



## Robert P. Hart

J.D., LL.M.

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### practice areas

Appeals Representation

Corporate

IP & Commercial Litigation

Inter Partes Reviews (PTAB)

Transactions and M&A

Technology Licensing

Securities Law

Entertainment Law

Regulatory Compliance

Robert Hart, co-founder of AddyHart, LLC., has more than 30 years' experience in private practice and as in-house counsel. He represents companies through all phases of their growth and development, and specializes in handling both routine and complex corporate and intellectual property issues. Robert's corporate law experience includes counseling companies on entity formation, compliance and corporate governance, securities filings, transactional matters and mergers and acquisitions.

Robert has wide and deep experience in intellectual property law. With a technical background in chemical and petroleum engineering, computer science, and electrical engineering, his IP practice includes patent application drafting and related prosecution, trademark prosecution, copyright practice, and the development and implementation of trade secret programs. His clients span diverse industries, from high-technology hardware and software to consumer products in the sporting goods industry to service companies.

Robert also offers a full-service domestic and international transactional practice that includes negotiating and drafting technology licenses, master supply and manufacturing agreements, joint-venture and mergers and acquisition agreements, and contracts such as tooling, distributor, and reseller agreements.

His litigation practice includes all aspects ranging from pre-filing advice to trials and appeals in state and federal courts. He also has experience with domestic (JAMS) and international arbitrations, such as before the China International Economic and Trade Arbitration Commission (CEITEC), the Hong Kong International Arbitration Centre (HKIAC), and the International Chamber of Commerce, and he has handled breach of contract

matters as well as complex patent, trademark and copyright litigations.

Robert began his career in the petroleum industry, before earning his J.D. He lectures frequently on a variety of business and legal topics. From 1994 until 2003, he co-taught Masters Classes for lawyers in Appellate Brief Writing and Appellate Advocacy at the John Marshall Law School with the Honorable Paul R. Michel, Former Chief Judge, U.S. Court of Appeals for the Federal Circuit. He has also taught trial practice for lawyers at Chicago Kent College of Law.

## representative cases before the U.S. Supreme Court and Federal Circuit

- *Wildcat Licensing WI LLC v. Atlas Copco and Assembly Systems, LLC, General Motors, LLC, Faurecia Automotive Seating, LLC and Magna Int'l Inc.* (Fed. Cir. 2022). Represent appellant on appeal of a decision where the PTAB invalidated two Reissue patents related to automotive component manufacturing.
- *Sisvel International S.A. v. Cradlepoint Inc., Dell Inc., Sierra Wireless, Inc. Thales DIS AIS Deutschland GmbH, ZTE Corp., & ZTE (USA) Inc.* (Fed. Cir. 2022). Represent appellee Thales DIS AIS in five appeals from successful *inter partes* reviews where the PTAB struck down the challenged claims relating to wireless solutions in cellular 3G systems.
- *In re Fatigue Fracture Technology Tech.* (Fed. Cir. 2020). Represented patent owner on appeal of an adverse decision at the PTAB on an ex partes reexamination filed on a patent related to automotive equipment.
- *Navistar Inc. v. Fatigue Fracture Tech.* (Fed. Cir. 2019). Represented patent owner on appeal of an adverse decision at the PTAB in an *inter partes review* (IPR) filed on a patent related to automotive manufacturing process.
- *Shure Incorporated v. Clear One, Inc.* (Fed. Cir. 2019). Represented patent challenger on appeal of an adverse PTAB decision relating to beamforming in microphones.
- *Sophos v. RPost* (Fed. Cir. 2018). Represented patentee on appeal of an adverse district court validity decision.
- *Bose v. JBL* (Fed. Cir. No. 02-1282 2002). Managed litigation team on appeal to the U.S. Court of Appeal for the Federal Circuit regarding the constitutional patent issue of whether the primary jurisdiction of the USPTO requires a district court to stay a co-pending patent infringement litigation.

- *JBL v. Bose* (S.Ct. No. 02-46; U.S. 2002). Managed litigation team on petition for writ of certiorari to the U.S. Supreme Court to review conflicting precedent relating to patent infringement doctrines.

