



*A trial attorney and patent litigator who has split his career equally between private practice and serving as an Assistant U.S. Attorney, Helms has fifteen years' experience in intellectual property law and in federal criminal and civil litigation.*

#### Practice Areas

- Patent Litigation
- Intellectual Asset Portfolio Management
- Technology Licensing
- *Inter partes* Reviews (PTAB)
- White-Collar Defense
- False Claims Act

#### Bar Admissions

- Illinois
- Michigan

#### Admissions to Courts

- U.S. Supreme Court
- U.S. Dist. Ct. (ND Illinois), Trial Bar
- U.S. Dist. Ct. (ED Michigan)
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Patent and Trademark Office

#### Organizations

- The Richard Linn American Inn of Court
- Michigan IP Inn of Court
- Detroit Bar Association, Inn of Court
- Federal Bar Association, ED Michigan

Brandon Helms joined AddyHart P.C. as a partner in July 2022 with 15 years of experience as an attorney in government and private practice. Most recently, Helms served for eight years as an Assistant U.S. Attorney in the Eastern District of Michigan, where he acted on behalf of the United States in both criminal and civil litigation.

At the U.S. Attorney's Office in Detroit, Helms' work included investigating and prosecuting criminal cases in complex health care fraud, immigration fraud, and white-collar crime such as bank fraud involving U.S. Small Business Administration (SBA) loans and grants. He also investigated, negotiated, and litigated cases under the False Claims Act and defended federal agencies and employees in civil suits alleging excessive force, medical malpractice, and employment discrimination. During his tenure, Helms first-chaired three multiple-week jury trials, drafted appellate briefs, and argued at the U.S. Court of Appeals for the Sixth Circuit.

Prior to that, Helms spent three years as a senior associate at AmLaw 100 firm Steptoe & Johnson LLP in Chicago, where he first-chaired and second-chaired multiple jury and bench trials in federal court; litigated patent infringement actions involving semiconductor technology; litigated Hatch-Waxman (ANDA) cases on behalf of generic drug companies; drafted discovery documents, motions, and briefs through all phases of district court and appellate litigation; and took and defended depositions of fact and expert witnesses.

Helms began his legal career at intellectual property law firm Brinks Gilson & Lione (now Crowell & Moring), first as a summer associate and then for four years as an associate. He represented companies in patent infringement cases, particularly generic drug companies in Hatch-Waxman lawsuits, and prepared, filed, and prosecuted utility and design patent applications.

Throughout his career, Helms has prioritized pro bono service. At Steptoe, he initiated the firm's involvement with the Domestic Violence Legal Clinic. He has also represented pro bono clients in Title VII discrimination lawsuits. Helms earned his J.D. at DePaul University College of Law, where he was an associate editor of the *DePaul Law Review*. He earned a B.A. in chemistry from Carthage College in Kenosha, Wisconsin.

**Education**

- J.D., DePaul University College of Law, 2007, summa cum laude
- B.A. Chemistry, Carthage College, 2004

**Representative Litigation**

- *Meta Platforms Inc. v. Thales Visionix, Inc.* Represent patentee Thales Visionix, Inc. in defense of eight *inter partes* reviews filed by Meta Platforms Technologies on Thales’ portfolio of patents related to interactive gaming.
- *Gentex Corporation, et al. v. Meta Platforms Technologies, LLC* 22-cv-08392 (N.D. Cal. 2022). Represent plaintiff Thales Visionix, Inc. in litigation against Meta for infringing five patents related to interactive gaming.
- *Jump Rope Systems LLC v. Coulter Ventures LLC d/b/a Rogue Fitness* (S. Ct. 2022). Represented Fair Inventing Fund—a nonprofit inventor advocacy organization—as *amicus curiae* in support of Jump Rope’s petition for certiorari, asking the U.S. Supreme Court do away with the Federal Circuit’s application of collateral estoppel to prevent a patent infringement suit brought on a patent previously held unpatentable at the PTAB and affirmed on appeal, because the “clear and convincing” standard required to invalidate a patent in the district court is materially higher than the “preponderance of evidence” standard applied in the PTAB.
- *United States v. Benchick*, No. 13-20453. Prosecuted through trial and appeal a defendant who committed bank fraud and wire fraud related to mortgage transactions.
- *Kellom v. Quinn*, No. 19-11622 (E.D. Mich.). Represented ICE agent wrongly accused of excessive force through trial and appeal.
- *AstraZeneca LP v. Breath Ltd. et al.*, No. 08-1512 (D.N.J.). Represented international pharmaceutical company in patent litigation through trial under the Hatch-Waxman act related to budesonide inhalation suspension, sold by AstraZeneca as Pulmicort Respules® to treat asthma in children.
- *Allergan v. Apotex, et al.* (M.D.N.C. 2012). Represented international pharmaceutical company in patent litigation through trial under the Hatch-Waxman Act related to bimatoprost, sold by Allergan as Latisse® for hypotrichosis.
- *Allergan v. Sandoz Inc.* (D. Del. 2011). Represented international pharmaceutical company in patent litigation through trial under the Hatch-Waxman Act related to bimatoprost, sold by Allergan as Lumigan® for glaucoma.



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