



### James M. Heintz

#### Partner

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James Heintz focuses on patent litigation and prosecution with an emphasis on electrical and computer technologies, including encryption technologies, conditional access television systems, computer operating system software, electronic train control and signaling systems, optical sensors, integrated circuits and semiconductors.

James has represented clients in patent litigation in the US involving a wide variety of technologies. Among them are satellite television systems, video processing, online computer gaming, telecommunications testing equipment and power tools. He also counsels clients regarding patentability, validity and infringement issues.

#### RELATED SERVICES

- Intellectual Property and Technology
- Patent Litigation
- Patent Prosecution and Strategic Patent Counseling
- Litigation, Arbitration and Investigations

#### EXPERIENCE

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#### REPRESENTATIVE CASES

- *Barkan Wireless IP Holdings, L.P. v. Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Verizon Communications, Inc. and Cellco Partnership d/b/a Verizon Wireless* – Represented Samsung in this patent infringement matter in the Eastern District of Texas regarding three patents relate to cellular networks. The case settled favorably before trial
- *Representing a US-based software company in managing its patent portfolio regarding cutting-edge human-computer interaction technologies*
- *Represented a security systems company in successfully developing a litigation strategy to enforce licensed patent technology, and prevailed upon a fully-favorable claim construction*
- *Certain Obstructive Sleep Apnea Treatment Mask Systems and Components Thereof (337-TA-1136)* – Represented ResMed and its entities in the ITC as part of a multijurisdictional suit in the US, UK, Germany, Australia and New Zealand regarding sleep apnea devices. The matter concluded favorably
- *Applied Signal Technology v. ViaSat et al*: Represented plaintiff in Northern District of California patent litigation involving satellite signal processing technology. Case is ongoing
- *Vellata v. Oracle*: Represented defendant in Central District of California patent litigation involving Internet telephony technology. Case settled after plaintiff dedicated its patents to the public

- *Hewlett-Packard v. Acer*: Represented plaintiff in ITC trial involving patent for monitor resolution technology. Case settled after trial but before decision
- *Northrop Grumman v. ITT*: Arbitration involving electronic countermeasures technology. Arbitration settled
- *New Medium Technologies, LLC v. Miranda Technologies, Inc.*: Represented defendant in Northern District of Illinois in patent litigation involving video technology. Case settled on favorable terms prior to trial
- *Thomas v. EchoStar Satellite*: Represented defendant in Western District of N.C. in patent litigation involving conditional access technology. The patent focused on smart card technologies for set top boxes. Case settled on favorable terms after grant of motion for summary judgment on laches and favorable Markman decision for defendant
- *Irdeto v. EchoStar Communications*: Represented defendant in District of Colorado in patent litigation involving encryption technology. The patents focused on encryption key management and generation techniques. Case settled on favorable terms after summary judgment of non-infringement on main patent was upheld by Federal Circuit
- *Ryobi v. Porter-Cable*: Represented defendant in Northern District of Illinois in patent litigation involving laser guide technology for power tools. Case settled on favorable terms prior to trial
- *Lewis v. Boss Media*: Represented defendant in District of Nevada in patent litigation involving video technology. Case settled on favorable terms prior to trial
- *IPPV v. EchoStar*: Represented defendant in District of Delaware. The patents focused on pseudorandom bit stream generation and conditional access system credit management techniques. Case settled on favorable terms after trial during pendency of appeal

## CREDENTIALS

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### Admissions

- District of Columbia
- New York
- United States Patent and Trademark Office
- Virginia

### Recognitions

*Chambers USA* has repeatedly recognized James. They highlight he is "highly respected for his knowledge of electrical and computer technologies. Clients particularly applaud his 'great presence and a firm grasp of his subject matter'...[h]e is praised as 'an absolute expert,' with 'incredible' responsiveness and 'impeccable' attention to detail." "He has a special skill set of really understanding the technology. He consistently finds amazing points to invalidate patents asserted against us." James is "excellent at providing quick, prompt and very responsive services and advice. He understands the industry—he knows where it's going and he's forward-thinking in understanding our product and direction."

James is also recognized by Docket Navigator as a top five PTAB lawyer in the US representing petitioners (2019 Year In Review report), and repeatedly highlighted in the IAM Patent 1000 where they highlight he is "among the most technically savvy patent litigators around thanks to years of prosecution experience" and is "wonderful at translating complicated ideas – be they technical or legal – into straightforward, on-point explanations".

### Education

- J.D., St. John's University 1996  
*magna cum laude*
- B.S.E.E., State University of New York at Stony Brook 1988

### Courts

- Supreme Court of the United States

- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Federal Circuit
- United States District Court for the District of Columbia
- United States District Court for the District of Maryland

## INSIGHTS

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### Publications

#### ***Wasica v. Schrader*: IPR estoppel can include system prior art – key takeaways**

11 February 2020

This case raises a few interesting points for practitioners and companies involved in patent litigations and IPRs.

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#### **PTAB Judges appointment unconstitutional**

6 November 2019

The Federal Circuit held that the way in which the Administrative Patent Judges at the PTAB were appointed violates the Appointments Clause of Article 2 of the Constitution.

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#### **Current developments in the trilateral patent offices**

22 Mar 2011

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#### ***Bilski's* impact on finance industry patents**

6 Oct 2010

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- *Wasica v. Schrader*: IPR estoppel can include system prior art – key takeaways, 11 February 2020
- PTAB Judges appointment unconstitutional, 6 November 2019
- USPTO issues final rule on claim construction standard, 15 Oct 2018
- Supreme Court Corner Q2 2018, 28 Jun 2018
- US Supreme Court rules on two key patent cases: *Oil States* and *SAS Services* – key takeaways, 27 Apr 2018
- "High Court Seems Poised To Confirm Constitutionality Of IPR," *Law360*, 29 NOV 2017
- Current developments in the trilateral patent offices, 22 Mar 2011
- *Bilski's* impact on finance industry patents, 6 Oct 2010

### Events

### Previous

#### **While you were sheltering: Recent developments in the patent litigation landscape**

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## NEWS

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### 25 DLA Piper lawyers in 9 countries recognized as world's leading patent professionals

15 October 2020

*IAM Patent 1000: The World's Leading Patent Professionals 2020* has named 25 DLA Piper lawyers in nine countries to its list of top patent professionals.

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## MEDIA MENTIONS

"34 DLA Piper lawyers in nine countries ranked among The World's Leading Patent Professionals," *DLA Piper*, October 30, 2019