



## *Curriculum Vitae*

### **Summary of Practice:**

- U.S. Patent-law expert and consultant to in-house and/or trial counsel
- Aid clients in improving legal arguments and support thereof, for all substantive and procedural issues arising in disputes concerning U.S. patents
- Experience includes:
  - Over Twenty-Five years of practice in contested matters involving U.S. patents
  - Sole author of the [\*Annotated Patent Digest\*](#) (2005-present)
  - Sole author of the [\*Patent Jury Instruction Handbook\*](#) (2008-2014)
  - Author of amicus briefs in the Supreme Court in *Bilski* and *KSR*
  - Speaker at national IP conferences on patent-law topics
  - Drafter of bar association resolutions and “white” papers on proposed legislative patent reforms
  - Consulting engagements cover a wide variety of technical disciplines, including computer and internet implemented methods and systems, medical devices, pharmaceuticals under the Hatch-Waxman Act, mechanical and electrical systems
  - Five years of professional engineering experience as a mechanical engineer in the aerospace and nuclear industries

### **Legal Experience:**

**MATTHEWS PATENT-LAW CONSULTING**

*Owner* – Forest, VA

June 2009 to present

**LATIMER, MAYBERRY & MATTHEWS IP LAW, LLP**

*Partner* – Blacksburg, VA

May 2007 to June 2009

**FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP**

*Partner* – Reston, VA/Washington, D.C.

Jan. 2002 to Apr. 2007

*Associate* – Washington, D.C.

