



→ Robert M. Masters

Partner

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Robert Masters is a partner in the Intellectual Property Practice Group in the firm's Washington, D.C. office.

Areas of Practice

Robert has served as first-chair, lead trial counsel in a number of complex intellectual property litigations. He routinely handles patent, trade secret and counterfeit matters covering a broad range of technologies in courts throughout the U.S. and before the International Trade Commission ("ITC"). He also has extensive experience in post-grant reviews before the U.S. Patent Trial and Appeal Board.

With 30 years of experience, Robert has a demonstrated record of success exemplified by the recent \$38.6 million jury verdict he obtained for Qorvo in a trade secret/patent infringement matter against competitor Akoustis in the U.S. District of Delaware. His successful representation of Bridgestone Sports against Titleist involving patent infringement claims covering the design and manufacture of golf balls is recognized, and featured as the lead introductory case study, in the book: Blaxill, Mark, and Ralph Eckardt. *The Invisible Edge: Taking Your Strategy to the Next Level Using Intellectual Property*. Portfolio, 2009. In yet another matter, Robert successfully defended and obtained a clean sweep for his client, Nidek, against multiple competitors in multiple U.S. district courts and the ITC involving excimer lasers for vision correction.

Robert's matters routinely involve complex technologies including consumer electronics; semiconductor designs/processes; computer hardware, software, including artificial intelligence and apps for smartphones and tablets; secured internet/network communications and protocols, including Internet of Things (IoT) and telecommunications; industrial equipment, including welding and cutting equipment; financial services and technology (fintech); automotive; medical devices; and sporting goods, including golf equipment, among many others.

To round out his practice, Robert regularly advises clients on intellectual property licensing, negotiations, due diligence investigations, portfolio management and monetization, combating counterfeiting issues, best corporate IP practices, and on intellectual property issues arising in corporate mergers and acquisitions matters.

Honors

Litigator of the Week Runner-ups, *ALM* in May 24, 2024 for winning the \$38.6 million jury verdict for Qorvo against rival Akoustis.

Leading Individual - Intellectual Property, *Chambers USA*

Leading Lawyer - Patent Litigation, *Legal 500*

Experience

Recent Representations:

- Lead counsel for Qorvo, Inc. in a trade secret and patent infringement matter involving bulk acoustic wave filters against competitor Akoustis, Inc.. After a two-week jury trial in the U.S. District of Delaware, the jury returned a verdict in favor of Qorvo finding that Akoustis had willfully and maliciously misappropriated 39 of Qorvo's trade secrets and infringed two patents. The jury awarded \$38.6 million in monetary damages. In post-trial motions, the Court awarded Qorvo its attorneys' fees, pre- and post-judgment interest, and a permanent injunction.
- Lead counsel for Aretech in a ten patent infringement matter filed by its competitor and plaintiff, Bioventus. After overcoming a motion to dismiss Aretech's counterclaims against the plaintiff, the case settled on terms favorable to Aretech.
- Lead counsel for GDEP, a Gardner Denver company, in a patent infringement litigation matter involving design of fluid ends of an oil and gas pump. After a successful claim construction ruling and defeating a motion for summary judgment filed by the defendant, the case settled on terms favorable to GDEP.
- Lead counsel for two European manufacturers (Feinmetal and TechnoProbe) of semiconductor testing devices and probes in a patent infringement matter, and defending their patent before the Patent Trial and Appeal Board.
- Lead counsel for uCloudlink Co., Ltd., a Chinese telecommunication company, in a patent infringement matter involving mobile SIM sharing technologies, and defending their patents before the Patent Trial and Appeal Board.
- Lead counsel for Gas Control Equipment in a patent infringement matter involving portable oxygen concentrator. After two years of litigation, the case settled on terms favorable to GCE.
- Lead counsel for leading ESAB Group, Ltd. in an international arbitration under the ICC in Zurich, Switzerland. The case involves allegations of breach of technology and license agreements involving the manufacture and sale of consumable welding equipment.
- Lead counsel for an Asian joint venture entity in a matter involving the licensing of optical disk drives and related components, including issues of standard essential patents (SEPs) and fair, reasonable and non-discriminatory licensing (FRAND) agreements.
- Lead counsel for Wacom Co., Ltd., a Japanese consumer electronics company, to assist in the enforcement and licensing of its standard essential patent portfolio and representation of the company before a standard setting organization on technology relating to stylus and touch displays.
- Counseled a multi-billion dollar company in an over-haul of its intellectual property department by utilizing IP corporate best practices and strategies to institute new policies and practices to build and maintain a robust patent/trademark portfolio.
- Lead counsel for a Japanese company in a series of inter partes reviews (IPRs) of several patents directed to semiconductor design/process patents.
- Lead counsel for Japanese company in several matters defending its semiconductor-related patents before the Patent Trial and Appeal Board.

