Nathan R. Curtis

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Dallas



Nathan Curtis is Of Counsel in the Dallas office of Gibson, Dunn & Crutcher. He practices in the firm's Litigation Department in the Intellectual Property Practice Group. Prior to joining Gibson Dunn, Nathan served as a law clerk to the Honorable Timothy B. Dyk of the United States Court of Appeals for the Federal Circuit.

Nathan has litigated numerous complex intellectual property cases in a wide range of technological fields, including computer architecture, telecommunications, networking, communications standards and protocols, digital signal processing, consumer products, medical devices, and steel manufacturing. He has successfully defended clients in intellectual property cases in the nation's most active patent venues—the Eastern District of Texas, the Western District of Texas, the Northern District of California, the District of Delaware, the International Trade Commission, and the Federal Circuit. He has experience coordinating multi-forum disputes involving parallel district court litigation, International Trade Commission investigations, Patent Trial and Appeal Board proceedings, and related foreign actions. In addition to litigation, Nathan has extensive experience with patent review proceedings at the U.S. Patent & Trademark Office, including both *inter partes* review and reexamination proceedings.

Representative Matters

- Representing DIRECTV in the Central District of California in a lawsuit relating to satellite reception and distribution technologies.
- Representing Uber in multiple patent cases involving location, network infrastructure, and transportation-related technologies.
- Representing Hewlett Packard Enterprise in multiple patent cases in the Eastern and Southern Districts of Texas relating to computer, server, and access point technologies.
- Represented Dell EMC in its more than decade-long patent dispute with ACQIS. Secured complete summary judgment of non-infringement on eight patents, defeated ACQIS's appeal before the Federal Circuit, and on remand obtained a $4 million attorney-fee award that was affirmed on appeal. The victory was achieved after ACQIS had previously obtained a jury verdict and tens of millions of dollars in settlements from other major technology companies on the same portfolio. The result was recognized by The American Lawyer's Litigation Daily.
- Represented Dell in a patent litigation brought by VideoLabs in the Western District of Texas relating to video coding standards. Achieved a favorable resolution following strategic motion practice and successful results in parallel cases.
- Represented SharkNinja in a wide-ranging, multi-forum patent dispute against Dyson involving vacuum technologies. After Dyson sought millions from SharkNinja related to a hair care patent, SharkNinja filed a five-patent ITC investigation and an eight-patent action in the District of Massachusetts asserting

Capabilities

Intellectual Property

Litigation

Credentials

Education

Brigham Young University - 2011 Juris Doctor

Brigham Young University - 2008 Bachelor of Science

Admissions

Texas Bar

Clerkships

US Court of Appeals, Federal Circuit, Hon. Timothy B. Dyk, 2011 - 2012

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its vacuum patents. Dyson counterclaimed with a nine-patent case in the Eastern District of Texas. At the same time, represented SharkNinja in more than a dozen IPR proceedings relating to the patents asserted across the various cases. Obtained a highly favorable global settlement on the eve of the ITC trial.

- Represented Cloudera in a patent litigation brought by Byteweavr in the Western District of Texas. Secured a favorable settlement.
- Represented Roku in a patent litigation brought by VideoLabs in the District of Delaware relating to video coding standards. Secured a favorable settlement.
- Represented Fitbit in a multi-forum dispute, including multiple federal district court patent cases, a state court trade secret misappropriation case, and a patent infringement investigation before the International Trade Commission regarding technologies used to monitor activity and heart rate in activity trackers.
- Represented NetApp in a patent litigation against KOM Networks pending in the District of Delaware relating to data security. Secured a favorable settlement for NetApp after invalidating the majority of asserted patents.
- Represented Rubrik against competitor Actifio's patent infringement lawsuit in which Actifio asserted four patents related to data backup technologies. Successfully forced Actifio to drop its preliminary injunction motion and dismiss the case.
- Secured complete summary judgment of non-infringement for NetApp in its case against Intellectual Ventures in the District of Massachusetts.
- Represented Nippon Steel & Sumitomo Metal in a multi-patent and unfair competition case in the District of New Jersey involving processes for manufacturing electrical steel. The case involved co-pending reexamination proceedings at the U.S. Patent & Trademark Office and related litigation in Japan and Korea, which included claims for trade secret misappropriation. All disputes were resolved favorably shortly before trial pursuant to a coordinated cross-border strategy.
- Represented plaintiff Sanofi Aventis in Hatch-Waxman lawsuits filed in the District of Delaware concerning Section 505(b)(2) applications for diabetes treatments. The litigation resolved favorably on the eve of trial.
- Represented Cablevision in defending against multiple lawsuits related to cable networking and distribution, successfully narrowing claims and positioning matters for favorable resolution.

In addition, Nathan represents disabled veterans before the U.S. Court of Appeals for Veterans Claims on a pro bono basis in claims for service-connected disability benefits.

Nathan earned his Juris Doctor *summa cum laude* from the J. Reuben Clark Law School at Brigham Young University. While attending law school, he served as Editor-in-Chief of the *Brigham Young University Law Review* and published multiple articles in the Law Review. Prior to law school, he graduated *magna cum laude* and received a Bachelor of Science in Applied Physics, with minors in Mathematics and Spanish, from Brigham Young University. Nathan has received several notable awards. During law school, he was the recipient of the J. Reuben Clark Award for exemplifying academic excellence, integrity, high ethical standards, and service. He was also elected to the Order of the Coif. Following law school, he was recognized for obtaining the second highest score on the July 2011 Texas Bar Exam.

Nathan is admitted to the bars of the State of Texas and the United States Court of Appeals for the Federal Circuit. He is also admitted to practice before the U.S. Patent & Trademark Office.

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