



**PRICE HENEVELD<sup>®</sup>**

COOPER DEWITT & LITTON LLP

Intellectual Property Lawyers

**INTELLECTUAL  
PROPERTY  
LITIGATION**



While Price Heneveld's foundation is to secure protection on our clients' intellectual property, Price Heneveld's skilled and experienced litigators have won a reputation for achieving the best possible results at a reasonable cost.

We provide competent and aggressive, yet cost-effective advocacy, on behalf of our clients. Our litigation experience covers the entire spectrum of intellectual property, including patent, trademark, trade dress, copyright, trade secret, and related contractual or tort causes of action.

What makes Price Heneveld unique is the fact that we are an intellectual property boutique firm, where all its litigators have intellectual property prosecution experience. In fact, all of its litigators are registered patent attorneys before the U.S. Patent and Trademark Office. Price Heneveld is able to draw from litigators that have experience in both prosecution and litigation of trademarks and trade dress. In addition, with respect to patent litigation, Price Heneveld's experience in prosecution and litigation in life sciences, biotechnology, electrical engineering, chemical engineering, and mechanical engineering allows our attorneys to handle almost any type of patent litigation.

Price Heneveld's record of success makes it the firm to turn to when your business needs dictate going to trial as a part of your strategic objectives.

In our litigation practice, we pursue a strategy that consistently focuses on the key elements that will achieve positive results in the most cost-effective manner. In doing so, Price Heneveld remains aggressive and thorough, while remaining honest to the Court, the opposition, and our clients.

We staff our cases to fit the size and nature of the case. Price Heneveld has a variety of senior litigators, with technical expertise in a variety of arts. In addition, Price Heneveld has a variety of experienced litigators at lower billing rates that can be included in staffing a case. It is the flexibility of having a broad spectrum of varying technical expertise, as well as varying experience levels, that allow us to assemble a team to staff a case effectively within a client's budget.



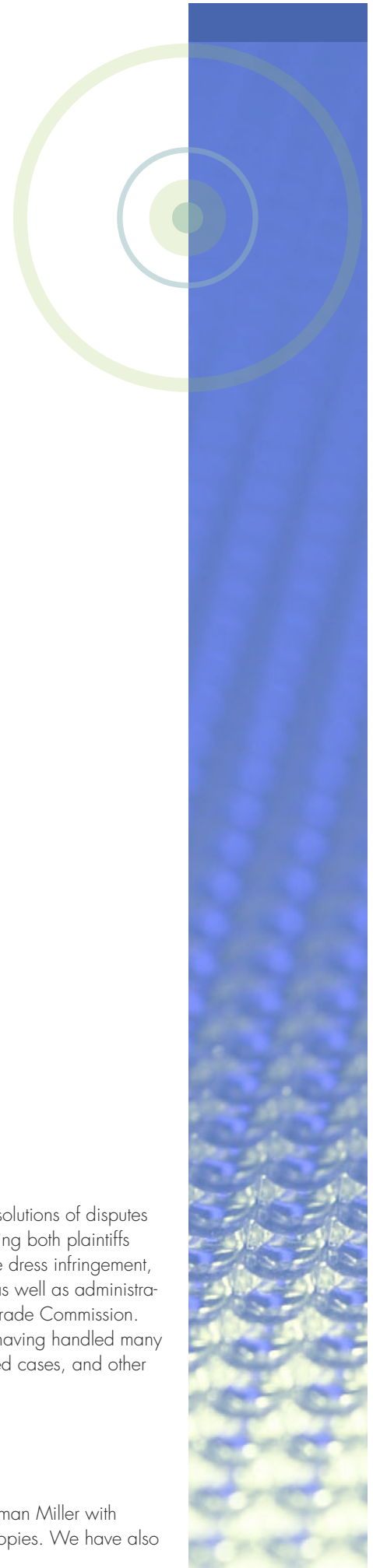
### **INTELLECTUAL PROPERTY LITIGATION SUCCESS**

We have handled cases for clients in a broad range of industries, and sought resolutions of disputes involving all types of intellectual property and related litigation matters. Representing both plaintiffs and defendants, we have tried patent infringement, trademark infringement, trade dress infringement, trade secret misappropriation, and copyright cases in Federal and State courts, as well as administrative bodies, such as the Patent and Trademark Office and the U.S. International Trade Commission. Price Heneveld has also garnered significant experience in the appeal process, having handled many appeals before the U.S. Court of Appeals for the Federal Circuit, for patent-related cases, and other Circuit Courts around the country for other types of intellectual property.



