focus on IP law allows us to provide our clients with experience-based services at reasonable and well-defined costs. We operate with a commercial focus so that our clients can make timely and cost-effective decisions regarding management of their assets.



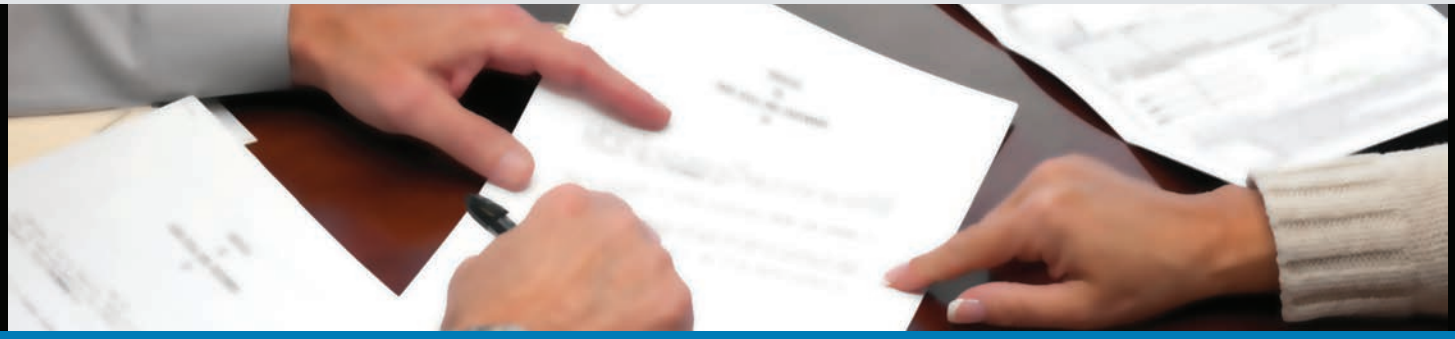
Practice Area: Transactions

Attorneys in the IP Transactions Group at Andrus have not only an in-depth understanding of intellectual property issues, but also the drafting and negotiation expertise to bring that knowledge to bear in complex commercial transactions involving various types of intellectual property.

The attorneys who practice in this area, all of whom are registered patent attorneys, have drafted and negotiated numerous technologyrelated commercial agreements – in both private practice and in-house counsel roles. Their areas of focus include:

- Patent, trademark and copyright licensing
- Intellectual property due diligence for corporate acquisitions
- Brand and technology transfer issues arising during corporate acquisitions and spin-offs
- Manufacturing and supply agreements
- Complex royalty agreements
- Joint development and marketing agreements
- Non-compete and non-solicitation agreements
- Software user licenses
- Open source licensing
- Non-disclosure and confidentiality agreements
- Assignments
- IP transfer agreements
- Copyright publicity licensing for merchandise
- Settlement agreements, including licensing, cross-licensing, covenants-not-to-sure, sale of product line, supply agreements and the like

Our wealth of experience makes Andrus uniquely suited to assist clients in managing complex commercial agreements involving intellectual property. These clients range in size from multinational Fortune 500® companies to start-up and middle-market entities. The vast experience of Andrus' IP Transactions Group allows our clients to focus on their business, while we concentrate on providing a full range of client counseling services centered on structuring, documenting and negotiating their IP transactions.



Practice Area: Client Counseling

Andrus' attorneys understand that managing an IP portfolio is a critical part of the business. That is why Andrus' attorneys get to know each client's business so they are able to assist in developing the most comprehensive and, ultimately, successful IP strategy possible. This engaged approach helps identify the scope of desired protection and formulate strategies to obtain and commercialize IP.

We are practiced in managing extensive IP portfolios for Fortune 50 and 500® companies, major universities, and research centers. We operate with a commercial focus so that our clients can make timely and cost-effective decisions regarding management of their IP. For example, our attorneys have extensive experience in the following areas:

- Providing opinions relating to obtaining patents, trademarks and copyrights
- Providing opinions relating to non-infringement of patents, trademarks and copyrights
- Establishing programs for management of invention disclosure, review and prosecution
- Developing strategies and processes for IP portfolio development and management
- Educating clients in IP issues to ensure commitment and consistency

Once an IP strategy has been developed, Andrus' attorneys provide guidance and representation in maintaining each client's IP portfolio. As technologies and competitive landscapes evolve, Andrus' attorneys assist clients with monitoring the portfolio, ongoing protection of the portfolio, and further development and expansion of the portfolio.



Practice Area: Litigation

The Litigation Team at Andrus uses its experience to comprehensively address all phases of intellectual property litigation including counseling, trial, discovery, Markman hearings, pretrial proceedings, mediation and appeals. The attorneys on the Litigation Team are technically trained and registered with the U.S. Patent and Trademark Office. More importantly, our litigation attorneys have considerable hands-on courtroom experience, including significant jury trial experience. This unique blend of technical skill and courtroom experience yields proven, cost-effective results.

We provide services to businesses both large and small, not only in Wisconsin but throughout the world. Yet, our familiarity with the judges, procedures and requirements in the United States District Courts for both the Eastern and Western Districts of Wisconsin makes Andrus an ideal choice for lead counsel, local counsel or co-counsel in intellectual property disputes venued in Wisconsin.

The attorneys on the Litigation Team are engaged in federal courts across the country, pursuing and defending claims of patent infringement, trademark infringement, copyright infringement, unfair competition, trade secret violations, licensing disputes and related intellectual property contract disputes. A core competency of our litigation team is trying complex cases to judges and juries. We are skilled at courtroom presentation, using the appropriate mix of witness preparation, demonstrations, exhibits, video, computer animation and other courtroom technology to distill complex factual and legal matters. Our team also represents clients in alternative dispute resolution of litigations and other disputes including mediations and arbitrations.

Our team also litigates matters at the U.S. Patent and Trademark Office, including *inter partes* reviews (IPRs), trademark oppositions and cancellation proceedings, and patent and trademark appeals. If appeal is necessary, our litigation team has a wealth of experience before the Court of Appeals for the Federal Circuit and the Court of Appeals for the Seventh Circuit.

We understand that IP disputes have associated business consequences. So whether the dispute is relatively simple or highly complex, we are prepared to handle the challenge in a manner that maximizes our clients' investment and furthers our clients' business objectives. With these goals in mind, we are at our best when we work with sophisticated clients, with he belief that a client's best interests are served when the entire team works together.

The IP Litigation Team is led by experienced trial attorneys who have helped shape the current intellectual property landscape though their vigorous advocacy. Cases handled by Andrus' litigation attorneys have led to seminal decisions by the Court of Appeals for the Federal Circuit. This experience allows our Litigation Team to move tactically in an efficient manner while avoiding the undue expenses associated with large staffing and overhead.

Our team is also experienced in utilizing the pretrial discovery process to position cases for victory within appropriate budgetary constraints, and is well versed in the complexities of electronic discovery. Andrus' litigation attorneys are polished brief writers, zealous advocates and excel under pressure – particularly at hearings or at trial



Technology Area: Chemistry and Biology

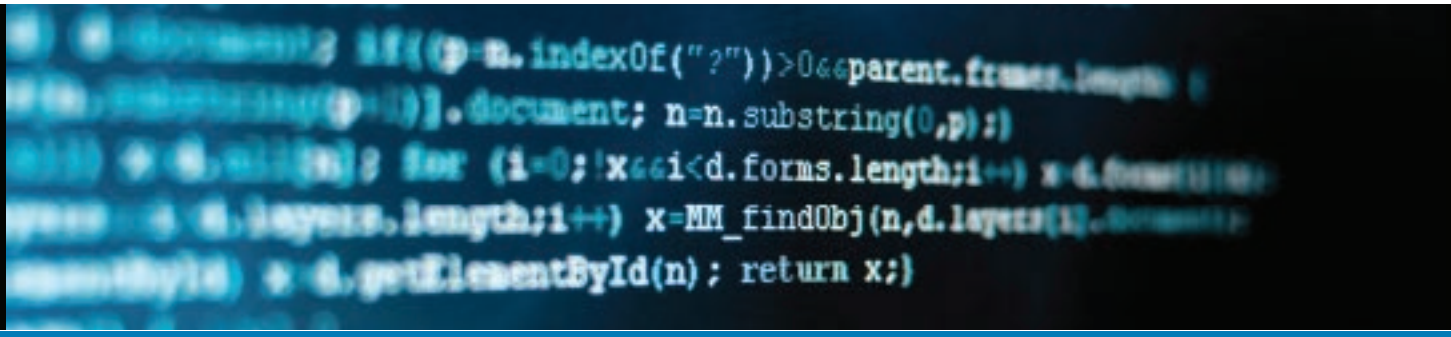
Attorneys in the Chemistry and Biology Practice Group at Andrus serve a variety of biotechnology, pharmaceutical and chemical industries including medical, agricultural, horticultural, veterinary, food processing, consumer products, cosmetics, paper industry, nutritional supplement manufacturing and green technologies. We meet the diverse needs of established companies, start-ups, research institutions and universities.

