

**Audra C. Eidem Heinze**

Attorney
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Audra applies a strategic and creative approach to helping clients achieve their business goals. Her practice extends to all areas of IP with a unique focus on industrial designs and brand building. She understands and navigates complex legal issues relating to utility and design patents, trade dress, trademarks, and copyrights. She has counseled industry-leading clients on procuring protectable IP rights, as well as enforcing and litigating IP rights.

Illinois Super Lawyers named Audra a “Rising Star” in Intellectual Property Litigation. She was also a member of the litigation team for a case named “Impact Case of the Year” by Managing Intellectual Property. Audra has represented clients in dozens of IP cases in federal court and before the International Trade Commission, Patent Trial and Appeal Board, and Trademark Trial and Appeal Board. Audra has also assisted clients in cases before the U.S. Supreme Court and U.S. Courts of Appeals.

Audra served as in-house counsel for a Fortune 100 company where she helped manage a global trademark portfolio. She is also a contributing author to the Patent Litigation Strategies Handbook published by Bloomberg BNA.

Before joining Banner Witcoff, Audra researched gene mutations at the University of Texas Southwestern Medical Center's Biomedical Research Facility. She also worked as a Field Claims Specialist Intern for Monsanto Corporation.

Audra earned her B.S. in Biochemistry from the University of Missouri, graduating with Honors. She earned her J.D. from Texas Wesleyan University School of Law (now Texas A&M University School of Law), graduating summa cum laude.

Education

University of Missouri

2005, B.S., Biochemistry, *with Honors*

Texas Wesleyan University School of Law (now Texas A&M University School of Law)

J.D., *Summa Cum Laude*

Admissions

Bar Admissions

2009, Illinois

2012, Missouri

Court Admissions

U.S. Supreme Court

Supreme Court of Illinois

Supreme Court of Missouri

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the Northern District of Illinois

Practices

Appellate Litigation
Copyright
Design Patents
Jury Trials
Litigation
PTAB Litigation
Section 337/ITC Litigation
Trade Dress
Trademarks

Industries

Chemistry + Chemical Engineering
Electrical + Computer Technologies
Internet, E-Commerce + Business Methods
Life Sciences + Pharmaceuticals
Medical Devices

Representative Matters

- Represented a Fortune 100 company before the Supreme Court of the United States to argue successfully for affirmance — in an unanimous decision — of the lower court's dismissal of the defendant's trademark invalidity counterclaim, *Already, LLC v. NIKE, Inc.*, No. 11-982
- Represented a leader in the gaming industry before the Federal Circuit and in district court to successfully argue for judgment of no patent infringement, *Rembrandt Gaming Technologies, LP v. WMS Gaming Inc., et al.*, No. 2016-2249 (Fed. Cir.)
- Represented a Fortune 100 company before the Federal Circuit and in district court to argue successfully that plaintiff was collaterally estopped from asserting patent claims, *Furnace Brook LLC v. NIKE, Inc., et al.*, 2011-1025 (Fed. Cir.)
- Represented a global imaging solutions leader in federal district court to obtain judgment that the asserted patent claims were ineligible for patent protection, *Cyberfone Systems, LLC v. Lexmark International, Inc.*, No. 14-489 (D. Del.)
- Represented a leader in the gaming industry to obtain a writ of mandamus at the Federal Circuit vacating the district court's decision denying transfer in a patent infringement action, *In re WMS Gaming Inc.*, No. 2014-107 (Fed. Cir.)
- Represented a Fortune 100 company in federal district court to obtain summary judgment of no trademark infringement due to the absence of a likelihood of confusion, *Fuel Clothing Co. v. NIKE, Inc.*, No. 12-00555 (D.S.C.)
- Represented a Fortune 100 company before the PTAB in prevailing in final written decisions involving the company's design patents, *Skechers U.S.A., Inc. v. NIKE, Inc.* (PTAB)
- Represented a Fortune 100 company before the TTAB in opposing registration of marks on grounds of a likelihood of dilution and a likelihood of confusion, *NIKE, Inc. v. Cheryl Bauman-Buffone*, Opposition No. 91234556 (TTAB); *NIKE, Inc. v. Capital E Finance Co.*, Opposition No. 91221511 (TTAB); *NIKE, Inc. v. Jamin Caldwell*, Opposition No. 91240394

Recent News + Events + Related Publications

EVENT - 02.23.21

Audra Eidem Heinze to Speak During Federal Bar Association Program on Electronic Evidence

NEWS - 07.30.20

Banner Witcoff Team Helps Win Transfer Motion for The Greenbrier Companies

EVENT - 06.13.20

Audra Eidem Heinze to Discuss Document Responses for Strafford Webinar

NEWS - 04.14.20

IP Alert | Responding to the COVID-19 Crises: A Look at Potential Patent Infringement Immunity in View of the PREP Act

[LIBRARY - 04.14.20](#)

Responding to the COVID-19 Crises: A Look at Potential Patent Infringement Immunity in View of the PREP Act

[EVENT - 05.20.19](#)

Audra C. Eidem Heinze to Discuss E-Discovery Issues at Master's Conference Event

[EVENT - 05.01.19](#)

Audra C. Eidem Heinze to Serve as Dialogue Leader at The Sedona Conference Working Group 1 Midyear Meeting

[NEWS - 01.31.19](#)

Twenty-three Banner & Witcoff attorneys named 2019 Illinois Super Lawyers and Rising Stars

[NEWS - 12.03.18](#)

Audra C. Eidem Heinze comments on importance of patents to slot machine makers in Bloomberg

[NEWS - 10.30.18](#)

Banner & Witcoff represents Converse in Federal Circuit win over iconic sneakers

[LIBRARY - 09.11.18](#)

Patent Exhaustion in View of Impression Prods., Inc. v. Lexmark Int'l, Inc.

[NEWS - 09.11.18](#)

Timothy C. Meece and Audra C. Eidem Heinze write article on the impact of the Supreme Court's decision in Impression Products v. Lexmark for Bloomberg Law

[LIBRARY - 07.24.18](#)

Article of Manufacture - District Court Update

[NEWS - 06.29.18](#)

Banner & Witcoff represents firm client NIKE in two more IPR wins against Skechers