## representative cases in trial courts

- *Preferred Utilities Manufacturing Corp. v. ISP Automation, Inc.* (NJ 2023) Represent plaintiff in a patent infringement case.
- *Holly Y. Li v. Apogee Law Group P.C.* (CA 2023). Obtained a \$100,000 JAMS arbitration award on behalf of respondent, including a \$57,980.06 sanction award, in a breach of contract case.
- *KP Innovations 2, LLC v. Samsung Electronics Co., Ltd.* (W.D. Tex.) Represent plaintiff patentee in infringement litigation on patent for smartphones.
- *DH International Ltd. v. Apple Inc.* (W.D. TX 2023) Represent patentee asserting a patent infringement case against Apple's Apple Pay mobile payment system.
- *Soteropoulos and Tadipatri v. Round Finance and FanCraze* (D.C. Del. 2023). Represent plaintiffs alleging breach of fiduciary duties, intentional interference with a prospective economic advantage, conversion, fraud and unjust enrichment.
- *PerDiemCo. v. RM Acquisition d/b/a Rand McNally* (N.D. Ill.). Represent patentee asserting geofencing and electronic logging devices (ELD).
- *Kevin Sickles v. Microwave Packaging Technology, Inc. et al.* (Sup. Ct. Cali. 2021) Represented defendant and cross-complainant in a corporate breach of fiduciary duty, trade libel, tortious interference with prospective economic advantage, fraud and collection of a debt where the parties resolved their dispute in a mutually satisfactory settlement.
- *Centre de Recherche Medico Dentaire v. Digital Smile Design et al.* (S.D. Fla. 2020). Represent patentee asserting a patent covering smile design systems.
- *Thales Visionix, Inc. v. United States and Elbit Systems of America.* (Court of Federal Claims) Represented defense contractor-plaintiff patentee in litigation about technology supporting the inertial navigation system in pilot helmets in the F-35 Joint Strike Fighter. Settled on terms favorable to client.

- *Triple T Enterprises v. KFC, Inc., Grubhub Inc., and Postmates Inc.* (D. Idaho 2019). Represented holder of Smoky Mountain family of trademarks in assertion of trademark infringement against fast food company and associated delivery companies. Settled on terms favorable to client.
- *Kavod Pharma. & Kavack Pharma. v. Apex Pharmaceuticals, Inc.* (D. N.J. Bank.). Represented pharmaceutical company as creditor in adversarial action proceeding in bankruptcy court.
- *Sidel, Inc. et al. v. ACMI, Inc. et al.* (N.D. GA 2018). Obtained a favorable settlement on behalf of plaintiffs in a patent litigation case with corresponding litigations against the same defendants in France and Italy.
- *Sidel, Inc. et al. v. Alliance Industrial Corporation* (W.D. VA 2018). Obtained a favorable settlement on behalf of plaintiffs in a patent litigation case.
- *GGEC America v. Stelle, LLC* (CA 2015). Obtained a \$1.27 million JAMS arbitration award on behalf of claimant in a breach of contract case.
- *Victoria Rodriguez v. Vizio, Inc. et al.* (S.D. CA 2015). Obtained a dismissal with prejudice with no settlement on behalf of two of the defendants.
- *Winvic Sales, Inc. and NII Northern International Inc. v. MerchSource, LLC* (N.D. IL 2013). Resolved patent infringement case on favorable terms.
- *PowerSav, Inc. v. Thermal Technology LLC* (CA 2012). Litigated and obtained very favorable settlement in a breach of contract case for defendant.
- *Patent Harbor LLC v. Harman International et al.* (E.D. TX 2010). Settled patent infringement lawsuit on extremely favorable terms.
- *ClearOne Communications v. Harman Professional et al.* (Utah 2007). Resolved trade secret lawsuit.
- *ClearOne Communications v. Andrew Chiang et al.* (D. Utah 2007). Obtained dismissal of trade secret lawsuit.
- *Traffic Information v. Alpine Electronics of America et al.* (E.D. Texas 2008). Litigated and successfully settled patent infringement lawsuit.
- *Massachusetts Institute of Technology v. Harman International* (D. Mass 2005). Litigated and favorably settled patent litigation with a potential damages liability greater than \$30 million.

