BANNER WITCOFF



Victoria R. M. Webb

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Victoria (McDonald) Webb focuses her practice on intellectual property litigation, administrative proceedings, and counseling. Bolstered by her background in mechanical engineering, Vicki works hand-in-hand with some of the world's leading companies, newest start-ups, and visionary innovators to strategically and creatively obtain, enforce, and leverage patents, trademarks, trade dress, and copyrights. Whether it is striving for a win through early resolution, victories in court, or creative business solutions, Vicki's significant experience managing and litigating complex intellectual property matters allows clients to protect their unique and valuable inventions, brands, and intellectual property portfolios.

Recognized as an Emerging Attorney by Leading Lawyers, Vicki assists clients from initial case evaluation to appeal. Vicki has taken a leading role in cases involving utility patents, design patents, trademarks, trade dress, and copyright issues. Vicki has successfully briefed and argued motions, claim construction, and other matters in district courts throughout the country. She has experience managing complex discovery and Electronically Stored Information (ESI) matters, including experience developing unique strategies for managing the preservation, collection, review, and production of ESI and other discovery in a cost and time efficient manner. Vicki has also prepared for, taken, and defended depositions of numerous fact and expert witnesses, and has negotiated favorable litigation-ending settlements and consent judgments.

For example, Vicki was part of a team that obtained summary judgment of non-infringement after successful claim constructions in a matter involving over a dozen utility patents and hundreds of

accused shoe styles. She also recently took a leading role in policing counterfeit and infringing outdoor lifestyle products by enforcing a client's utility patents, design patents, trademarks, trade dress, and copyrights against numerous entities in federal district courts, before the International Trade Commission, and in opposition, cancellation, takedown, and seizure proceedings around the world. Vicki also has experience with mediation and dispute resolution through WIPO.

In addition to her litigation practice, Vicki also counsels clients in protecting trademark rights, including managing trademark opposition and cancellation proceedings globally. Vicki has also prosecuted utility patent applications in the mechanical arts and other fields, and has experience in transactional matters, such as preparing opinions and agreements involving various aspects of intellectual property.

Prior to becoming an attorney, Vicki worked in the plumbing division of Kohler Co. focusing on current and new product development of toilets, urinals, and other bathroom fixtures. She also worked in manufacturing, facilities, and quality at John Deere. Vicki was a founding member of the Marquette University chapter of Engineers Without Borders, and led the design and implementation of several renewable energy and drinking water systems in developing regions of Guatemala.

Vicki remains committed to improving legal education and training. She chaired the firm's summer associate program for law students for several years and currently serves as chair of Banner Witcoff's New Attorney Education Committee, providing valuable hands-on training for new attorneys. Vicki also remains involved with the University of Iowa College of Law, including as a volunteer practice judge for the school's intellectual property moot court teams.

Some examples of recent decisions include:

- YETI Coolers, LLC v. Love Deals Inc. et al., 1:23-cv-79, 2023 WL 4754479 (W.D. Tex. July 24, 2023) (denying defendants' motion to dismiss for alleged lack of personal jurisdiction or transfer)
- Asics Am. Corp. v. Akeva L.L.C. v. NIKE, Inc. et al., 1:09-cv-00135, 2019 WL 3751008 (M.D.N.C. July 8, 2019) (adopting favorable claim constructions and granting defendants' motion for summary judgment of non-infringement in a case involving numerous utility patents related to shoes), aff'd, 817 Fed.Appx. 1005 (Fed. Cir. July 16, 2020)
- YETI Coolers, LLC v. Imagen Brands, LLC, No. 16-cv-829, 2018 WL 11346868 (W.D. Tex. June 22, 2018) (denying multiple defendants' motions to consolidate separate cases filed by plaintiff involving drinkware trade dress, drinkware design patent, trademark, cyberpiracy, and/or other claims)
- YETI Coolers, LLC v. JDS Industries, Inc. et. al., 300 F. Supp. 3d 899 (W.D. Tex. 2018) (denying a defendant's Rule 12(b)(6) motion to dismiss all claims in a case involving trade dress infringement and related claims)

- YETI Coolers, LLC v. RTIC Coolers, LLC et al., No. 15-957, 2017 WL 404519 (W.D. Tex. Jan. 27, 2017) (granting plaintiff's Daubert motion to exclude the report and opinion testimony of defendant's patent non-infringement expert)
- Irrevocable Trust of Anthony J. Antonious v. NIKE, Inc., No. 11-6327, 2016 WL 7426585 (D.N.J. 2016) (denying non-practicing patentee's motion to set aside claim constructions, vacate summary judgment, and reopen discovery)
- Irrevocable Trust of Anthony J. Antonious v. NIKE, Inc., No. 11-6327, 2016 WL 3176576 (D.N.J. 2016) (granting defendant's motion for summary judgment of non-infringement in a utility patent infringement lawsuit brought by a non-practicing patentee)
- McAirlaids, Inc. v. Kimberly-Clark Corp., 299 F.R.D. 498 (W.D. Va. Mar. 7, 2014) (denying plaintiff patentee's motion to amend the protective order to allow plaintiff's competitive decision makers access to defendant's confidential information and documents)

(Disclaimer: Past results do not guarantee similar outcomes or results in future matters.)

Education

Marquette University
2008, B.S., Mechanical Engineering, *with Honors*

2008, Minor in Spanish

University of Iowa College of Law
2011, J.D., order of the coif

Admissions

Bar Admissions

2011, Illinois

2016, Colorado

Court Admissions

Supreme Court of Illinois
U.S. Court of Appeals for the Federal Circuit
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Western District of Texas
U.S. Patent and Trademark Office

Practices

Appellate Litigation
Copyright
Counseling, Opinions + Licensing
Counterfeit Goods Seizure
Design Patents
Litigation
Section 337/ITC Litigation
Trade Dress
Trade Secrets
Trademarks

Industries

Artificial Intelligence
Defense Space
Mechanical Engineering

Accolades

- Named as an Illinois Leading Lawyer, Leading Lawyers, 2026
- Recognized as an Illinois Emerging Lawyer, Leading Lawyers, 2019-2025
- Recipient, Best Oral Argument award, Midwest region, INTA Saul Lefkowitz Trademark Moot Court Competition, 2011
- Recipient, Best Brief award, Midwest region, INTA Saul Lefkowitz Trademark Moot Court Competition, 2010

Recent News + Events + Related Publications

EVENT - 11.02.26

Banner Witcoff Attorneys Victoria Webb and Daniel Moon to Present at KAIPBA and Korean Patent Attorneys Association Intellectual Property Seminar

EVENT - 09.08.26

Banner Witcoff Attends the 2026 IPO Annual Meeting

NEWS - 04.08.26

IP Alert | The Supreme Court Clarifies Intent is the Touchstone for Contributory Copyright Liability

NEWS - 10.30.25

IP Alert | Authors' Copyright Battle Against OpenAI Survives Motion to Dismiss

NEWS - 10.28.25

IP Alert | Reddit Sues Perplexity Alleging Illegal Scraping of Google Excerpts of Copyrighted Reddit Posts, Setting Up Yet Another AI Copyright Battle

NEWS - 09.05.25

IP Alert | Biggest Public Copyright Settlement in History: Anthropic and Book Authors Announce Terms to Settle Lawsuit Over Pirated Material Used to Train LLM

NEWS - 06.26.25

IP Alert | Two Big AI/LLM Copyright Rulings: Fair Use OK, But Piracy/Output Still Matters

NEWS - 01.13.25

20 Banner Witcoff Attorneys Listed as 2025 Illinois Leading, Emerging Lawyers