

**Justin M. Philpott**

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As a patent prosecutor, litigator, and former U.S. Patent and Trademark Office examiner, Justin has unique insight to recognize and obtain strong patents for clients. Specializing in intellectual property law for nearly 18 years, he has critically examined hundreds of applications at the USPTO and methodically drafted, prosecuted, and litigated hundreds more patents as a registered U.S. patent attorney. With a global perspective, Justin protects the strategic IP for clients of all sizes, from startups to Fortune 50.

Justin regularly merges technical and legal analyses in complex electrical and computer arts. He has extensive experience in mobile wireless communications, such as GSM, CDMA, CDMA2000, LTE, LTE-Advanced, and New Radio, as well as in MPEG video compression and HDTV coding and transmission. For example, Justin examined multiplex communications (class 370), telephonic communications (class 379), and telecommunications (class 450) at the U.S. Patent and Trademark Office for nearly five years, including 2G and 3G mobile wireless communication technology. For the past several years, Justin has actively managed a global portfolio of hundreds of patent assets relating to 4G and 5G mobile wireless communication technology for a longtime Fortune 50 client. And in between the above, Justin asserted and defended patent portfolios in multiple district court litigations and International Trade Commission investigations relating to MPEG-2 and MPEG-4 video compression as well as HDTV and ITU-T J.83 television coding and transmission technology.

Justin is proud to have represented clients on a volunteer basis (pro bono) for a variety of matters beyond patents. For example, he successfully appealed a group of Boy Scouts' asylum denials in a case that has been cited in a leading international textbook on refugee law, "The Law of Refugee Status." Hathaway et al., James C., "The Law of Refugee Status," Cambridge Univ. Press, 2nd Ed. (2014), 170, n. 506 (citing *Kiegemwe v. Holder*, 427 Fed.Appx. 473 (6th Cir. 2011)). Justin also has resolved legal disputes in music copyright and employment matters through volunteer organizations such as Lawyers for the Creative Arts and the Northern District of Illinois' Settlement Assistance Program for Pro Se Litigants.

Justin has been named an Illinois Super Lawyers "Rising Star" in 2018 and 2019, representing the top 2.5 percent of attorneys in each state.

Education

Rutgers University
2002, B.S., Electrical and Computer Engineering

Georgetown University
2008, J.D.

Admissions

Bar Admissions
2008, Illinois

Court Admissions
U.S. Court of Appeals for the Sixth Circuit
U.S. District Court for the Northern District of Illinois

Practices

Counseling, Opinions + Licensing

Litigation

PTAB Litigation

Patent Prosecution

Section 337/ITC Litigation

Industries

Electrical + Computer Technologies

Representative Matters

District Court Litigation

- Amsted Rail v. Temper Axle, 14-cv-02849 (N.D. Ill.) – Represented Amsted Rail in defense of alleged patent infringement over its train axle bearings and assemblies
- Dyson v. SharkNinja, 14-cv-00779(N.D. Ill.) – Represented SharkNinja in defense of alleged design patent infringement by its vacuum cleaners
- Caltech v. OmniVision, 13-cv-01589 (D. Del.) – Represented OmniVision in defense of patent infringement allegations related to CMOS image sensor technology
- Innovation Associates v. Kyocera, 13-cv-00350 (D. Del.) – Represented Kyocera in defense of patent infringement allegations related to cell phone graphical user interfaces
- Alex Is The Best v. Kyocera, 13-cv-01783 (D. Del.) – Represented Kyocera in defense of patent infringement allegations related to image capture devices
- Kyocera v. Imperium, 12-cv-04990 (N.D. Cal.) – Represented Kyocera seeking a declaratory judgment of non-infringement and invalidity of three patents related to CMOS image sensor technology
- Vibes Media v. Digigraph.me, 12-cv-04166 (N.D. Ill.) – Represented Digigraph.me seeking a declaratory judgment of invalidity of patents relating to creation and transmission of personalized messages and celebrity autographs
- Marine Technologies v. Atwood Mobile, 12-cv-04199 (N.D. Ill.) – Represented Atwood Mobile in a patent infringement dispute related to gas detection technology
- Kyocera v. Imperium, 11-cv-00163 (E.D. Tex.) – Represented Kyocera in defense of patent infringement allegations related to CMOS image sensor technology
- Micro Enhanced Technology v. Videx, 11-cv-05506 (N.D. Ill.) – Represented Videx in defense of alleged infringement of nine patents related to electronic lock and key access control systems
- Videx v. TriTeg, 11-cv-06384 (D. Or.) – Represented Videx in its assertion of patents relating to electronic access control technology
- Multimedia Patent Trust v. Vizio, 09-CV-00278 (S.D. Cal.) – Represented Vizio in defense of patent infringement allegations regarding video compression technology
- Vizio v. LG Electronics, 09-cv-01481 (D. Md.) – Represented Vizio in its assertion of patents relating to Quadrature Amplitude Modulation (QAM) and Forward Error Correction (FEC) techniques for high definition television (HDTV)
- Vizio v. Funai, 09-cv-00236 (E.D. Va.) – Represented Vizio in its assertion of patents relating to high definition television signaling technology
- Vizio v. Sony, 09-cv-01043 (C.D. Cal.) – Represented Vizio in a patent infringement dispute involving fourteen Sony patents and seven Vizio patents related to various television technology

