

Christopher R. Johnson

SENIOR COUNSEL

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Credentials

- Duke University
J.D., *magna cum laude*
Order of the Coif
Duke Law Journal
- Washington State University
M.S., Chemical Engineering
- University of Washington
B.S., Paper Science and Engineering, *cum laude*
- Law Clerk to the
Hon. Alvin A. Schall,
U.S. Court of Appeals, Federal Circuit
- Admitted to Practice
Texas
U.S. Patent and Trademark Office
U.S. District Courts for the Northern, Southern,
Eastern, and Western Districts
Federal Circuit Court of Appeals
Fifth Circuit Court of Appeals
U.S. Supreme Court

Chris's practice focuses on patent and intellectual property litigation. He has also represented clients in appellate matters involving intellectual property disputes.

Chris worked as a control systems engineer in Washington for six years before law school. He graduated from Duke Law School where he worked on the Duke Law Journal. He got his Master of Science in Chemical Engineering from Washington State University and his Bachelor of Science from the University of Washington.

Chris is recognized as a "Texas Super Lawyer" in Intellectual Property Litigation by *Thomson Reuters*. He is admitted to practice in Texas, the U.S. Patent and Trademark Office, the U.S. Court of Appeals for the Fifth Circuit and Federal Circuit, and the U.S. Courts for the Northern, Southern, Eastern and Western Districts of Texas.

Experience

- **Global Tubing v. Tenaris Coiled Tubes.** (SDTX) Obtained a complete defense victory in connection with seeking a declaratory judgment that Global Tubing's quench-and-tempered coiled tubing products – key to its business – did not infringe three Tenaris patents. Over the six-year dispute, we defeated several motions to dismiss, obtained a discovery ruling that used the crime-fraud exception to order Tenaris to produce attorney-client communications related to a key prior art document, and an opinion sanctioning Tenaris for violating the protective in prosecuting follow-on patents. The district court granted our client's motion for summary judgment and found all the patents unenforceable due to Tenaris's fraud on the Patent Office.
- **Lubrizol Specialty Products, Inc. v. Baker Hughes Company.** (SDTX) Defended Baker Hughes in patent infringement case and asserting antitrust claims against competitor Lubrizol related to a method of use of drag reducing agents (DRAs) in heavy, asphaltenic crude oil.
- **Legacy Separators v. Halliburton Energy Servs.** (SDTX) Represented Legacy in protecting patent for operation of downhole oilfield gas separator systems. At trial, we won a tort claim, and defeated all defenses and counterclaims, but the jury hung on whether Halliburton's systems infringe. Case settled successfully before the retrial. Opposing counsel: McKool Smith.

