

## Laurence S. Rogers

C O U N S E L

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During Larry's more than 40 years of professional experience, he has been trial counsel in numerous patent, trade secret, copyright, and computer fraud cases. Larry's litigation experience encompasses a broad range of technologies, including computer processors and related hardware and software, linear and digital integrated circuits, semiconductor processing, the Internet, cryptography, telephony, security systems, video systems, medical devices, graphics, animation, financial services systems, and trading platforms. Larry also regularly advises clients concerning intellectual property licensing, asset management, due diligence, patent validity and infringement, and related patent reexamination and prosecution.

### Representative Case List

- *BitTitan, Inc. v. SkyKick, Inc.* (W.D. Wash. 2015-present) – Lead counsel; patent relating to cloud-based data migration.
- *In the matter of Certain Non-Volatile Memory Devices and Products Containing Same* (ITC 2013-2015) – Represented one of the respondents, a major memory manufacturer, in International Trade Center § 337 proceeding; patent relating to flash memory voltage boosting circuitry.
- *Microsoft Corp. v. Motorola Mobility, Inc.* (W.D. Wash. 2014) – FRAND rate litigation.
- *In re: Index Systems, Inc.* (PTAB and Fed. Cir. 2013-2014) – Lead counsel; appeal from a decision on reexamination; patent relating to television parental control system.
- *In the Matter of Certain Wireless Devices with 3G and/or 4G Capabilities and Components Thereof* (ITC 2012-2014) – Represented one of the respondents, a major Korean company, in International Trade Commission § 337 proceeding; 7 patents relating to 3G CDMA and 4G cellular network technologies.
- *B.E. Technology, L.L.C. v. Spark Networks, Inc.* (W.D. Tenn. 2012-2013) – Lead counsel; patent relating to targeted internet advertising.
- *Intellectual Ventures v. A Major Japanese Electronics Company* (D. Del. 2011-2015) – Co-lead counsel; 8 patents relating to digital camera imaging, semiconductor image sensor, touchscreen, and Wi-Fi technologies.
- *Spark Networks USA, LLC v. Humor Rainbow, Inc. and Zoosk, Inc.* (C.D. Cal. 2011) – Lead counsel; patent relating to online dating system and method.
- *In re Roger Youman et al.* (Fed. Cir. 2011 – 2012) – Lead counsel; appeal from decision of Board of Patent Appeals and Interferences denying reissue application for recapture; patent relating to interactive program guide technology.
- *Yorkey v. Diab et al.* (Fed. Cir. 2010 – 2012) – Lead counsel; appeal from a decision of the Board of Patent Appeals and Interferences in a Patent Office interference proceeding; patent relating to pulse oximetry.
- *Rovi Guides, Inc. v. Advanced Digital Broadcast S.A.* (S.D.N.Y. 2011) – Lead counsel; breach of patent license agreement.
- *Stambler v. QVC, Inc. et al.* (E.D. Tex. 2008-2010) – Lead counsel; 2 patents relating to computer cryptography asserted to cover the Internet's SSL protocol.

- *Data Match Enterprises of Texas, LLC v. Spark Networks, Inc. et al.* (E.D. Tex. 2008-2009) – Lead counsel; patent relating to system and method for accessing a database.
- *Certicom Corp. v. Sony Corp.* (E.D. Tex. 2008-2009) – 3 patents relating to elliptic curve cryptography.
- *Akrion, Inc. v. Solid State Equipment, Inc.* (E.D. Pa. 2007-2009) – 6 patents relating to semiconductor processing.
- *Spark Network Services, Inc. v. Spark Networks, Inc. et al.* (N.D. Ill. 2007-2008) – Lead counsel; patent relating to an automated system and method for identifying matches in a database.
- *DealerTrack, Inc. v. RouteOne LLC et al.* (C.D. Cal. 2007-present) – Lead counsel; 3 patents relating to computerized credit application system.
- *Transmeta Corporation v. Intel Corporation* (D. Del. 2006-2007) – 10 patents relating to computer processor architecture and circuitry.
- *PhatRat Technology, Inc. v. Timex Corp.* (D. Colo. 2006-2007) – Lead counsel; 2 patents relating to GPS-based system for measuring performance data.
- *Paragon Solutions, LLC v. Timex Corp.* (S.D. Ohio 2006-2007) – Lead counsel; patent relating to performance and physiological monitoring system.
- *Datasci, LLC v. etrials Worldwide, Inc.* (D. Md. 2006-2007) – Lead counsel; patent relating to Internet-based clinical trial system and method.
- *Analog Devices, Inc. v. Linear Technology Corporation* (D. Del. 2006-2007) – 12 patents relating to analog integrated circuitry.
- *Kollmorgen Corp. v. United States and GR Dynamics, Inc.* (Ct. Cl. 2005-2006) – Patent relating to stabilized weapons system.
- *Mag Instrument Inc. v. Timex Corporation* (C.D. Cal. 2003-2004) – Lead counsel; 4 patents relating to flashlights.
- *PHT Corporation v. etrials Worldwide, Inc.* (D. Del. 2004-2006) – Patent relating to portable medical data input device.
- *DealerTrack, Inc. v. RouteOne LLC* (E.D.N.Y. 2004-2007) – 2 patents relating to computerized credit application system, alleged violation of Digital Millennium Copyright Act, copyright infringement.
- *Pitney Bowes, Inc. v. Stamps.com, Inc.* (D. Del. 2003-2004) – Multiple patents relating to computerized postage machines and encryption technology.
- *Stamps.com, Inc. v. Pitney Bowes, Inc.* (D. Del. 2003-2004) – Multiple patents relating to computerized postage machines.
- *Analog Devices, Inc. v. Linear Technology Corporation* (D. Mass. 2001-2007) – Patent relating to digital-to-analog conversion circuitry.
- *WeddingChannel.com, Inc. v. The Knot, Inc.* (S.D.N.Y. 2003-2006) – Lead counsel; patent relating to Internet gift registry aggregation system; counts relating to computer fraud and abuse, breach of contract, false advertising and trademark infringement.
- *VIA Technologies, Inc. and Centaur Technology, Inc. v. Intel Corporation* (W.D. Tex. 2001-2003) – Multiple patents relating to microprocessor circuitry.
- *Toy v. Datek Online Holdings Corp., et al.* (D.N.J. 2001-2002) – Lead counsel; patent relating to computerized financial information distribution and alert notification system.
- *Texas Instruments v. Linear Technology Corporation* (E.D. Tex. 2001-2002) – Multiple patents relating to linear integrated circuitry.
- *Texas Instruments v. Linear Technology Corporation* (E.D. Tex. 2001-2002) – Multiple patents relating to computerized assembly line.
- *TDK Semiconductor Corporation v. Silicon Laboratories Inc.* (C.D. Cal. 2001-2003) – Lead counsel; patent relating to capacitive isolation barriers for telephone system digital access arrangement circuitry.
- *eSpeed Inc. et al. v. The New York Mercantile Exchange* (S.D.N.Y. 2001-2003) – Lead counsel; patent relating to automated commodities futures trading system.
- *eSpeed Inc. et al. v. The Chicago Board of Trade and The Chicago Mercantile Exchange* (N.D. Tex. 2001-2002) – Co-lead counsel; patent relating to automated commodities futures trading system.