### **TRADEMARK/TRADE DRESS RECENT SUCCESSES**

Our recent successes in trademark/trade dress litigation include litigation for Herman Miller with respect to the Eames chair and ottoman, including preventing sale of infringing copies. We have also obtained advantageous settlements, avoiding the need and expense of trial.



## NOTEWORTHY CASES – SUCCESSFUL RESULTS

Cases illustrating some of our recent successes include:

- » Represented a pharmaceutical company accused of infringing combination drug patents, which patents were declared invalid as being obvious in light of, and one of the first cases applying, the recent *KSR* decision from the United States Supreme Court (S.D.N.Y. Case No. 05 Civ. 1321 (WHP) (2007 WL 1933931 (S.D.N.Y. July 2007); *aff'd*, Fed. Cir. Case No. 2007-1508).
- » Represented the same pharmaceutical company accused of infringing another set of four combination drug patents, which patents were declared and affirmed to be invalid as being obvious, even before the recent *KSR* decision. (E.D. Pa. Case No. 01-1100).
- » Represented an accused infringer in a patent case concerning a valve lifter guide. The Plaintiff/Patentee dismissed its case with prejudice, despite having filed a Motion for Preliminary Injunction, after receiving our Opposition to the Motion for Preliminary Injunction. (W.D. Mich. Case No. 1:07-cv-0191 GJQ).
- » Represented Schick Manufacturing, Inc. and related companies in patent infringement litigation with The Gillette Company concerning the Quattro, Mach3, Venus, and Intuition razors. (D. Mass. Case Nos. C.A. NO. 03-11514 (PBS) and 03-12455 (DPW); and D. Conn. Case No. 03:04CV00260 (PCD)).
- » Obtained summary judgment of non-infringement of a patent for automotive shifter housing (W.D. Mich. Case No. 1:02-CV-00420), *aff'd per curiam* (Fed Cir. Case No. 04-1453).
- » Represented the Complainant in a patent infringement case concerning zero-mercury-added alkaline batteries with the International Trade Commission, receiving a favorable determination from the Administrative Law Judge. This case is currently on appeal to the Federal Circuit. (U.S. ITC Investigation No. 337-TA-493).

## PATENT LITIGATION

We have handled patent litigation in many different Federal District Courts, including:

- ♦ Michigan
- ♦ Illinois
- ♦ Massachusetts
- ♦ Ohio
- ♦ Indiana
- ♦ Connecticut
- ♦ New York
- ♦ Pennsylvania
- ♦ Vermont
- ♦ Delaware
- ♦ Wyoming

Our experience also includes many patent interference matters before the U.S. Patent and Trademark Office, and successful appeals before the Federal Circuit. In addition, we have handled several patent litigation matters at the U.S. International Trade Commission. Our patent litigation docket covers a wide array of technologies, including:

- ♦ Batteries
- ♦ Razors
- ♦ Pharmaceuticals
- ♦ Nutritional Bars
- ♦ Heating, Ventilation & AC Valves
- ♦ Engine Components
- ♦ Refrigerator Components
- ♦ Cell Phone Chargers
- ♦ Wheel Assemblies
- ♦ Automated Pill Dispensers
- ♦ Medical Devices
- ♦ Vehicle Lifts
- ♦ Insecticides
- ♦ Hand Tools
- ♦ Automotive Shifter Housings

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695 KENMOOR SE  
PO BOX 2567

GRAND RAPIDS, MI 49501

**PHONE: 616.949.9610**

**FAX: 616.957.8196**

WWW.PRICEHENEVELD.COM