Our attorneys have experience evaluating all aspects of proprietary technology such as performing due diligence, patent validity, infringement, and freedom-to-operate analyses. Additionally, we have extensive experience acquiring and enforcing patent rights worldwide and negotiating licenses and technology transfers.

Our technical and legal experience enables us to provide strategic portfolio management and counseling to help our clients achieve their goals and objectives.

We have experience drafting and prosecuting patent applications covering a variety of technologies, including:

- Polymers
- Imaging agents
- Separation and purification methods and products
- Adhesives
- Catalysts
- Lignins
- Lubricants
- Topical disinfectants
- Detergent formulations
- Pest attractants and repellants, pesticides, herbicides, and agricultural methods
- Food and beverage manufacture and products
- Chemical processing
- Diagnostic methods including genomic or proteomic markers predictive of disease
- Research tools including cloning vectors, expression constructs, biomolecular assays and PCR methods
- Fluorescent and luminescent proteins
- Biosensors
- Probiotics
- Biofuels
- Bioremediation
- Agricultural methods
- Bioprocess engineering



Technology Area: Electrical/Software

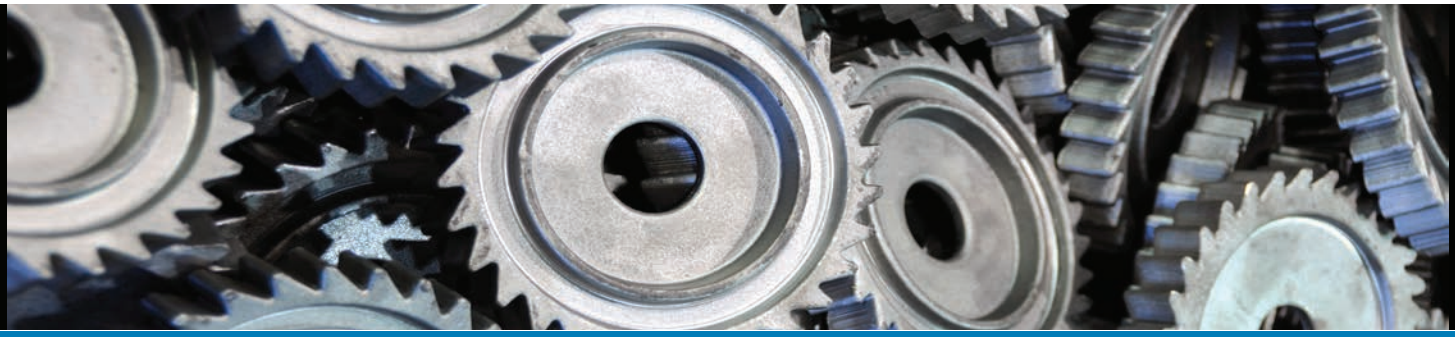
Attorneys in the Electrical/Software Practice Group at Andrus are uniquely qualified to guide clients through the full range of intellectual property issues. All of our attorneys have technical degrees in physics, electrical engineering or biomedical engineering. In addition to their technical degrees, our attorneys have the extensive legal and technical experience needed to guide clients in developing and executing client-specific IP strategies.

Starting with the State Street Bank case in 1998, the patent laws in the United States have been in a constant state of flux with respect to software and business method patents. The attorneys at Andrus are dedicated to staying on top of these changes and adjusting the way patent applications are drafted and prosecuted to provide the best possible protection for our clients.

In addition to filing and prosecuting patent applications, we have extensive experience in analyzing the scope of competitor's patents and applications in the electrical and software fields. Our technical knowledge allows us to review complicated patents with a full understanding of the disclosed material and the related background. Based on this analysis, we are able to counsel our clients on design-around strategies to avoid infringement and/or develop non-infringement positions and provide corresponding opinions.

We have worked with Fortune 50 and 500® companies, major universities and research centers, as well as small- to mid-size companies in protecting their valuable innovations in many different fields, including:

- Medical devices and diagnostic systems
- Electrical and electronic circuits and systems
- Hospital information systems, networks and patient monitoring systems
- RF communication devices
- Remote utility meter monitoring
- Home stand-by power systems and controls
- Internal combustion engine controls
- Car wash operational and sensing controls
- iPod® software applications
- Digital signal processing
- Call center architecture
- Optical systems and controls
- Device fabrication
- Business methods
- Software control algorithms
- Wireless communication devices
- Internet-based software
- Computer hardware



Technology Area: Mechanical

Since 1939, the Mechanical Practice Group at Andrus has successfully protected the inventive creativity of our clients. The Group began by servicing greater Milwaukee's strong base of small, skilled craft shops and large manufacturing companies. As these companies came to dominate their industries, they consistently relied upon Andrus to protect their technological advances in heavy machinery, tools, engines, metal products, and medical devices. Over the years, the Mechanical Practice Group has expanded its practice and now also represents both public and private researchers and developers of complex mechanical and electro-mechanical technologies in various industries throughout the world.

All of our attorneys have engineering or physics degrees coupled with hands-on experience in mechanical and electro-mechanical fields, enabling them to quickly grasp and analyze complex systems, and to understand the real-world significance of our clients' advances. We help our clients secure their intellectual property by all available modes of protection including utility patents, design patents, trademarks, trade dress and trade secrets.

Our attorneys have experience with various technology areas, including:

- Aerospace
- Transportation equipment, including rail, engines and automotive
- Boating and marine equipment and related controls
- Building and construction materials and related methods
- Consumer products
- Dehumidifying, heating and ventilation equipment
- Electromechanical controls
- Exercise and sporting equipment
- Farming and agriculture equipment
- Filtration devices and water and wastewater recovery and treatment devices
- Green technologies
- Heating and refrigeration devices
- Materials handling equipment and related processes
- Oil and gas extraction and production technologies
- Mechanical tools and power tools
- Printing
- Production machinery and processes
- Medical devices and diagnostics
- Packaging materials and related methods
- Paper processing equipment and related methods
- Product coating devices
- Robotics
- Sanitizing equipment
- Semiconductor and fabrication equipment
- Telecommunications systems
- Testing and materials processing equipment



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Joseph D. Kuborn

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Joseph D. Kuborn is a registered patent attorney and partner at Andrus Intellectual Property Law.

Joe focuses his practice on domestic and international patent and trademark prosecution and strategic analysis related to product development and discoveries. He is experienced in the areas of intellectual property enforcement and infringement studies. He also counsels clients on trade secret protection and copyrights and has experience with drafting and negotiating technology transfers, license agreements, and confidentiality agreements. Joe has prepared, filed and prosecuted hundreds of patent applications and provides infringement, novelty and right-to-use opinions.

Joe has worked with a wide variety of technologies, including medical devices, medical monitoring technologies and equipment, RF technology, wireless communication devices, utility metering equipment, computer software and hardware, plastic film handling, smoke detecting devices, home heating system controls, car wash operational controls, home stand-by power systems, internet-related business methods and software, office furniture designs, and sporting equipment.

Joe has been featured in *Chambers USA* as an Up and Coming attorney in the field of Intellectual Property. In 2011, *Chambers* said Joe "is the 'master of writing patents,'" according to interviewees. "He wins particular praise for his 'understanding of product design concepts.'" In 2012, *Chambers* said Joe "is described as 'practical, budget-minded and very responsive,' and also elicits praise for his 'rational, levelheaded' attitude to matters. He handles both domestic and cross-border patent and trademark prosecution, and has vast experience of working with products in a variety of technology

Joseph D. Kuborn

arenas."

Joe was recognized in *The Best Lawyers in America* for his work in the area of Patent Law every year since 2016, selected for inclusion in the *IAM Patent 1000* as a top patent practitioner in Wisconsin every year since 2013, selected for inclusion in Thomson Reuters' *Super Lawyers - Rising Stars* Editions in 2006, 2007 and 2009, and selected for inclusion in the 2014-2019 editions of Managing Intellectual Property's *IP Stars*. Joe has been ranked AV Preeminent 5.0/5.0 by his peers on Martindale-Hubbell.

Joe received a bachelor of science degree in electrical engineering from the University of Wisconsin-Milwaukee (*with honors*) and a juris doctor degree from Marquette University Law School (*cum laude*). While at Marquette, Joe was a member of the *Marquette Law Review* (1994-95) and participated in the Marquette Intellectual Property Law Society.

Joe is admitted to practice before the Supreme Court of Wisconsin, the U.S. District Courts for the Eastern and Western Districts of Wisconsin and the U.S. Patent and Trademark Office.

Joe is a member of the American Bar Association and its section of Intellectual Property Law, the American Intellectual Property Law Association (AIPLA), the Wisconsin Intellectual Property Law Association (WIPLA), and the Milwaukee Bar Association. He is also a member of the Institute of Electrical and Electronics Engineers.