International Trade Commission Section 337 Proceedings

- ITC Inv. No. 337 TA-789, Digital Televisions and Components Thereof – Represented Vizio in its assertion of patents relating to Quadrature Amplitude Modulation (QAM) and Forward Error Correction (FEC) techniques for high definition television (HDTV)
- ITC Inv. No. 337-TA-742, Certain Digital Televisions and Components Thereof – Represented Vizio in defense of patent infringement allegations related to television display technology
- ITC Inv. No. 337-TA-733, Flat Panel Digital Televisions and Components – Represented Vizio in its assertion of patents relating to high definition television signal processing
- ITC Inv. No. 337-TA-687, Video Displays, Components Thereof, and Products Containing Same – Represented Vizio in defense of patents infringement allegations relating to television signal processing technology
- ITC Inv. No. 337-TA-654, Certain Peripheral Devices and Components Thereof and Products Containing the Same – Represented Primax in defense of patent infringement allegations related to computer peripheral devices
- ITC Inv. No. 337-TA-634, Certain Liquid Crystal Display Modules, Products Containing Same, and Methods Using the Same – Represented Sharp in post-hearing briefing related to alleged patent infringement of liquid crystal display

technology

- ITC Inv. No. 337-TA-631, Certain Liquid Crystal Display Devices and Products Containing the Same – Represented Sharp in post-hearing briefing related to alleged patent infringement of liquid crystal display technology
- ITC Inv. No. 337-TA-589, Certain Switches and Products Containing Same – Represented Belkin in defense of patent infringement allegations related to computer switching controls

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Justin Philpott to Speak to Northwestern's Intellectual Property Law Society

[NEWS - 06.15.20](#)

Startups to Know: Inductive Intelligence

[NEWS - 05.21.20](#)

Banner Witcoff Awards Free Patent Application to Hardware Cup Finalist Inductive Intelligence

[EVENT - 05.04.20](#)

Banner Witcoff to Announce Recipient of Free Patent Application at Hardware Cup Finals

[NEWS - 02.10.20](#)

Banner Witcoff to Sponsor Hardware Cup, Award Free Patent Application to Finalist

[PRESS - 01.30.19](#)

Banner & Witcoff Elects President Mu & New Shareholder Class

[NEWS - 04.30.18](#)

IP Alert: SAS Institute, Inc. v. Iancu: Raising the Stakes to an All-Or-Nothing Game at the PTAB

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SAS Institute, Inc. v. Iancu: Raising the Stakes to an All-Or-Nothing Game at the PTAB

[NEWS - 04.27.18](#)

Justin M. Philpott and Eric A. Zelepugas write article on potential effects of Supreme Court SAS decision for Law360

[LIBRARY - 04.27.18](#)

High Court Raises the Stakes at PTAB

[PRESS - 01.31.18](#)

Banner & Witcoff Elects Nine Shareholders