- *Harman International v. Brookstone* (C.D. Cal. 2007). Litigated and negotiated favorable trademark litigation settlement including payment of monetary damages by Brookstone.
- *Harman International v. Jasco Products* (W.D. Okla. 2004). Litigated patent infringement lawsuit that was resolved with a favorable royalty-bearing patent license.
- *Zeevi v. Pioneer North America et al.* (C.D. Cal. 2003). Favorably settled lawsuit with a potential liability greater than \$10 million.
- *Harman International v. PC Club et al.* (E.D. Va. 2002). Litigated patent infringement lawsuit resulting in shutting down more than 25 infringers.

## representative PTAB litigation

- *Preferred Utilities Manufacturing Corp. v. ISP Automation, Inc.* (NJ 2023) Represent plaintiff in a patent infringement case.
- *Holly Y. Li v. Apogee Law Group P.C.* (CA 2023). Obtained a \$100,000 JAMS arbitration award on behalf of respondent, including a \$57,980.06 sanction award, in a breach of contract case.
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- *Triple T Enterprises v. KFC, Inc., Grubhub Inc., and Postmates Inc.* (D. Idaho 2019). Represented holder of Smoky Mountain family of trademarks in assertion of trademark infringement against fast food company and associated delivery companies. Settled on terms favorable to client.
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- *Sidel, Inc. et al. v. ACMI, Inc. et al.* (N.D. GA 2018). Obtained a favorable settlement on behalf of plaintiffs in a patent litigation case with corresponding litigations against the same defendants in France and Italy.
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- *Traffic Information v. Alpine Electronics of America et al.* (E.D. Texas 2008). Litigated and successfully settled patent infringement lawsuit.
- *Massachusetts Institute of Technology v. Harman International* (D. Mass 2005). Litigated and favorably settled patent litigation with a potential damages liability greater than \$30 million.
- *Harman International v. Brookstone* (C.D. Cal. 2007). Litigated and negotiated favorable trademark litigation settlement including payment of monetary damages by Brookstone.
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- *Zeevi v. Pioneer North America et al.* (C.D. Cal. 2003). Favorably settled lawsuit with a potential liability greater than \$10 million.
- *Harman International v. PC Club et al.* (E.D. Va. 2002). Litigated patent infringement lawsuit resulting in shutting down more than 25 infringers.

## representative transactions

- Represented seller in a pharmaceutical asset sale.
- Represented investor group in a \$2 million debt and equity transaction.
- Represented startup in a \$2.5 million Series A preferred stock offering.
- Represented startup in a \$3 million Series A preferred stock offering.
- Represented startup in a \$2.7 million round of seed financing.
- Represented Singaporean startup in a \$300,000 seen financing round.
- Represented startup in a \$500,000 convertible note seed financing round.
- Represented cellular service provider company's exit sale to an Indian company.

- Represented telecom company's exit sale to a Canadian purchaser.

## education

- Executive M.B.A., U.C. Irvine, 2001
- J.D., University of Tulsa, 1990
- LL.M., Intellectual Property Law, The John Marshall Law School, Chicago, 1996
- M.S., Electrical Engineering (studies), University of Illinois, 1996–1999
- B.S., Petroleum Eng., University of Tulsa, 1986
- B.S., Chemical Engineering., O.R.U., 1984
- Board of Directors Certification, U.C.L.A.

## bar admissions

- Texas
- Illinois
- District of Columbia
- U.S. Patent & Trademark Office

## admissions to courts

- U.S. Supreme Court
- U.S. Ct. of Appeals for the Fed. Circ.
- U.S. Ct. of Appeals for the 9<sup>th</sup> Circ.
- U.S. Dist. Ct. – D.C.
- U.S. Dist. Ct. – N.D. Ill.
- U.S. Dist. Ct. – Oklahoma
- U.S. Dist. Ct. – E.D. Tex.
- U.S. Dist. Ct. – W.D. Tex.
- Supreme Court of Oklahoma
- Supreme Court of Illinois
- Patent Trial and Appeal Board
- Trademark Trial and Appeal Board

## board of directors

- SignMeUp.com, Inc. (2012–2013)
- Ultrawave Labs, Inc. (2012–2013)