Prior to joining Andrus, Joe worked in the legal departments of Eaton Corporation and Johnson Controls.

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INTELLECTUAL PROPERTY LAW



Edward R. Williams

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Edward R. Williams is a registered patent attorney and partner at Andrus Intellectual Property Law. His office is in Newburyport, Massachusetts.

Ed first joined the firm in 1993. From October 2000 to June 2005, he worked in-house as Chief Intellectual Property and Litigation Counsel at Apogent Technologies (NYSE:AOT), which merged into Fisher Scientific and is now part of Thermo Fisher Scientific. He worked as a Research Engineer at SAIC Inc. prior to becoming an attorney.

Ed has represented many clients in a wide variety of intellectual property matters, including litigation, cease and desist work, patent and trademark prosecution, IP management and strategic planning, licensing, corporate IP development contracts, and corporate acquisition IP matters.

He received a bachelor of science degree in mechanical engineering from Northwestern University, a master of science degree in engineering physics from the University of California, San Diego, and a juris doctor degree from the University of Wisconsin-Madison. He is admitted to practice in Massachusetts, Wisconsin and the U.S. Patent and Trademark Office, as well as many district courts and the Court of Appeals for the Federal Circuit.

Ed's technical background is diverse. His educational background and early work experience as an engineer and patent attorney focused on complex mathematics, mechanical engineering and software programming. His work in-house, on the other hand, focused on laboratory products, PCR, immunodiagnostics and histology. Exemplary technical fields include: marine propulsion systems, combustion engines, digital signal processing, audio recording, active sound and vibrations control, pasteurization, electrochem-

ical fuel cells, medical imaging, DNA enrichment, central aortic blood pressure sensors, laboratory products (*e.g.*, ultra-pure water purification systems, pipettes, microarrays, robotic cryogenic storage systems, PCR reagents and equipment, histological reagents and processing equipment, and immunodiagnostic tests and equipment), ratiometric hematocrit blood sensing, oil and gas exploration, hospital sterile processing management software, and cardiac resynchronization therapy.

While in-house, Ed was responsible for developing and implementing strategies for IP procurement, maintenance, budgeting, enforcement, and strategic IP acquisitions. He was also responsible for IP due diligence, contract negotiation and follow-up integration for corporate acquisitions.

Ed also managed all aspects of IP litigation in-house: namely, engaged and managed outside counsel, advised management and board members, negotiated settlement terms, set litigation reserves and reported to financial auditors. He also served as a corporate 30(b)(6) witness when necessary. His work in-house included a wide array of other tasks as well, *e.g.*, managing licensing and indemnification disputes involving PCR and lateral flow, rapid immunodiagnostic technologies.

Ed focusses on his client's business goal, and his experience and ability to communicate complex legal issues clearly to the client makes him a valuable resource.

Representative Cases:

• *University of Virginia Patent Foundation v. HAMILTON COMPANY, et al.*, No. 3:13-cv-00033-NKM-RSB (W.D. Va.) and HAMILTON COMPANY, et al. v. University of Virginia Patent Foundation, IPR Nos. 2014-01054, 2014-01058, 2014-01060, 2014-01062 (PTAB). Represented Hamilton Storage in case involving robotic cryogenic storage systems for biological samples. Resulted in settlement of court case and dismissal of IPR after favorable rulings by the PTAB.

• *NATIONAL PASTEURIZED EGGS, INC., et al. v. Michael Foods, Inc., et. al.*, Nos. 3:10-cv-00646-WMC and 3:11-cv-00534-WMC (W.D. Wis.) Represented NPE in case involving shell egg pasteurization. Michael Foods found to infringe NPE's patents and Michael food's patents found invalid. Injunction and damages awarded.
• *DOUGLAS DYNAMICS, LLC v. Buyers Products Company*, No.

3:09-cv-00261-WMC (W.D. Wis.), Appellate Case Nos. 11-1291 and 15-1263 (Fed. Cir.). Represented Douglas in case involving snowplow technology. Case involved two trials and two appeals to CAFC with favorable results. Buyers found to infringe three patents. Injunction and damages awarded.

• *Electromotive, Inc v. MERCURY MARINE*, No. 1:06-cv-01139-GBL (E.D. Va.). Represented Mercury Marine in case involving digital engine timing systems. Case settled after favorable jury verdict.

• *Stone Industry Recycling et al. v. BECKART ENVIRONMENTAL*, No. 2:05-cv-01033-PJG (E. D. Wis.). Represented Beckart Environmental as patent defendant in case involving stone water reclamation. Case settled.

• *Omax Corporation v. FLOW INTERNATIONAL CORPORATION*, No. 2:04-cv-02334-RSL (W.D. Wash.). Represented Flow International in a patent infringement case involving water jet cutting technology. Case settled prior to trial.

• *SHURFLO PUMP MANUFACTURING COMPANY, INC. v. EXEL NELSON ENGINEERING, LLC*, No. 3:01-cv-00336-JCS (W.D. Wis.). Served as expert witness.

• *Int'l Pipe Machinery v. CONCRETE TECHNOLGY, et al.*, No. 2:98-cv-00530-RTR (E.D. Wis.). Case resulted in favorable settlement for client after favorable ruling on summary judgment motion.

• *Bemis Mfg. v. EURO UNITED*, No. 3:98-cv-00613-BBC (W.D. Wis.). Represented Euro United in design patent case. Case resulted in favorable ruling for client after bench trial.

• *Lough v. BRUNSWICK*, No. 8:1992-cv-799 (M.D. Fla.), 86 F.3d 113 (Fed. Cir. 1996), 103 F.3d 1517 (Fed. Cir 1997) (en banc). Represented Brunswick. Lough's patent found invalid on appeal.

• *GREAT NORTHERN v. Henry Molded*, No. 2:92-cv-00386-TTE (E.D. Wis.). Represented Great Northern. Henry Molded's patent found invalid by jury.

• *MARQUIP v. Martin*, No. 3:88-cv-04430-FMS (N.D. Cal.). Represented Marquip. Won jury verdict and damages.

Edward R. Williams

Representative Patents:

• U.S. 5,963,651 - Adaptive Acoustic Attenuation System Having Distributed Processing and Shared State Nodal Architecture
• U.S. 6,061,637 - Method of Determining Knock Resistance Rating For Non-Commercial Grade Natural Gas
• U.S. 6,124,145 - Micromachined Gas-Filled Chambers and Method of Microfabrication
• U.S. 6,161,384 - Turbocharger Control Management System Throttle Reserve Control
• U.S. 6,361,025 - Steam Injection Heater with Transverse Mounted Mach Diffuser
• U.S. 6,505,057 - Integrated Vehicle Voice Enhancement System and Hands-Free Cellular Telephone System
• U.S. 8,623,603 - Full COLD-PCR Enrichment with Reference Blocking Sequence
• U.S. 9, 163,869 - Tube Picking Mechanism with an Ultra-Low Temperature or Cryogenic picking Compartment
• U.S. 8,372,356 - Manually Directed, Multi-Channel Electronic Pipetting System
• U.S. 9,173,988 - Sensor Clip Assembly for an Optical Monitoring System
• U.S. 9,220,903 - Optimization of Pacemaker Settings with R-Wave Detection

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Aaron T. Olejniczak

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Aaron T. Olejniczak is a registered patent attorney and partner at Andrus Intellectual Property Law.

Aaron handles a wide variety of intellectual property disputes, concentrating on patent and trademark litigation at both the district and appellate court levels, post-grant patent challenges such as *inter partes* review and *ex parte* reexamination before the U.S. Patent Trial and Appeal Board (PTAB), and trademark opposition and cancellation proceedings before the Trademark Trial and Appeal Board (TTAB). Aaron is also experienced in alternative dispute resolution, including mediation and arbitration.

Highlights of his recent litigation work include serving as lead counsel for a Milwaukee-based manufacturer in a two patent jury trials in the Western District of Wisconsin and successfully arguing the corresponding appellate cases before the U.S. Court of Appeals for the Federal Circuit, winning an injunction and damages judgments of eight figures. Aaron also recently served as lead counsel in several *inter partes* review proceedings, and the Andrus litigation team has been successful in both securing institution of *inter partes* reviews, and in maintaining the valid claims for patent owners after review was instituted. Aaron has also served as co-lead counsel for a Chicago-based consumer products company in a patent jury trial in the Western District of Wisconsin, winning a seven figure damages judgment; served as co-lead counsel for a Green Bay-based manufacturer in a patent litigation case where the team obtained a preliminary injunction against the opposing party; and served as lead counsel in a trademark infringement case in the Eastern District of Wisconsin, Green Bay Division, in which the team obtained a favorable summary judgment on the issues of liability and damages, and was successful in enforcing the injunction after judgment.