May 1999 to Dec. 2001

**REED SMITH SHAW & MCCLAY, LLP**

*Intellectual Property Associate* – Pittsburgh, PA

Apr. 1996 to Apr. 1999

**PATTON BOGGS, LLP**

*Litigation Associate* – Greensboro, NC

Aug. 1992 to Mar. 1996



(C.D. Cal. Feb. 2, 2018); *LF Centennial Ltd. v. Inovex Furnishings Corp.*, 2017 WL 9486124, \*6 (C.D. Cal. Dec. 14, 2017); *Apple Inc. v. Samsung Elecs. Co. Ltd.*, 2017 WL 4776443, \*13 (N.D. Cal. Oct. 22, 2017); *Koninklijke Philips Elecs. N.V. v. ZOLL LifeCor Corp.*, 2017 WL 4764670, \*3 (W.D. Pa. Oct. 20, 2017); *Drop Stop LLC v. Zhu*, 2017 WL 3452990, \*4 (C.D. Cal. Jun. 20, 2017); *ABT Sys, LLC v. Research Products Corp.*, 2017 WL 2573048, \*2 (M.D. Pa. Jun. 14, 2017); *D Three Enterprises, LLC v. Rillito River Solar LLC*, 2017 WL 1023389, \*6 (D. Colo. Mar. 15, 2017); *Finjan, Inc. v. Blue Coat Sys., Inc.*, 230 F.Supp.3d 1029 n.6 (N.D. Cal. Feb. 2, 2017); *Mike's Train House, Inc. v. MTA*, 2016 WL 6652712, \*8 (D. Md. Nov. 9, 2016); *Ceres Protein, LLC v. Thompson Mechanical & Design*, 2016 WL 6090966, \*10 n.8 (W.D. Ky Oct. 17, 2016); *Front Row Techs., LLC v. NBA Media Ventures, LLC*, 204 F. Supp.3d 1190, 1268 (D.N.M. Aug. 30, 2016); *Howard v. Ford Motor Co.*, 2016 WL 4077260, \*1 n.1 (S.D. Miss. Jul. 29, 2016); *Razer Auto, Inc. v. Omix-Ada, Inc.*, 2016 WL 6678008, \*2 (C.D. Cal. Apr. 20, 2016); *Leon v. FedEx Ground Package Sys., Inc.*, 2016 WL 1158079, \*11 (D.N.M. Mar. 1, 2016); *Hologram USA, Inc. v. Pulse Evolution Corp.*, 2015 WL 13238450, \*2 (D. Nev. Dec. 18, 2015); *Jang v. Boston Scientific Corp.*, 2015 WL 5822585, \*4 (C.D. Cal. Sep. 29, 2015); *Ferring B.V. v. Allergan, Inc.*, 253 F. Supp.3d 708 (S.D.N.Y. Sep. 22, 2015); *General Protecht Gp., Inc. v. Leviton Mfg. Co.*, 122 F. Supp.3d 1114, 1133 n.11 (D.N.M. Aug. 3, 2015); *Sioux Pharm, Inc. v. Eagle Labs., Inc.*, 865 N.W.2d 528, 536 (Iowa Jun. 26, 2015); *Broadband iTV, Inc. v. Hawaiian Telcom, Inc.*, 2015 WL 12776595, \*4, n.4 (D. Haw. Feb. 2, 2015); *Certusview Techs., LLC v. USIC, LLC*, 2014 WL 12591937, \*15 (E.D. Va. Dec. 15, 2014); *Ultratec, Inc. v. Sorenson Commun's., Inc.*, 2014 WL 4829173, \*7 (W.D. Wis. Sep. 29, 2014); *Lamson v. United States*, 117 Fed. Cl. 755, 763, n.6 (Fed. Cl. Jul. 31, 2014); *Romag Fasteners, Inc. v. Fossil, Inc.*, 29 F. Supp.3d 85, 103-04 (D. Conn. Jun. 27, 2014); *Bombardier Recreational Prods., Inc. v. Arctic Cat, Inc.*, 2014 WL 2945877, \*4 (D. Minn. Apr. 28, 2014); *Mobile Telecommunications Techs., LLC v. United Parcel Service, Inc.*, 2014 WL 1274003, \*6 (N.D. Ga. Mar. 17, 2014); *Arctic Cat, Inc. v. Bombardier Recreational Prods., Inc.*, 2014 WL 12601033, \*3 (D. Minn. Feb. 4, 2014); *Apple, Inc. v. Samsung Elecs Co., Ltd.*, 2014 WL 12596470, \*4 n.43 (N.D. Cal. Jan. 29, 2014); *TASER Int'l, Inc. v. Karbon Arms, LLC*, 6 F. Supp.3d 510, 519 (D. Del. Dec. 19, 2013); *WesternGeco L.L.C. v. ION Geophysical Corp.*, 953 F. Supp.2d 731, 756 (S.D. Tex. Jun. 19, 2013); *Deniece Design, LLC v. Braun*, 953 F. Supp.2d 765, 775 (S.D. Tex. Jun. 19, 2013); *Kimberly-Clark Worldwide, Inc. v. First Quality Baby Products, LLC*, 2013 WL 1821593, \*3 (M.D. Pa. Apr. 30, 2013); *Music Group Services US, Inc. v. inMusic Brands, Inc.*, 2013 WL 1499564, \*2 (W.D. Wash. Apr. 11, 2013); *Clifton-Draper v. Pelam Intern., Ltd.*, 2013 WL 1229537, \*2 (M.D. Fla. Feb. 19, 2013); *Secured Mail Solutions, LLC v. Advanced Image Direct, LLC*, 2013 WL 8596579, \*8 (C.D. Cal. Jan. 30, 2013); *Axcess Int'l, Inc. v. Savi Techs., Inc.*, 2013 WL 6839112, \*8 (N.D. Tex. Jan. 25, 2013); *Vita-Herb Nutraceuticals Inc. v. Probiohealth LLC*, 2012 WL 3903454, \*7 (C.D. Cal. Sept. 6, 2012); *Pictometry Int'l. Corp. v. GEOSPAN Corp.*, 2012 WL 3679208, \*5 n.4 (D. Minn. Aug. 17, 2012); *Proxyconn Inc. v. Microsoft Corp.*, 2012 WL 1835680, \*5 (C.D. Cal. May 16, 2012); *High Point SARL v. Sprint Nextel Corp.*, 2012 WL 234024, \*15 (D. Kan. Jan. 25, 2012); *Semiconductor Energy Laboratory Co., Ltd. v. Nagata*, 2012 WL 177557, \*7 (N.D. Cal. Jan. 23, 2012); *WesternGeco L.L.C. v. Ion Geophysical Corp.*, 2011 WL 3608382, \*10 (S.D. Tex. Aug. 16, 2011); *Johnson Outdoors Inc. v. Navico, Inc.*, 774 F. Supp.2d 1191, 1196 (M.D. Ala. Mar. 2, 2011); *Agsouth Genetics, LLC v. Georgia Farm Serv., LLC*, 2011 WL 13187172, \*3 (M.D. Ga Feb. 11, 2011); *August Technology Corp. v. Camtek, Ltd.*, 2010 WL 5560088, \*2 (D. Minn. Nov. 17, 2010); *Phillip M. Adams & Assoc., LLC v. Winbond Elecs. Corp.*, 2010 WL 3522097, \*5 n.39 (D. Utah Sept. 8, 2010); *Phillip M. Adams & Assoc., L.L.C. v. Dell Inc.*, 2010 WL 2733319, \*7 (D. Utah Jul. 9, 2010); *Hoskins v. Gunn Trucking*, 2009 WL 2970399, \*3 n.1 (N.D. Ind. Sept. 14, 2009); *DR Sys., Inc. v. Eastman Kodak Co.*, 2009 WL 2632685, \*4 (S.D. Cal. Aug. 24, 2009); *Phillip M. Adams & Assoc., LLC v. Dell, Inc.*, 2008 WL 4862510 (D. Utah Nov. 7, 2008); *Phillip M. Adams & Assoc., L.L.C. v. Dell Inc.*, 2008 WL 4569895 (D. Utah Oct. 9, 2008); *Emcore Corp. v. Optium Corp.*, 2008 WL 3271553, \*6 (W.D. Pa. Aug. 5, 2008); *Renhcol Inc. v. Don Best Sports*, 548 F. Supp. 2d 356, 361 n.3 (E.D. Tex. April 28, 2008); *Encyclopaedia Britannica, Inc. v. Magellan Navigation, Inc.*, 512 F. Supp. 2d 1169, 1176 (W.D. Wis. Aug. 31, 2007); *Amgen v. F. Hoffman-LaRoche, Ltd.*, 456

