

Louis A. Klapp

Partner

Direct: 312.471.8683 **Fax:** 312.471.8701 **Email:** lklapp@rshc-law.com

Louis Klapp helps businesses win intellectual property lawsuits and other complex commercial disputes. Clients praise his mastery of the facts, understanding of the law, and his ability to convey complicated issues in a straightforward, persuasive manner.

He has litigated many patent, trademark, copyright, and trade secret disputes — including disputes among competitors, disputes with departing employees and their new employers, and disputes with nonpracticing entities. He has represented clients across a wide variety of industries, including the software, consumer electronics, telecommunication, medical diagnostic, medical device, nutritional supplement, grocery, insurance, publishing, real estate, and automotive equipment industries. His patent cases concern technologies in the software, electrical, mechanical, optical, and biological fields.

Louis has engaged in all aspects of litigation from pre-filing investigation through appeal. He has litigated cases in many federal district and appellate courts, the United States International Trade Commission, the Patent Trial and Appeal Board, the Trademark Trial and Appeal Board, the Judicial Panel on Multidistrict Litigation, the World Intellectual Property Organization Arbitration and Mediation Center, and the American Arbitration Association.

In addition to his litigation work, he advises clients on intellectual property issues in other contexts, including diligence in private equity deals, negotiation of intellectual property licenses, and acquisition of patents, trademarks, and copyrights.

Following law school, Louis was a Public Interest Law Initiative Fellow at the ACLU of Illinois. He maintains a pro bono practice focused on civil liberties and civil rights.

EXPERIENCE

Representative Engagements

- Represented a manufacturer of respiratory devices in a multi-forum intellectual property dispute brought against a competitor. Asserted patent infringement and claims stemming from former employee's actions acquiring patents for defendant on technologies developed by client (including claims for correction of inventorship, breach of employment contract, and unfair competition). Settled after defendant's attempts to dismiss the case and avoid discovery failed.
- Represented a software company against multiple claims of patent infringement and multiple claims of trade secret misappropriation brought by its competitor. After summary judgment was briefed and after multiple CBMs/IPRs had been instituted, obtained settlement of the matter without payment of any compensation.
- Represented a supplier of medical diagnostic equipment in suing a former sales executive for trademark infringement, breach of employment contract, and related claims. Secured a permanent injunction prohibiting the accused conduct.



- Represented manufacturer of surgical accessories asserting patent infringement against a competitor. Secured design rounds from defendant mid-litigation. After a complete victory on claim construction, defendant acquiesced to settlement demand and consent judgment imposing a permanent injunction and requiring the payment of a monetary award.
- Represented a publisher against accusations of trademark infringement and counterfeiting. Although plaintiff sought an eight-figure award, it settled for a nuisance payment on the eve of trial after the court acknowledged the merit of client's motion to strike plaintiff's damages case.
- Represented a supplier of telephone hardware seeking to cancel the claims in its competitor's patent in the Patent Trial and Appeal Board. After the Board initiated *inter partes* review, the competitor disclaimed its patent.
- Represented a national grocery store chain seeking to cancel a trademark registration owned by a provider of vending machine services. The Trademark Trial and Appeal Board canceled the registration.
- Represented an architectural metal supplier in a patent infringement case brought by its competitor related to software for image processing. After winning a motion to dismiss that invalidated most claims, the plaintiff settled.
- Represented a real estate company in a UDRP action against an entity that was using its trademarks to fraudulently impersonate client. The World Intellectual Property Organization ordered the disputed domains transferred to the client.
- Represented a health care software company against accusations of patent infringement related to method for securing patient medical data. Won a motion to dismiss invalidating the patent as subject matter ineligible, then won Federal Circuit affirmance.
- Represented a health care software company defending claims of patent infringement brought by a well-known patent assertion entity. The technology related to databases for storing electronic medical records. Won a motion to dismiss invalidating key claims as ineligible subject matter. Obtained a zero-dollar settlement ending the remainder of the case.
- Represented smart home company in defending against assertion of six patents related to smoke alarm technology. Successfully defeated motion for preliminary injunction.
- Represented automotive parts manufacturer in defending against nine-patent assertion by competitor at International Trade Commission. Case settled on eve of trial.
- Represented leading telecommunication equipment suppliers in a complex multi-district action brought by a patent assertion entity. The plaintiff alleged that the defendants infringed dozens of patents related to wireless networking. The case settled after favorable court order limited the plaintiff's potential damages claim.
- Represented leading manufacturer of laptop computers against patent infringement claims related to memory technology. Secured dismissal with prejudice.
- Represented leading smartphone manufacturer against patent infringement claims related to wireless networking. Won motion to dismiss with prejudice for failure to state a claim.

CREDENTIALS

Education

Northwestern Pritzker School of Law, J.D., 2010, *cum laude*

Executive Articles Editor, *Journal of Criminal Law and Criminology*

Princeton University, M.A., Electrical Engineering, 2004

Cornell University, B.S., Materials Science & Engineering, 2002, *cum laude with honors*

Bar Admissions

Illinois

U.S. Court of Appeals for the Seventh Circuit
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 Michigan
U.S. District Court for the Northern District of Texas
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Western District of Wisconsin
U.S. Patent and Trademark Office

Professional Memberships

American Bar Association
American Civil Liberties Union of Illinois
Board of Directors
Intellectual Property Law Association of Chicago
National LGBT Bar Association

Honors & Awards

Chicago's Notable LGBTQ Executives, *Crain's Chicago Business* (2021)
Best LGBT Lawyers Under 40, *The LGBT Bar* (2017)
Mike Gonring Pro Bono Award (2018)