Aaron T. Olejniczak

Aaron has served clients in many other patent, trademark and copyright infringement suits both in Wisconsin and throughout the United States.

In addition, Aaron has an active local counsel practice in the Eastern and Western Districts of Wisconsin, where he partners with lead counsel and leverages his expertise in the local courts to provide well-rounded, yet cost-effective, representation for the client. Representative local counsel clients include Attachmate Corporation, Nutraceutical Corporation, ScentAir Technologies, Inc., and Lodsys, LLC.

Aaron is admitted to practice law before the Supreme Court of Wisconsin, the U.S. District Courts for the Eastern and Western Districts of Wisconsin, the U.S. Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office, and many other federal district courts.

In addition to his litigation practice, Aaron serves clients in U.S. and international patent prosecution and counsels clients on all patent, trademark and copyright concerns. Aaron provides infringement, novelty and right-to-use opinions in a wide variety of technology areas.

In 2015, Aaron was ranked as a notable professional in *Chambers USA* for his "strength in patent infringement litigation proceedings" and he was selected for inclusion in *Managing Intellectual Property's IP Stars* list. Aaron was selected for inclusion in the 2013, 2014 and 2015 editions of the *IAM Patent 1000* as a top patent litigation and transactions practitioner in Wisconsin and was selected for inclusion in Thomson Reuters' 2013, 2014 and 2015 *Wisconsin Super Lawyers* list, where in 2014 and 2015 he was named one of the top 50 lawyers in Wisconsin and in 2015 was named one of the top 25 attorneys in Milwaukee. In addition, Aaron was selected for inclusion in *The Best Lawyers in America© 2014* and was included in the *Super Lawyers - Rising Stars Editions* from 2008 through 2012.

Aaron received a bachelor of science degree in pre-professional studies in science and business, focusing on biology and accounting, from the University of Notre Dame. He received his juris doctor degree from the University of Wisconsin Law School, where he was a member of the Patent Moot Court Team and the President of the Intellectual Property Student Organization.

Aaron serves on the Board of Directors for the Eastern District of Wisconsin Bar Association and the Milwaukee Bar Association, and is the Wisconsin

Aaron T. Olejniczak

Chair of the Seventh Circuit Bar Association's Facilities Committee. Aaron is also an active member of the Wisconsin Intellectual Property Law Association, the Thomas E. Fairchild American Inn of Court, the Western District of Wisconsin Bar Association, the American Bar Association, the American Intellectual Property Law Association, and Serjeant's Inn.

Representative Cases:

• *BRUNSWICK CORPORATION AND SEA RAY BOATS, INC. v. Cobalt Boats, LLC*, IPR2015-01060 (PTAB). Serving as lead counsel for Brunswick in this *inter partes* review case before the Patent Trial and Appeal Board.

• *The Medical College of Wisconsin, Inc. v. ATTACHMATE CORPORATION*, No. 15-cv-151 (E.D. Wis.) and *Epic Systems Corporation v. ATTACHMATE CORPORATION* , No. 15-cv-179 (W.D. Wis.). Serving as local counsel for Attachmate in these declaratory judgment cases before Hon. J.P. Stadtmueller in the Eastern District of Wisconsin and Hon. Barbara B. Crabb in the Western District of Wisconsin.

• *A.C. Dispensing Equipment Inc. v. PRINCE CASTLE, LLC*, No. IPR2014-00511 (PTAB), Appellate Case No. 16-1175 (Fed. Cir.). Served as lead counsel for Prince Castle in this *inter partes* review case before the Patent Trial and Appeal Board, in which A.C. Dispensing challenged several claims of Prince Castle's U.S. Patent No. 8,534,497 regarding a beverage dispensing method and apparatus. The Board found all of the challenged claims of Prince Castle's patent to be "not unpatentable." A.C. Dispensing filed a Notice of Appeal regarding this Decision, but subsequently decided not to pursue the appeal.

• *DOUGLAS DYNMICS, L.L.C. v. Meyer Products, LLC*, No. 14-cv-886 (W.D. Wis.) and related IPR2015-01247 (PTAB), No. 15-cv-900 (N.D. Ohio) and related IPR2015-01839 (PTAB). Serving as lead counsel for Douglas in this group of cases regarding snowplow technology.

• *Prolitec Inc. v. SCENTAIR TECHNOLOGIES, INC.*, No. 12-cv-483 (E.D. Wis.). Serving as local counsel for ScentAir Technologies in this patent infringement case before Hon. Rudolph T. Randa in the Eastern District of Wisconsin.

• *C&N CORPORATION d/b/a DOOR PENINSULA WINERY v. Gregory Kane, et. al.*, 953 F. Supp. 2d 903 (E.D. Wis. 2013), *aff'd*, No. 13-3786 (7th

Cir. June 24, 2014). Obtained summary judgment of trademark infringe ment and over $500,000 in damages in June 2013 for client Door Peninsula Winery (DPW); affirmed on appeal in June 2014. In 2016, obtained an additional judgment of over $100,000 against Defendants for violation of the permanent injunction.

• *S.C. Johnson & Son, Inc. v. NUTRACEUTICAL CORPORATION, et al.* , No. 11-cv-861 (E.D. Wis.). Served as local counsel for Nutraceutical throughout this trademark infringement case before Hon. Rudolph T. Randa in the Eastern District of Wisconsin.

• *ENCAP, LLC v. Oldcastle Retail, Inc., et al.* , No. 11-cv-808 (E.D. Wis.), Appellate Case No. 12-1488 (Fed. Cir.), and *Inter Partes* Reexamination Nos. 95/001,963, 95/001,964, and 95/001,965. Served as co-lead counsel for Encap in district court patent and trademark infringement case before Hon. William C. Griesbach involving fertilizer and seeding technologies. Successfully argued at the Markman and preliminary injunction hearings.

• *NATIONAL PASTEURIZED EGGS, INC., et al. v. Michael Foods, Inc., et. al.*, Nos. 10-cv-646 and 11-cv-534 (W.D. Wis.). Served as co-lead counsel for National Pasteurized Eggs ("NPE") in patent case before Hon. William M. Conley involving pasteurized in-shell eggs where a jury found NPE's patents valid and infringed and found defendants' patents-in-suit invalid, awarding approximately $6 million in damages to NPE.

• *DOUGLAS DYNAMICS, LLC v. Buyers Products Company*, No. 09-cv-261 (W.D. Wis.), Appellate Case No. 11-1291 (Fed. Cir.). Served as lead counsel in all phases of this patent infringement case involving snowplow technology, including the district court case before Hon. William M. Conley and the subsequent appeal. On summary judgment, it was found that defendant infringed two of client Douglas Dynamics' patents-in-suit. A jury found the patents valid, and awarded over $1 million in damages to Douglas. Douglas subsequently filed an appeal with the Federal Circuit regarding part of the summary judgment finding non-infringement on a third patent and denial of an injunction against defendant for the first two patents. The Federal Circuit issued an order in favor of Douglas on May 21, 2013, directing the District Court to “enter summary judgment of infringement in favor of Douglas” and reversing the district court’s denial of a permanent injunction. The matter was remanded to the District Court, and a jury awarded Douglas nearly$10 million in damages for infringement in May 2014. The parties subsequently appealed separate issues with the Federal Circuit. Upon briefing and oral arguments, the Federal Circuit issued a judgment

affirming the actions of the District Court.

• *THE SPEARMINT RHINO COMPANIES WORLDWIDE, INC. v. Cuginos Entertainment, LLC*, No. 12-cv-866 (E.D. Wis.). Represented Spearmint Rhino in trademark infringement case that the parties settled.

• *M-B-W INC., et al. v. Multiquip, Inc., et. al.*, No. 07-cv-390 (E.D. Wis.). Served as co-lead counsel for clients M-B-W, Inc. and Barikell, S.r.l., seeking declaratory judgment of non-infringement in patent case before Hon. J.P. Stadtmueller involving construction machinery. Pursuant to the parties' stipulation, the Court entered an Order finding that none of plaintiffs' accused products infringed any of defendant Allen Engineering Corporation's three patents-in-suit.

• *BRUNSWICK CORPORATION v. Caudwell Marine, Inc.*, Opposition No. 91188780 (TTAB). Negotiated settlement agreement on behalf of client Brunswick regarding their use of the mark AXIUS and applicant Caudwell Marine's use of the mark AXIS DRIVE.

• *Crunchkins, Inc. v. CHEWED FOR THOUGHTS, LLC*, No. 08-cv-14455 (E.D. Mich.). Served as lead counsel for Chewed for Thoughts in patent infringement case before Hon. Bernard A. Friedman, successfully defending against a preliminary injunction motion and obtaining dismissal based upon a finding in a concurrent *inter partes* reexamination instituted at the U.S. Patent & Trademark Office that found the claims of plaintiff's patent-in-suit unpatentable.