- Lead counsel for Pacific Bioscience, a L'Oreal company, in a patent and trade dress infringement matter involving the company's highly successful line of Clarisonic products. In this matter, we represented Pacific Bioscience in actions filed in U.S. District Court and the U.S. International Trade Commission to stop the importation of counterfeits and infringing devices by over 20 companies into the U.S., and to obtain a general exclusion order against all other infringing products.
- Lead counsel for ESAB Group, Inc., a subsidiary of Colfax Corporation, in a matter involving claims of infringement of 11 patents and breach of contract/license agreement. The technology involved welding and cutting equipment. The case was filed against our client in the Eastern District of Wisconsin. After extensive discovery, we successfully resolved the case on terms favorable to our client.
- Lead counsel for Motivate and New York City Bike-Share in patent/copyright infringement and trade secret/employment matters against one of its competitors involving the successful bike-sharing technology deployed in New York and other cities across the U.S.
- Lead counsel for Cesca Therapeutics in a patent infringement matter involving point-of-care blood separation devices used to process and prepare cell concentrates from blood and bone marrow aspirates, and antitrust claims related to the filing of a sham litigation.
- Co-lead counsel for Samsung in a patent infringement matter involving chipsets used in smartphones and tablets.
- Lead counsel for several major investors in DeltaWing Technologies, an innovator in the design of narrow-front-track automobiles, in matters involving theft of trade secrets and defamation.
- Lead counsel for Waddell & Reed Financial in a patent infringement matter involving the interpretation of a general public license used for open source software and a copyright infringement action involving the right to use accounting software.
- Lead counsel for BMO Harris, N.A. in several patent infringement actions involving check imaging, authentication methods and secure communications and methods of payment across websites from smartphone and related apps.
- Lead counsel for NEC Corp. and NEC Corp. of America in patent infringement actions involving computer servers and network communications, protocols and establishing secure communications.
- Lead counsel for Flexsys America, LP in a patent infringement action involving antidegradants used for tires and other rubber products.
- Lead counsel for Japanese manufacturer in a patent infringement action involving semiconductor memory devices.
- Lead counsel for leading companies, including Ford Motor Company, Goldman Sachs, Petco, Johnson & Johnson, GlaxoSmithKline, Delta Airlines, AstraZeneca Pharmaceuticals LP and others in a series of patent infringement actions involving authenticating and securing communications over a network.
- Lead counsel for HTI IP, LLC and Networkfleet, Inc. in a patent infringement matter involving vehicle telematics.
- Lead counsel for Konami Digital Entertainment in a patent infringement matter involving musical video games, including Rock Band® and Rock Revolution® rhythm games.
- Lead counsel for Bridgestone Sports Co., Ltd. in a patent infringement action against Acushnet Company ("Titleist") involving Titleist golf balls. The successful representation of Bridgestone Sports in this case was featured as the lead story in the book: Blaxill, Mark, and Ralph Eckardt. *The Invisible Edge: Taking Your Strategy to the Next Level Using Intellectual Property*. Portfolio, 2009.

- Lead counsel for several Japanese manufacturers of consumer goods in patent infringement actions involving facsimile machines enabled to communicate via emails; digital photo processing; and LCD-based projectors.

Articles

- Practice tips for combatting counterfeiters: an action plan for brands, manufacturers and retailers
World Trademark Review, 04.01.2021
- Federal Circuit Makes It More Difficult for Accused Infringers to File Declaratory Judgment Actions
IP Litigator, July/August 2020
- Intellectual Property Outlook: Cases and Trends to Follow in 2020
IP Litigator, May/June 2020
- The Advent of 5G Cellular Technology Will Amplify Inefficiencies in the Licensing of Standard Essential Patents
Corporate Counsel, 01.17.2020

Intellectual Property Law Blog Posts

- "Companies Should Take Notice of the Extraterritorial Reach of U.S. Trade Secret Law," November 14, 2024
- "Intellectual Property Outlook: Cases and Trends to Follow in 2020 – PART 4," March 25, 2020
- "Federal Circuit Makes It More Difficult for Accused Infringers to File Declaratory Judgment Actions," March 17, 2020
- "Intellectual Property Outlook: Cases and Trends to Follow in 2020 – PART 3," March 4, 2020
- "Intellectual Property Outlook: Cases and Trends to Follow in 2020 – PART 2," February 3, 2020
- "Intellectual Property Outlook: Cases and Trends to Follow in 2020 – PART 1," January 17, 2020

Media Mentions

No New Trial For Akoustis After \$39M Trade Secret Case Loss
Law360, 11.01.2024

Qorvo Wins \$11.7 Million in Attorneys Fees in Akoustis IP Suit
Bloomberg Law, 09.10.2024

Qorvo Gets Nearly \$12M In Fees After \$39M Trade Secrets Win
Law360, 09.09.2024

Litigator of the Week Runner-Up and Shout Outs
The American Lawyer, 05.24.2024

Qorvo Wins \$38.6M In Akoustis Trade Secrets And Patent Trial
Law360, 05.17.2024

Events

10th Annual HNBA/VIA Intellectual Property Institute
Washington, D.C., 06-05-2022 - 06-10-2022

Patent Disputes: Issues and Trends to Watch in 2022
01.31.2022

Combating Counterfeits
Webinar, 06.17.2021

Five Keys to Successful IPR Petitions
Webinar, 01.27- 01.28.2021

Retail Law Conference 2020
Retail Industry Leaders Association
October 20-22, 2020

Podcasts & Webinars

Combating Counterfeits
06.17.2021

Nota Bene Episode 99: Unpacking the Pendulum of American Patent Policy Then, Now, and Forward with Rob Masters
09.30.2020

Practices

Entertainment, Technology and Advertising

Healthcare

Intellectual Property

Copyrights

False Advertising, Lanham Act and Unfair Competition

International Trade Commission (ITC)

IP Licensing, Technology and Commercial Transactions

Patent Litigation

Patent Prosecution and Counseling

Post-Grant Proceedings

Trade Secrets

Trademarks and Trade Dress

International Arbitration

International Reach

China

Japan

Korea

Litigation

Industries

Esports & Games

Semiconductors

Education

J.D., University of Baltimore, 1990

B.S., Pennsylvania State University, 1985

Admissions

District of Columbia

Maryland

U.S. Patent and Trademark Office

U.S. District Court for the District of Columbia

U.S. District Court for the District of Maryland

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Eastern District of Wisconsin

U.S. Court of Appeals for the Federal Circuit