Mark Reiter

Partner

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Dallas



Mark Reiter is former co-chair of Gibson Dunn's global Intellectual Property Practice Group and is a resident of the Dallas office. Mark has extensive experience litigating intellectual property matters in Federal Courts, appellate courts, including the Court of Appeals for the Federal Circuit, and the International Trade Commission and consistently serves as lead counsel in complex intellectual property disputes.

Mark has handled patent litigation matters dealing with a variety of technologies including immunization technologies, DNA sequencing and DNA assembly technologies, RNAi technologies, mass spectrometry, semiconductor manufacturing, design and processing, software, construction techniques, chemicals, medical devices and food technology. He has also handled trademark, trade secret, copyright matters, and unfair competition cases. *Chambers* sources say, "He is great on his feet and very technically sound. He's a very sharp lawyer who's always considering all the different angles to attack a problem from." Mark has been repeatedly recognized for Intellectual Property in Texas by *Chambers USA* as well as named a Patent Star and Trademark Star by *Managing Intellectual Property*. He is also recognized as one of the "world's leading patent professionals" by *IAM Patent*. Mark has consistently been named to *The Best Lawyers in America*® for Intellectual Property and Patent Litigation in addition to being named *Best Lawyers*® 2015 Patent Litigation "Lawyer of the Year" in Dallas.

Mark is a member of the Dallas Fort Worth Intellectual Property Law Association. Additionally, he served as adjunct law professor at Southern Methodist University where he taught intellectual property litigation.

Mark received a bachelor of science in electrical engineering from The University of Texas and holds a J.D. from Southern Methodist University.

Representative Matters

- Lead counsel for Uber Technologies in multi-patent dispute covering location-based and communication-based technologies in the Eastern District of Texas.
- Lead counsel for Uber Technologies in multi-patent case filed in the Western District of Texas. Case transferred to the Northern District of California based on mandamus order received from Court of Appeals for the Federal Circuit.
- Lead counsel for Uber Technologies in multi-patent cases in Western District of Texas. Case settled after successful motion to dismiss.
- Lead counsel for Hewlett Packard Enterprise in multi-patent case covering networking technology. Case was filed in the Western District of Texas.
- Lead counsel for Kimberly-Clark Corporation in trade secret misappropriation, patent infringement and breach of employment agreement case against former employees relating to the manufacture of polymeric and cellulose based fabrics.

Capabilities

Intellectual Property
Antitrust and Competition
Emerging Companies / Venture Capital
Life Sciences
Litigation
Technology Litigation
Trade Secrets

Credentials

Education

Southern Methodist University - 1990 Juris Doctor
University of Texas - 1985 Bachelor of Science

Admissions

Texas Bar

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GIBSON DUNN

- Counsel for Merck Sharp & Dohme Corp. in a multi-patent case regarding an Abbreviated New Drug Application filed by Mylan Laboratories seeking approval to manufacture and sell a generic version of Merck's intravenous formulation of NOXAFIL®, a prophylaxis of invasive fungal infections.
- Counsel for Merck & Co./Intervet Inc. in multi-patent dispute against Boehringer Ingelheim Vetmedica, Inc. regarding immunogenic compositions that protect against a particular porcine virus.
- Counsel for Natera, Inc. against Illumina, Inc. in a multi-patent case regarding non-invasive prenatal testing through the use of DNA sequencing and analytic techniques.
- Lead counsel for RXi Pharmaceuticals in trade secret misappropriation dispute relating to RNAi technology.
- Lead counsel for Micro Focus International plc, Hewlett-Packard Enterprise, Bank of America and Wells Fargo in a multi-patent, multi-forum dispute regarding network loading and testing.
- Lead counsel for Agilent Technologies in multi-patent litigation against Themo Fisher Scientific regarding inductively-coupled plasma mass spectrometry technologies.
- Lead counsel for Microsoft, Hewlett-Packard, Dell, and Lenovo in a patent infringement matter involving organization of data in a computer system.
- Lead counsel and counsel for Fitbit, Inc. in multi-patent, multi-case dispute, including multiple federal district court patent cases, state court trade secret misappropriation case, and patent infringement investigation in the International Trade Commission regarding technologies used to monitor activity and heart rate in activity trackers.
- Counsel for New England BioLabs, Inc. in arbitration against Synthetic Genomics, Inc. related to contract/licensing dispute regarding recombinant DNA formulations used to facilitate cloning of DNA strands.
- Lead counsel for Nippon Steel & Sumitomo Metal in a multi-patent and unfair competition case involving processes and chemistry involved in the manufacture of specialized steel. The case involved related litigation in Japan and Korea, which included claims for trade secret misappropriation.
- Lead Counsel for Agilent and Molecular Devices in patent infringement matter involving devices used to analyze DNA microarrays.
- Counsel for Life Technologies, Inc. in arbitration relating to genetic testing equipment.
- Counsel for T-Mobile in 8 patent disputes involving cellular telephony.
- Lead counsel for Frito-Lay in a multi-national patent ownership dispute.
- Co-Lead counsel for Red Hat and Novell in a patent infringement matter pending in the Eastern District of Texas. The case concerned the user interface found on certain Linux operating systems. Trial occurred in April 2010 and the jury found on all counts in favor of Red Hat and Novell.
- Lead counsel for Tessera, Inc. in an ITC matter brought against several DRAM chip and DRAM module manufacturers. The technology involved mechanical stresses applied to sensitive components.
- Co-lead counsel for Viacom in a patent infringement matter involving video game technology pending in the Eastern District of Texas.
- Lead counsel for IBM in multiple patent infringement actions covering a variety of technologies in a variety of courts, including Delaware, the Southern District of California, Eastern District of Texas, and Western District of Wisconsin.
- Lead counsel for SanDisk in a patent infringement matter covering technology used in flash memory products.

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- Counsel for Allergan in a patent infringement matter involving dry-eye treatment pending in the Eastern District of Texas.
- Counsel for St. Jude Medical in a patent infringement matter involving pace-maker technology pending in the Eastern District of Texas.
- Representation of Spinal Concepts in the Western District of Texas in a case involving plates used to treat degenerative spinal conditions.
- Mark has handled a number of cases on behalf of Texas Instruments including:
    - Multi-forum and multi-patent litigation against Samsung Electronics involving semiconductor processing, manufacturing, and circuitry. Part of this litigation was before the International Trade Commission.
    - Multi-forum and multi-patent litigation covering a variety of semiconductor-related technologies against Hyundai Electronics Industries, including a several-week patent trial resulting in a verdict in favor of Texas Instruments.

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