• *Omax Corporation v. FLOW INTERNATIONAL CORPORATION*, No. 04-cv-2334 (W.D. Wash.). Served as counsel for Flow International in a patent infringement case before Hon. Robert S. Lasnik involving water jet cutting technology, that was ultimately settled.

• *FLEETGUARD, INC v. Parker-Hannifin Corporation*, No. 03-cv-609 (W.D. Wis.). Represented plaintiff Fleetguard in patent infringement case before Hon. John C. Shabaz that the parties settled.

• *DELAWARE CAPITAL FORMATION, INC., et al. v. Ryko Manufacturing Co.*, No. 02-cv-884 (E.D. Wis.). Represented clients Delaware Capital Formation and PDQ Manufacturing in patent infringement case before Hon. William C. Griesbach that the parties settled.

ANDRUS.
INTELLECTUAL PROPERTY LAW



Peter T. Holsen

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Peter T. Holsen is a partner and registered patent attorney at Andrus Intellectual Property Law.

Peter counsels domestic and international clients of all sizes regarding patent, trademark and copyright law. On a part-time basis, he has served as in-house counsel for a Fortune 500® company, working closely with in-house general counsel and engineering management to formulate competitive intellectual property strategies and build a strategic patent portfolio that protects the client's core technology.

Peter has extensive experience preparing and prosecuting patent and trademark applications and drafting technology agreements. He also routinely provides clients with patentability analyses and opinions regarding patent and trademark infringement and validity.

As a registered patent attorney, Peter has worked with a wide variety of mechanical and electro-mechanical technologies, including propulsion devices and related control systems for marine vessels; engines; electric motors; fluid systems; oil and gas extraction, production and transportation systems; automated food processing equipment; automated packaging equipment; packaging materials; materials handling equipment; production machining; rail car and rail yard management technologies; robotic milking devices; medical patient imaging, monitoring and treatment technologies; water and wastewater recovery and treatment systems; and mechanical tools.

He has been selected for inclusion in Thomson Reuters' 2016-2021 Wisconsin Super Lawyers lists, and in the 2014-2021 IAM Patent 1000 lists as

a top patent practitioner.

In 2021, Peter was awarded an Acritas Star by Thomson Reuters for providing excellent client service to his clients. The Acritas Stars database is a resource for senior in-house counsel that is entirely free from law firm influence.

Peter is an active volunteer and participant in The Rotary Club of Milwaukee. He is also a participant in and has been a contributing author for the International Association for the Protection of Intellectual Property (AIPPI), an international organization dedicated to the development and improvement of intellectual property. He is a member of the American Bar Association and its section of Intellectual Property Law, the American Intellectual Property Law Association, the Wisconsin Intellectual Property Law Association, and the Milwaukee Bar Association.

Peter received a Bachelor of Science in civil engineering from Marquette University and a Juris Doctor from Marquette University Law School. While attending law school, Peter was Editor-in-Chief of the Marquette University Law School Intellectual Property Law Review, for which he also authored a comment. Peter was an Evans Scholar at Marquette University, where he served on the Chapter Board. Prior to law school, Peter served as an engineer at a multi-national engineering and consulting firm where he designed and managed several large-scale engineering projects at electrical, petrochemical and chemical facilities.

Peter is admitted to practice law before the U.S. Supreme Court, the Supreme Court of Wisconsin, the U.S. District Courts for the Eastern and Western Districts of Wisconsin, and the U.S. Court of Appeals for the Federal Circuit. He is also licensed to practice before the U.S. Patent and Trademark Office.

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INTELLECTUAL PROPERTY LAW



Benjamin R. Imhoff

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Benjamin R. Imhoff is a registered patent attorney and partner at Andrus Intellectual Property Law.

Ben concentrates his practice on domestic and international patent and trademark prosecution and enforcement. He works with clients to identify intellectual property strategies that complement and achieve business goals. Ben is experienced in preparing and prosecuting patent and trademark applications before the U.S. Patent and Trademark Office. He also represents clients before the Trademark Trial and Appeal Board in opposition and cancellation proceedings.

Ben helps clients to avoid legal conflict by counseling clients with non-infringement and freedom to operate opinions. When legal conflicts do develop, Ben is experienced in resolving these conflicts through licensing and other business agreements.

Ben's experience primarily includes working in the medical technology field, in which he has experience with mechanical therapy devices, electrical patient monitoring systems, and software-implemented imaging, data analysis, and communication systems. He also has experience in a variety of other electrical and mechanical applications such as electrical sensors, water filtration, automotive accessories, laboratory equipment, and hydrocarbon extraction.

Ben received a bachelor of science degree in biomedical engineering with a minor in electrical engineering from Marquette University (*cum laude*). While at Marquette, he conducted research in the field of medical imaging in conjunction with the FDA, and co-authored the research paper "Noise in

Benjamin R. Imhoff

Flat-Panel Displays with Sub-Pixel Structure," *Medical Physics* 31(4), 2004. Ben received a juris doctor degree from the University of Wisconsin Law School (*cum laude*). In law school, he competed in the Giles Rich Intellectual Property Moot Court Competition.

Ben was selected for inclusion in Thomson Reuters' Super Lawyers - Rising Stars Edition in 2009.

Ben is admitted to practice law before the Supreme Court of Wisconsin, the U.S. District Courts for the Eastern and Western Districts of Wisconsin, the U.S. Court of Appeals for the Federal Circuit and the U.S. Patent and Trademark Office.

Ben is a member of the American Intellectual Property Law Association (AIPLA) and its Young Lawyers Committee. Ben also represents Andrus in the International Trademark Association (INTA), where he serves on the Harmonization of Trademark Law and Practice Committee.

ANDRUS.
INTELLECTUAL PROPERTY LAW



Christopher R. Liro

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Christopher R. Liro is a partner and registered patent attorney at Andrus Intellectual Property Law. Chris focuses his practice on intellectual property litigation in federal district and appellate courts, administrative proceedings before the PTAB, TTAB and ITC, counseling writers, podcasters, and others in protecting and controlling their creative content and managing intellectual property and related risks, and counseling clients in transactional matters, including licenses, joint development agreements, and dispute resolution. Chris sits on and is the past Chairman of the Board of Directors of the State Bar of Wisconsin Intellectual Property and Technology Law Section.

Chris has litigated patent, trademark, and copyright disputes involving wireless communications, medical and orthodontic devices, semiconductor manufacturing, commercial and consumer software, automotive and marine components, food service equipment, architectural plans, and product labeling for clients including Douglas Dynamics, Door Peninsula Winery, American Orthodontics, Prince Castle, Brunswick, Research In Motion, C.R. Bard, and Zimmer. He manages and executes all aspects of litigation, including developing litigation and settlement/licensing strategies; conducting discovery and motion practice; assessing client and competitor intellectual property assets and litigation-related risks; negotiating litigation and settlement positions; representing clients at hearings and trials; and partnering with in-house counsel and business and technical staff.

Chris received his bachelor of science degree in civil engineering from the Massachusetts Institute of Technology, where he was a member of the Tau Beta Pi and Chi Epsilon honor societies, and received his master of science degree in civil engineering from MIT. He received his juris doctor degree

from the University of Michigan Law School (*magna cum laude*), where he was a member of the Order of the Coif, the recipient of the Saul L. Nadler Memorial Award, and a contributing editor to the *University of Michigan Law Review*. Chris served as a law clerk to the Honorable William C. Bryson of the U.S. Court of Appeals for the Federal Circuit from 2000-2001. Prior to joining Andrus, Chris was an intellectual property litigation partner at Kirkland & Ellis LLP in Chicago.

Chris is admitted to practice law in Wisconsin and Illinois, the U.S. Patent and Trademark Office, the U.S. District Courts for the Eastern and Western Districts of Wisconsin, the U.S. District Court for the Northern District of Illinois, the U.S. Court of Appeals for the Federal Circuit, the U.S. Court of Appeals for the Seventh Circuit, the U.S. Court of Appeals for the Third Circuit and the U.S. Court of Appeals for Veterans Claims.

Representative Cases (at and prior to joining Andrus):

• *GREAT LAKES MFG., INC. v. Londerville Steel Enterprises, Inc.*, No. 1:17-cv-01421 (E.D. Wis.). Representing client Great Lakes Manufacturing in patent infringement case involving truck trailer equipment. Obtained judgment on the pleadings on counterclaim asserting violation of Wisconsin Patent Notification Act, Wis. Stat. § 100.197.

• *H-D USA, LLC and Harley-Davidson Motor Company Group, LLC v. AFFLICTION HOLDINGS, LLC*, No. 2:17-cv-01776 (E.D. Wis.). Representing client Affliction Holdings in trademark infringement case involving apparel graphics.

• *Simply Manufacturing, Inc. v. ALKAR-RAPIDPAK, INC.*, No. 2018-cv-000133 (Wis. Cir. Sauk Co.). Representing client ALKAR against claims under two Wisconsin Patent Notification Act, Wis. Stat. § 100.197, and related unfair competition claims.