F. Supp. 2d 267, 283 (D. Mass. Oct. 20, 2006); *Monsanto Co. v. Bayer Bioscience N.V.*, 2005 WL 5989796, \*16 (E.D. Mo. Oct. 28, 2005).

Robert A. Matthews, Jr., PATENT JURY INSTRUCTION HANDBOOK (annual editions from 2008 to 2014) (West) (carried on Westlaw under database name "PATENT-JI")

Brief of Amicus Curiae Medistem Inc. in Support of the Petition for a Writ of Certiorari before the Supreme Court of the United States in *In re Bilski*, No. 08-964 (Feb. 27, 2009)

Brief of Amicus Curiae Pharmaceutical Research and Manufacturers of America in Support of Respondents before the Supreme Court of the United States in *KSR Int'l Co. v. Teleflex Inc.*, No. 04-1350, 2006 WL 2967758 (Oct. 16, 2006)

Robert A. Matthews, Jr., *When Multiple Plaintiffs/Relators Sue for the Same Act of Patent False Marking*, 2010 Patently-O Patent L.J. 95 (2010)

Robert A. Matthews, Jr., *Legal Nuances When a Patent Holding Company Seeks to Enforce a U.S. Patent*, 49 *IDEA: The Intellectual Property Law Review* 549 (2009).

Robert A. Matthews, Jr., *The Restricted Scope of Patent Infringement Remedies Available to "Non-Practicing" Patent Owners*, IP Litigator, Jul/Aug 2009.

Robert A. Matthews, Jr., *A Primer on US antitrust claims against patentees under Walker Process*, 2 J. OF INTEL. PROP. LAW & PRAC. 657 (Oct. 2007) Oxford Journals

Robert A. Matthews, Jr., *A Potential Hidden Cost of a Patent-Holding Company: The Loss of Lost-Profit Damages*, 32 *AIPLA Q.J.* 503 (Fall 2004) (pre-published version cited in *Schreiber Foods, Inc. v. Beatrice Cheese, Inc.*, 305 F. Supp. 2d 939 (E.D. Wis. 2004))

Robert A. Matthews, Jr., *Examining the FTC's 2003 Proposed Reforms to U.S. Patent Law in View of the Present Legal Landscape*, 9 *VA.J. OF LAW & TECH.* No. 11 (Fall 2004) (presented to the AIPLA Antitrust Committee at the AIPLA Mid-Winter meeting in Jan. 2004, in La Jolla, CA)

Robert A. Matthews, Jr. and Louis M. Troilo, *Schering v. Geneva – Just How Far Can Inherent Anticipation Extend?*, 20 *SANTA CLARA COMP. & HIGH TECH. L. J.* 779 (2004)

Robert A. Matthews, Jr., *Patent-Holding Companies Hold Risks*, 25 *NAT'L LAW JOURNAL* S7, June 16, 2003 (quoted in *Schreiber Foods, Inc. v. Beatrice Cheese, Inc.*, 305 F. Supp. 2d 939 (E.D. Wis. 2004))

### **Professional Associations:**

American Intellectual Property Law Association (AIPLA), member of the Patent Law Committee, Alternative Dispute Resolution Committee and various subcommittees addressing substantive patent-law issues

American Bar Association (ABA), member of the Intellectual Property Section; Patent Litigation Committee, Patent Legislation Committee, IP Alternative Dispute Committee

Intellectual Property Owners Association (IPO), member of Patent Litigation Committee

### **Professional Recognition:**

Martindale-Hubbell "AV" Peer-reviewed rated

Listed on Martindale-Hubbell's Bar Register of Preeminent Lawyers

Avvo Rated 10.0/10.0.