- **Polyzen, Inc. v. RadiaDyne, L.L.C.** Won a defense victory and defended it on appeal after a four-day jury trial in Raleigh representing RadiaDyne, the designer of medical balloons used in prostate cancer therapy. Before trial, the court dismissed all patent claims brought by the plaintiff, a medical balloon manufacturer. At trial, the jury unanimously found for our client on plaintiff's trade secret claim and its claim for unpurchased inventory. The jury also found that plaintiff breached the relevant contract, competed unfairly with our client, and failed to return tooling paid for by RadiaDyne. After a seven-year journey, the case resulted in a judgment for monetary damages for RadiaDyne. The Federal Circuit affirmed all aspects of the district court's judgment in RadiaDyne's favor.
- **Natural Polymer International Corporation v. Gambol Pet Group Co., Ltd., Gambol Pet USA, Inc., Hua Qin and Zhaowei Li.** (E.D. Tex.) Defending China-based pet treat company and its management from claims of trade secret misappropriation by a Texas-based pet treat company.
- **L.C. Eldridge Sales Co, Ltd., et al. v. Azen Manufacturing PTE., LTD., et al.** Successfully represented the plaintiffs at trial and on appeal. At trial, we obtained a unanimous jury verdict of patent infringement, willful infringement, no invalidity, and the full amount of lost profits for the plaintiff in a multi-defendant patent infringement suit concerning engine exhaust systems used on offshore oil rigs. Argued appeal defending judgment before the Federal Circuit, winning a full affirmance.
- **Maxus Strategic Systems, Inc. v. Aquamin LLC and Nirvana Systems, Inc.** Represented defendant Nirvana Systems in patent infringement case concerning virtual reality representations of stock market data. After obtaining a favorable Markman ruling, we filed a summary judgment motion that precipitated a favorable settlement.
- **In re TransData Smart Meter Patent Litig.** (WDOK) Defended Oklahoma Gas & Electric in multi-district litigation that alleged its smart meters infringed three patents. Client won a summary judgment, paving the way for the meter supplier also to settle. Opposing counsel: Haynes & Boone.
- **Celltrace Comm'ns v. Acacia Research.** (ICC) Client invented way to use text messaging to program cellphone smart cards. Patent assertion entity Acacia used client's patents for its own benefit, licensing them as part of portfolio-wide licenses and not sharing the revenue. ICC panel found for our client and awarded damages. Opposing Counsel: Stradling, Yocca, Rauth & Carlson.
- **SAE Towers, Inc. v. TransDesign International LLC, et al.** (Montgomery Co., Texas). Defended an engineering firm and its two principals in this misappropriation of trade secrets, conspiracy, and business disparagement action. The plaintiff claims that our client misappropriated certain software that is used to create fabrication drawings for lattice steel power line towers, and that the misappropriation resulted in over \$40 million in lost contracts. Plaintiff is seeking to collect these damages and to shut down our client's business. Yetter Coleman obtained multiple sanction orders against plaintiff, resulting in plaintiff twice attempting to remove its own case to federal court. Yetter Coleman kept the case in state court and is pressing dismissal when case settled favorably. Opposing counsel is Culpepper & Associates and Stibbs & Co. (Houston) and Dickinson Wright (Austin).

- **EON Corp. IP Holdings, LLC v. T-Mobile USA, Inc., et al.** Represented EON as appellate counsel to prepare for multiple jury trials in this multi-defendant patent infringement case concerning Wi-Fi and cellular networks. The case settled favorably with the multiple remaining defendants in the weeks leading up to trial.
- Represented a Fortune 50 energy company sued by a patent holding company that accused it of infringing a patent directed to computer-implemented systems and methods for selling utility services. We obtained a favorable Markman ruling and settled the case favorably.
- **Certain Integrated Circuits, Chipsets, and Products Containing Same Including Televisions, Media Players, and Cameras.** Prosecuted patent infringement case on behalf of Freescale Semiconductor in a three-patent International Trade Commission investigation involving semiconductor circuits and packaging technologies.
- **Lucent Technologies, Inc. and Multimedia Patent Trust v. Microsoft.** Represented Microsoft in a patent litigation dispute, culminating in a seven-week patent infringement trial. Plaintiff sought more than \$400 million in past damages on patent relating to MPEG and VC-1 video compression technology. Tried to jury verdict in April-June 2008. Jury found that Microsoft's products do not infringe and awarded no damages.
- **Alcatel USA Resources, Inc. v. Microsoft.** Represented Microsoft in a patent infringement litigation involving defending against computer networking patents. The matter also involved counterclaims for patent infringement and settled favorably before trial.
- **British Telecommunications v. Freescale Semiconductor, Inc.** Represented Freescale Semiconductor in a patent infringement litigation involving data compression patent that settled favorably.
- **Multimedia Patent Trust v. Microsoft.** Represented Microsoft against video coding patents asserted by Multimedia Patent Trust (MPT). MPT dismissed one patent after initial invalidity contentions.

Professional Honors & Affiliations

- "Texas Super Lawyer" in Intellectual Property Litigation, *Thomson Reuters*, 2013-2021, 2023-2024
- Member: State Bar of Texas

Presentations & Publications

- "A Brief History of Encryption," *TechNewsWork*, July 2010 (co-author)