• *AMERICAN ORTHODONTICS CORP. v. Atlantic Dental, Inc.*, No. 1:17-cv-08098 (D.N.J); *AMERICAN ORTHODONTICS CORP. v. Ortho Mogul, LLC*, Opp. No. 91235583 (TTAB). Represented client American Orthodontics in parallel infringement and opposition proceedings involving trademarks on orthodontic devices.

Christopher R. Liro

• *ONEIDA NATION v. Oneida Indian Nation of New York* , Cancellation No. 92066411 (TTAB). Representing client Oneida Nation, of Wisconsin, in cancellation proceedings involving trademark registrations for ONEIDA and ONEIDA INDIAN NATION owned by Oneida Indian Nation of New York.

• *EMPIRE MEDICAL REVIEW SERVICES, INC. v. Compuclaim, Inc.*, No. 2:13-cv-01283 (E.D. Wis.). Representing client EMRS on copyright and DMCA claims related to medical billing software.

• *DOUGLAS DYNAMICS, LLC v. Meyer Products LLC*, No. 3: 14-cv-00886 (W.D. Wis.); *Meyer Products LLC v. DOUGLAS DYNAMICS, LLC*, No. 1:15-cv-00900 (N.D. Ohio); *Meyer Products LLC v. DOUGLAS DYNAMICS, LLC*, IPR2015-01247 (PTAB); *DOUGLAS DYNAMICS, LLC v. Meyer Products LLC*, IPR2015-01839 (PATB). Client Douglas Dynamics and Meyer Products entered a settlement agreement in 2017 in patent cases involving attachment and lighting control technologies for snow plows. In IPR proceedings, obtained decisions sustaining validity of all Douglas claims and obtaining invalidity of most Meyer claims.

• *A.C. Dispensing Equipment Inc. v. PRINCE CASTLE LLC*, IPR2014-00511 (PTAB). Represented client Prince Castle in IPR related to control systems for liquid dispensers. Obtained decision sustaining validity of all challenged claims.

• *C&N Corporation d/b/a DOOR PENINSULA WINERY v. Gregory Kane, et. al.*, 953 F. Supp. 2d 903 (E.D. Wis. 2013), aff'd, 756 F.3d 1024 (7th Cir. 2014). Obtained summary judgment of trademark infringement and over $500,000 in damages for client Door Peninsula Winery; affirmed on appeal.

• *DOUGLAS DYNAMICS, LLC v. Buyers Products Company*, No. 3:09-cv-00261-WMC (W.D. Wis.). Secured $9.75 million jury verdict for plaintiff Douglas Dynamics in April 2014 in patent case involving snow plow attachment technology.

• *Mformation Technologies, Inc. v. RESEARCH IN MOTION LIMITED* , No. 5:08-cv-04990 (N.D. Cal.). Obtained post-trial grant of judgment as a matter of law of non-infringement in August 2012 for client Research In Motion in case involving wireless device management.

• *Robert Bosch LLC v. PYLON MFG. CORP*., Nos. 2011-1363, -1364. Represented client Pylon in appeal to the U.S. Court of Appeals for the Federal Circuit in patent case involving windshield wipers.

Christopher R. Liro

• *Hollister, Inc. v. C. R. BARD, INC.*, No. 1:10-cv-06427 (N.D. Ill.). Plaintiff Hollister and client C. R. Bard entered a settlement agreement in June 2011 in patent case involving critical care medical device.

• *In re Certain Electronic Imaging Devices*, ITC Inv. No. 337-TA-726. Complainant Flashpoint and client Research In Motion entered settlement agreement in 2011 in case involving patents on digital camera controls and displays.

• *In re Certain Authentication Systems, Including Software and Handheld Electronic Devices*, ITC Inv. No. 337-TA-697. Complainant Prism Technologies and client Research In Motion entered settlement agreement in 2010 in case involving patent on authentication protocols.

• *In re ZIMMER HOLDINGS, INC.*, 609 F.3d 1378 (Fed. Cir. 2010). Obtained grant on petition for writ of mandamus, ordering transfer of case from the Eastern District of Texas to the Northern District of Indiana, the location of the headquarters of client Zimmer.

• *Digene Corp. v. THIRD WAVE TECHS., INC*., 323 Fed. App'x 902 (Fed. Cir. 2009). Obtained affirmance of summary judgment of non-infringement for client Third Wave in case involving patent on DNA-based diagnostic testing.

• *ZIMMER TECHNOLOGY, INC. v. Howmedica Osteonics Corp*., No. 3:02-cv-0425 (N.D. Ind.). Client Zimmer and defendant Howmedica entered settlement agreement in 2009, in case involving patent on orthopedic implant design.

• *Visto Corp. v. RESEARCH IN MOTION LIMITED*, No. 2:06-cv-181 (E.D. Tex.). Plaintiff Visto and client Research In Motion entered settlement agreement in 2009 in case involving patents on data synchronization protocols.

ANDRUS.
INTELLECTUAL PROPERTY LAW



Ryann H. Beck

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Ryann H. Beck is a partner and registered patent attorney at Andrus Intellectual Property Law.

Ryann has a diverse range of experience relating to intellectual property matters, including domestic and international patent and trademark prosecution, licensing, and enforcement.

Ryann's practice focuses on a wide range of software and automation-related technologies, including control and automation, electrical and electronic circuits and systems, robotics, medical patient monitoring technologies, medical devices, and mechanical devices, though she has broad experience prosecuting patents in a wide variety of technology areas.

In addition to representing her clients before the U.S. Patent and Trademark Office, Ryann regularly counsels clients regarding patentability, patent validity, and patent infringement, and works on related opinion matters. She also counsels clients through various types of IP-related contract negotiations, including settlement agreements, joint development agreements, licenses, co-existence agreements, and the like.

Education and Engineering Experience

Ryann joined the firm after receiving her J.D. from Marquette University Law School (*cum laude*) where she was a member of the Intellectual Property Law Review and the Intellectual Property Moot Court Team. Ryann is the author of a law review article regarding intellectual property issues facing farmers, titled "Farmers' Rights and Open Source Licensing," which published in the Spring 2011 edition of the *Arizona Journal of Environmental Law and Policy.*

Ryann H. Beck

Ryann has a B.S. in electrical engineering from Georgia Institute of Technology. As an engineer, Ryann worked for over four years in the area of signal processing, first as an intern at NASA Johnson Space Center and then as a signal analyst at Impulse Monitoring, Inc.

Honors and Community Involvement

Ryann is active in the IP legal community through several organizations. Ryann annually attends the World Congress held by AIPPI, an international IP organization for which she currently serves as a member of the Standing Committee on IT and the Internet and participates in generating harmonization resolutions on patent-related topics.

Ryann has taught a course on intellectual property research as an adjunct professor of law at Marquette University Law School, where she has also coached several Moot Court teams. Ryann volunteers as a mentor with different Milwaukee-based organizations, including PEARLS for Teen Girls, Inc. and the Eastern District of Wisconsin Bar Association.

Ryann has been selected for inclusion in Thomson Reuters' Super Lawyers - Rising Stars list in the field of intellectual property law every year since 2015.

Memberships

- International Association for the Protection of Intellectual Property (AIPPI)
- American Intellectual Property Association (AIPLA)
- Wisconsin Intellectual Property Law Association (WIPLA)
- Wisconsin and Milwaukee Bar Associations
- American Bar Association

ANDRUS.
INTELLECTUAL PROPERTY LAW



Emily M. Chilson

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Emily M. Chilson is a partner and registered patent attorney at Andrus Intellectual Property Law.

Emily focuses her practice on domestic and international patent and trademark prosecution and enforcement. She researches patentability and infringement issues, and provides clients with counseling and written patentability and clearance opinions accordingly. Utilizing her own engineering foundation, Emily often helps clients brainstorm ways that new product designs can be fine-tuned to work around existing intellectual property rights.

A good portion of Emily's patent experience includes mechanical technologies, including engines and related control systems, transportation-related equipment and sub-systems, machinery used in the paper industry, pumps and circuits, metal cutting machines, and retail merchandising assemblies. Emily also focuses her practice on obtaining both utility and design patent protection for wearable apparel and consumer packaged goods.

Emily joined the firm after receiving a juris doctor degree from Marquette University Law School (*summa cum laude*). While at Marquette, Emily served as technology editor of the *Marquette Law Review*, the same journal in which she published her article "Patent Term Adjustment and Terminal Disclaimers: Are the Terms of Patents Being Decided Ad Hoc?" in the fall of 2010.

Prior to attending Marquette, Emily obtained a bachelor of science degree in civil engineering from Northwestern University (*cum laude*). She then worked for a local surveying and engineering company before beginning a

Emily M. Chilson

career in law.

