

Fisher Broyles

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Practice Areas: Antitrust Counseling; Intellectual Property; Intellectual Property Litigation; Licensing; Patent Prosecution; Patent Trial & Appeal Board; Technology; Trade Secrets

Bar Admissions: California; USPTO

Education: Washington University in St. Louis School of Law, JD, 2003; Washington University in St. Louis School of Engineering and Applied Science, MS in Computer Science, 2003; The University of Texas in Austin, Bachelor in Business Administration in Finance and Accounting, 2000

Experience: Orrick, Herrington & Sutcliffe LLP; Fenwick & West LLP

Over the past two decades, James has devoted his legal career to the specialized field of patent law, demonstrating a wealth of expertise across every facet of patent litigation and licensing. His comprehensive skill set encompasses licensing and settlement negotiations, pre-suit investigations, pleading stages, fact discovery, claim construction proceedings, infringement and invalidity contentions, expert discovery, summary judgment/determination motions, pre-trial motions, trials, post-trial motions, and appeals. Throughout his career, James has consistently delivered favorable outcomes for his clients, showcasing his prowess in navigating complex legal landscapes.

Noteworthy among his achievements, James successfully served as trial counsel for Acer in a United States International Trade Commission (ITC) Section 337 action, as well as two Federal Court actions initiated by Hewlett-Packard, where Acer emerged without any financial liability. In another instance, James served as legal counsel for Intel, Numonyx, and Sony Ericsson in a patent infringement action brought by an Acacia subsidiary targeting flash memory products, securing a summary judgment of non-infringement.

James also played a pivotal role in patent litigation before the ITC involving Tessera's semiconductor packaging technology, leading respondents Acer, Nanya, and Powerchip. Following a comprehensive two-week hearing, James achieved a notable finding of no violation by the full Commission on all

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asserted patent claims, coupled with a determination of patent exhaustion by the Administrative Law Judge.

Beyond his extensive patent litigation experience, James has demonstrated leadership in antitrust litigation. Notably, he led a team of lawyers representing Acer, Gateway, and eMachines in price-fixing cases related to Liquid Crystal Display, Optical Disk Drive, and Lithium-Ion Batteries. His strategic efforts resulted in securing settlements amounting to tens of millions of dollars. Additionally, James possesses substantial expertise in trade secrets litigation and patent prosecution, further enhancing his multifaceted legal acumen.

Furthermore, James has proven proficiency in *Inter Partes* Review and Post-Grant Review proceedings before the Patent Trial and Appeal Board, adding another layer to his comprehensive legal skill set. James has significant experience with various technologies, including computer networking, telecommunications, cryptography, computer architecture, semiconductor processing, semiconductor memories, semiconductor integrated circuits, semiconductor packaging, digital multimedia, software, and Internet technology.

While in law school, James was a member of the *Washington University Law Review*, where he served as its Articles Editor. James is registered to practice before the United States Patent and Trademark Office. He is a native speaker of Mandarin and has been a guest lecturer at Soochow University School of Law in Taiwan.