Emily is admitted to practice law before the Supreme Court of Wisconsin and is a member of the American Bar Association and the Wisconsin Bar Association.

ANDRUS.
INTELLECTUAL PROPERTY LAW



Thomas R. Knight

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Thomas R. Knight is a registered patent attorney and non-equity partner at Andrus Intellectual Property Law.

Tom focuses his practice on domestic and international patent and trademark prosecution and enforcement. He counsels clients regarding patentability and infringement issues and provides written patentability, clearance, non-infringement, and invalidity opinions.

The subject matter of Tom's experience has spanned across a wide variety of industries and technologies, often integrating business objectives with intellectual property asset protection for long-term strategic planning.

Tom joined the firm after graduating with honors from Marquette University Law School. Prior to attending law school, Tom earned a Bachelor of Science, Biomedical Engineering degree from the University of Wisconsin with a particular focus in bioinstrumentation. He subsequently worked for several years in engineering, manufacturing, and operational roles at a Fortune 50 corporation. Tom also holds a Master of Business Administration (MBA) degree from Marquette University.

Tom is admitted to practice law before the Supreme Court of Wisconsin and the U.S. Patent and Trademark Office, and is a member of the Wisconsin Intellectual Property Law Association, the American Bar Association, the Milwaukee Bar Association and the State Bar of Wisconsin.

ANDRUS.
INTELLECTUAL PROPERTY LAW



Cobby J. Shereff
Of Counsel

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Cobby is an *of counsel* attorney at Andrus Intellectual Property Law. Cobby focuses her practice on domestic and international trademark prosecution and enforcement. Cobby is experienced in managing and protecting global trademark portfolios, and in connection with acquisitions, licensing, and related transactional matters.

Cobby works with clients to implement strategies to protect intellectual property, identify infringement, and effectively address trademark infringement issues. Cobby has extensive experience advising clients regarding strategic development and management of intellectual property, including practice in the United States Patent and Trademark Office and Trademark Trial and Appeal Board. She works with clients to ensure that their intellectual property reflects and effectuates their business objectives.

Cobby joined Andrus after 20 years of intellectual property practice as a Partner at Blumenfield & Shereff, LLP. She previously worked as in-house counsel for RCA Records in New York in the areas of copyright, trademark, unfair competition, licensing, and on general corporate matters, including contract drafting and negotiation. Cobby also served as a Deputy Assistant Attorney General for the State of New York.

ANDRUS.
INTELLECTUAL PROPERTY LAW



Kevin J. Spexarth

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Kevin J. Spexarth is a registered patent attorney and associate at Andrus Intellectual Property Law.

Kevin focuses his practice on domestic and international patent and trademark prosecution and enforcement. Kevin researches patentability and infringement issues, and provides clients with counseling and written opinions. His experience includes patent and trademark prosecution, IP management and planning, and corporate IP development. Before joining Andrus, Kevin partnered with in-house patent practitioners at the Rite-Hite Holding Corporation and the Brady Corporation.

Kevin joined Andrus after graduating from Marquette University Law School. While at Marquette University Law School, Kevin was a member of the *Intellectual Property Law Review*. Prior to attending Marquette University Law School, Kevin earned a bachelor of science degree in civil engineering from the University of Wisconsin-Madison and worked for a large general contracting company.

Kevin is admitted to practice law before the Supreme Court of Illinois, the Supreme Court of Wisconsin, and the U.S. Patent and Trademark Office. Kevin is actively involved in the Milwaukee Bar Association and Wisconsin Intellectual Property Law Association (WIPLA). Kevin is also a member of the American Bar Association and the State Bar of Wisconsin.

ANDRUS.
INTELLECTUAL PROPERTY LAW



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Melissa L. Kleine is a registered patent attorney and associate at Andrus Intellectual Property Law.

Melissa focuses her practice on domestic and international patent and trademark prosecution and enforcement. She counsels clients regarding patentability and infringement issues across a wide variety of mechanical and electromechanical technologies. Before joining Andrus, Melissa gained experience as a patent law clerk and patent associate at a large international law firm.

Melissa earned her law degree from Marquette University Law School (J.D., *cum laude*). While at Marquette, Melissa was a member of the *Marquette Law Review* and the Pro Bono Honor Society.

Prior to attending law school, Melissa graduated from the University of Wisconsin-Madison (B.S.) with majors in engineering mechanics with astronautics and political science. She subsequently worked for several years as a mechanical design engineer for an avionics manufacturer.

Melissa is admitted to practice law before the Supreme Court of Wisconsin and the U.S. Patent and Trademark Office.

ANDRUS.
INTELLECTUAL PROPERTY LAW



Dillon E. Durnford

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Dillon E. Durnford is a registered patent attorney and Senior Associate at Andrus Intellectual Property Law.

Dillon's practice focuses on acquiring strong patent protection for complex technological innovations through domestic and international patent prosecution. Dillon has experience with a wide range of electrical, software, and automation-related technologies, including digital imaging, image analysis, machine learning and artificial intelligence, computer-aided diagnostics, medical devices, depth imaging, cloud computing, software, bioinformatics, internet-of-things (IoT), network security, electrical circuits, and mechanical devices.

In addition to representing clients before the United States Patent and Trademark Office (USPTO), Dillon counsels clients on issues related to patentability, patent validity, and patent infringement.

Prior to his career as a patent attorney, Dillon worked as a Patent Examiner at the USPTO, where he examined patent applications in digital imaging technologies.

Dillon received a law degree from George Mason School of Law (*cum laude*), with a specialization in intellectual property, and received an electrical engineering degree from the University of Wisconsin.

Dillon is admitted to practice law in Wisconsin and New York, and before the USPTO as a registered patent attorney.

ANDRUS.
INTELLECTUAL PROPERTY LAW

Donald J. O'Brien



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Donald J. O'Brien is a registered patent attorney and Senior Associate at Andrus Intellectual Property Law. He focuses his practice on acquiring strong patent protection for innovative computer technologies through domestic and international patent prosecution.

Don also works with clients to develop intellectual property strategies that achieve and complement business goals. Further, he counsels clients regarding patentability, patent validity, and patent infringement.

Don has experience with a wide range of software and other computer-related technologies, including:

- Artificial intelligence
- Machine learning
- Deep neural networks
- Internet of Things (IoT)
- Cloud services
- Open source
- Cybersecurity
- Semiconductor
- Computer networking
- Quantum computing
- Operating systems
- Databases
- Massively parallel processing

Donald J. O'Brien

- Video codec
- Wireless communications
- Computer storage
- Trusted platform modules (TPM)
- System-on-a-chip (SOC)

Education and Experience

Don earned a B.A. (with distinction) in Computer Science at the University of Wisconsin-Madison, and a J.D. from University of Wisconsin Law School, where he was a student attorney at the Frank Remington Center. Don is a veteran and a former professional software engineer with full life-cycle and project management experience on numerous software, hardware, and network implementations.

ANDRUS.
INTELLECTUAL PROPERTY LAW

Michael R. Laing



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Michael R. Laing is a registered patent attorney at Andrus Intellectual Property Law. Michael uses his background in mechanical and civil engineering to manage complex patent and IP litigation matters. He represents technology companies in a broad range of industries, including biotechnology, pharmaceutical, life sciences, medical devices, consumer products, manufacturing, software and digital media, entertainment, sports, and gaming. His experience extends to all stages of litigation, including due diligence, initial case assessment, client counseling, discovery, mediation, arbitration, summary judgment, trial, and appeals.

In addition to his litigation practice, Michael serves clients in U.S. and international patent prosecution and counsels clients on all patent, trademark, and copyright concerns. He provides infringement, novelty, and right-to-use opinions in a wide variety of technology areas.

Michael was selected for inclusion in *The Best Lawyers in America©: Ones to Watch 2026* and was included in the *Super Lawyers - Rising Stars Editions* from 2020 to the present.

Education and Experience

Michael received a bachelor of science degree in civil engineering from Marquette University in 2012. He received his juris doctor degree from Marquette University Law School in 2017, where he was the Managing Editor of the Marquette Law Review.

Michael R. Laing

Prior to joining the firm, Michael was with an AmLaw 50 law firm. Before becoming an attorney, he spent several years as a bridge engineer for the world's largest engineering design firm, gaining valuable industry experience that informs his counsel to clients.

Memberships

- American Bar Association
- American Intellectual Property Law Association
- Federal Circuit Bar Association
- Thomas E. Fairchild American Inn of Court

Representative Cases

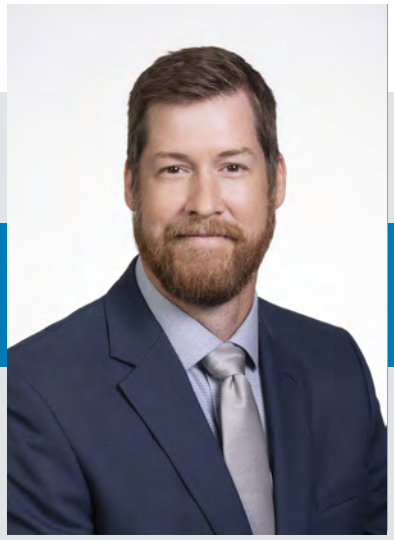
- *U.S. Water Services, Inc., et al. v. Novozymes A/S, et al.* (W.D. Wis.) (represented plaintiff in patent infringement litigation involving phytase enzymes).
- *Kurita America Inc. v. BASF Corp., et al.* (N.D. Ill.) (represented plaintiff in patent infringement litigation involving phytase enzymes).
- *Direct Supply, Inc. v. Park Supply of America, Inc.* (E.D. Wis.) (represented plaintiff in trademark infringement litigation).
- *Skillz Platform, Inc. v. AviaGames Inc.* (N.D. Cal.) (represented defendant in patent infringement litigation involving real-money mobile gaming platforms).
- *H-E-B, LP v. Wadley Holdings, LLC, dba nICE Coolers et al.* (W.D. Tex.) (represented plaintiff in patent infringement litigation involving portable coolers).
- *Krispy Krunchy Foods LLC v. Silco LLC* (E.D. Wis.) represented plaintiff in trademark infringement litigation).
- *VoIP-Pal.com, Inc. v. T-Mobile USA, Inc. (*W.D. Tex.) (represented defendant in patent infringement litigation involving telecommunications technology).
- *Illinois Tool Works, Inc. v. Chicago Laminating, Inc. (*N.D. Ill.) (represented defendant in patent infringement litigation involving lamination processes).
- *Johnson Health Tech Co., Ltd. v. Peloton Interactive, Inc.* (W.D. Wis., P.T.A.B.) (represented plaintiff in patent infringement litigation involving exercise equipment).
- *A.O. Smith Corp. v. Rheem Manufacturing Co.* (D. Del., N.D. Ga.) (represented plaintiff in patent infringement litigation involving water heaters).
- *MiBev Creations, LLC v. A.O. Smith Water Treatment (North America), Inc.* (W.D. Tex.) (represented defendant in patent infringement litigation involving filtered water dispensers).

Michael R. Laing

- *Allele Biotech. and Pharm., Inc. v. Regeneron Pharm., Inc. (*S.D.N.Y.) (represented plaintiff in patent infringement litigation involving isolated nucleic acid sequences encoding monomeric green/yellow fluorescent proteins).
- *Novo Nordisk Inc., et al. v. Mylan Pharm. Inc., et al.* (D. Del., N.D.W. Va.) (represented defendant in multi-district patent infringement litigation involving Ozempic®, semaglutide).
- *AstraZeneca AB, et al. v. Mylan Pharm. Inc., et al. (*Fed. Cir., D. Del., N.D.W. Va.) (represented defendant in patent infringement litigation involving Symbicort®, budesonide/formoterol).
- *Biogen International GMBH, et al. v. Mylan Pharm. Inc., et al.* (Fed. Cir., D. Del., N.D.W. Va., P.T.A.B.) (represented defendant in patent infringement litigation involving Tecfidera®, dimethyl fumarate).
- *Novartis Pharm. Corp. v. Accord Healthcare Inc., et al.* (Fed. Cir., D. Del.) (represented defendant in patent infringement litigation involving Gilenya®, fingolimod).
- *Horizon Pharma, Inc., et al. v. Mylan Pharm. Inc., et al.* (Fed. Cir., D.N.J., P.T.A.B.) (represented defendant in patent infringement litigation involving Vimovo®, naproxen/esomeprazole).
- *Otsuka Pharm. Co., et al. v. Mylan Labs. Ltd., et al.* (D. Del.) (represented defendant in patent infringement litigation involving Abilify®, aripiprazole).
- *Merck Sharp & Dohme B.V., et al. v. Mylan Pharm. Inc., et al.* (D. Del., N.D.W. Va.) (represented defendant in patent infringement litigation involving Bridion®, sugammadex).
- *Horizon Pharma USA, Inc., et al. v. Mylan Pharm. Inc., et al.* (D.N.J.) (represented defendant in patent infringement litigation involving Nexium®, esomeprazole).
- *Celgene Corp. v. Dr. Reddy's Labs. Inc., et al.* (D.N.J.) (represented defendant in patent infringement litigation involving Pomalyst®, pomalidomide).
- *Celgene Corp. v. Dr. Reddy's Labs. Inc., et al.* (D.N.J.) (represented defendant in patent infringement litigation involving Revlimid®, lenalidomide).
- *Apotex Inc. vs Mylan Specialty L.P.* (Del. Sup. Ct.) (represented defendant in complex commercial litigation involving Dymista®, azelastine/fluticasone).
- *Avion Pharm., LLC, et al. v. Granules Pharm., Inc.* (D. Del.) (represented plaintiff in patent infringement litigation involving Gloperba®, colchicine).
- *Pacira Pharm., Inc., et al. v. eVenus Pharm. Labs. Inc., et al.* (D.N.J.) (represented plaintiff in patent infringement litigation involving Exparel®, bupivacaine liposome injectable suspension).

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Jason W. Krueger

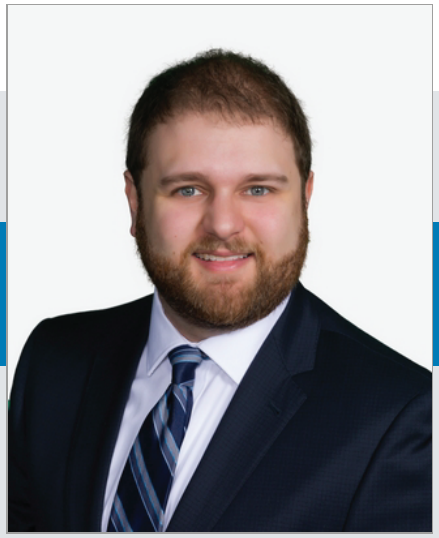


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Jason W. Krueger is a registered patent attorney and associate attorney at Andrus Intellectual Property Law. Jason's practice focuses on domestic and international patent prosecution, intellectual property strategy, portfolio management, and patentability and freedom-to-operate analyses, to help innovators and businesses protect and maximize the value of their inventions. Through strategic patent and intellectual property counsel, he helps clients identify opportunities, manage risk, and align their IP strategy with their business objectives.

Jason's bachelor's degrees in mechanical engineering and business administration, combined with his experience as a Master Electrician, give him a unique blend of technical, legal, and business experience. This multidisciplinary background enables him to quickly understand complex technologies and bridge technical, legal, and business perspectives to develop intellectual property strategies tailored to his clients' objectives

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Daniel P. Ochoa is a registered patent agent at Andrus Intellectual Property Law.

Daniel focuses his practice on assisting clients with preparing and prosecuting domestic and international patent applications, as well as conducting patentability searches and assessments. He has drafted and prosecuted dozens of patent applications related to a broad range of technology areas, including medical devices and imaging, control and automation applications, industrial vehicles and equipment, as well as other electrical and mechanical systems. Daniel has successfully represented a variety of clients, ranging from Fortune 500 companies to independent inventors, before the United States Patent Office.

Prior to his career as a patent agent, Daniel received a Bachelor of Science degree in Mechanical Engineering from the Milwaukee School of Engineering (MSOE). While at MSOE, Daniel interned at a precision water chiller manufacturer, where he supported the development of multiple product lines and manufacturing processes. He also worked as an intern developing and manufacturing high altitude weather balloon payloads. Daniel has engineering design experience relating to a variety of other technical areas as well, including aeronautics, rocketry, and electromechanical control systems.

Daniel also earned a Master of Science degree in Patent Law from the University of Minnesota Law School. His master's coursework included advanced training in various intellectual property topics, including patent prosecution, patent application drafting, and intellectual property portfolio management. Before joining Andrus, Daniel gained experience as a patent agent at a large multidisciplinary law firm.

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Clare M. Urbanski is a patent agent at Andrus Intellectual Property Law. Clare assists the attorneys in the preparation and prosecution of patent applications, as well as conducting prior art searches in support of opinions regarding patentability, non-infringement, and freedom to operate.

Prior to her work with Andrus as a patent agent, Clare received a Bachelor of Science in both Physics and Philosophy from Marquette University, graduating *magna cum laude* within the Honors College.

In her time at Marquette, she was a member of the MU4Gold Scholars Undergraduate Research Group, where she carried out independent physics research on the dynamics of ferromagnetic nanomaterials. Clare was awarded the Stephen Weinrich Memorial Award for outstanding performance within the Department of Physics at Marquette. She also participated in the Excellence in Leadership program at Marquette, through which she obtained a formal concentration in Leadership as well as completed her capstone project in science communication.

Membership
Sigma Pi Sigma (Physics Honors Society)