- *Silicon Laboratories Inc. v. Analog Devices and 3Com Corporation* (W.D. Tex., Austin Div. 2000) – Lead counsel; patent and trade secrets case relating to modems and digital access arrangement circuitry.
- *Electronic Trading Systems, Inc. v. Cantor Fitzgerald, LLP, The Board of Trade of the City of Chicago, The Chicago Mercantile Exchange, and The New York Mercantile Exchange* (N.D. Tex. 1999-2000) – Co-lead counsel; patent relating to automated commodities futures trading system.
- *Cantor Fitzgerald LLP v. Liberty Brokerage, Inc.* (D. Del. 2000) – Lead counsel; patent relating to automated auction trading system.
- *Motorola v. Intel* (Judicial Court, Travis County, Tex., 1999) – Represented Motorola; co-lead counsel; inevitable disclosure trade secrets action relating to microprocessor technology.
- *Interactive Technologies, Inc. v. Pittway Inc. and Ademco Distribution Company, Inc.* (D. Minn. 1998) – Lead counsel; patent relating to wireless security system.
- *United Video Satellite Group, Inc. and Prevue Networks, Inc. (now TV Guide) v. StarSight Telecast, Inc.* (N.D. Okla. 1996-1998) – Patent relating to interactive television program guide.
- *College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board* (D.N.J. 1996-1999) – 2 patents relating to financial services system and method for defeasing the cost of college education.
- *Cyrix Corporation v. Intel Corporation* (E.D. Tex. 1994) – Patent relating to microprocessor technology.
- *Cyrix Corporation v. Intel Corporation* (E.D. Tex. 1993) – Patent relating to microprocessor virtual memory system, and licensing/patent exhaustion issues.
- *Cyrix Corporation v. Intel Corporation* (E.D. Tex., 1992) – Patent relating to math coprocessor, and licensing/patent exhaustion issues.
- *National Semiconductor Corp. v. Linear Technology Corp.* (N.D. Cal. 1989) – 11 patents relating to linear integrated circuits.
- *Lewmar Marine, Inc. v. Bariant, Inc.* (D. R.I. 1988) – Patent relating to automatic sailboat winches.
- *In re Certain X-Ray Image Intensifier Tubes* (U.S. Intl. Trade Comm'n, 1984) – 2 patents relating to x-ray image intensifier tubes.
- *Rixon, Inc. v. Racal-Milgo, Inc.* (D. Del. 1981) – 5 patents relating to modems.

## Related Practice Areas

- Patents
- Patent Preparation and Prosecution
- Strategic Counseling
- Due Diligence
- Opinions
- Transactions
- Contested Proceedings
- Litigation and Litigation Support
- Copyrights
- Trade Secrets

## Related Industries

- Computer Technology and Software
- Telecommunication
- Electronic Hardware
- Semiconductor Devices and Materials
- Medical Devices

## Bar Admissions

- New York
- United States Patent and Trademark Office

## Publications

- "Mayo Overlap Between Sections 101 and 102/103 - Not New," *Law360* (July 2012)
- "Reevaluate Reissues after the Federal Circuit's Youman Ruling," *Managing IP* (June 2012)
- "Software Patents," *Technology Law Section, State Bar of Georgia* (1996)
- "Software Patents," *U.S.C. Computer Law Institute* (1990)
- "Understanding Software Patents," *Association of the Bar of the City of New York* (1990)

## Professional Activities

- Speaker, Ropes & Gray Semiconductor Roundtable, "Patent Reform Update" (May 2015)
- Speaker, "Patent Reform 2015: Here We Go Again," Cornell Law School Intellectual Property and Technology Association (March 17, 2015)
- Speaker, Ropes & Gray IPMC Financial Services Roundtable, "Software Patentability: The Concept of 'Inventive Concept'," (April 7, 2014)
- Speaker, "Computer-Implemented Financial Inventions – Emerging Court Interpretations," 8th Annual Patents for Financial Services Summit, NYC (July 27-28, 2011)
- Speaker, "The Year In Review: Some Recent Patent Decisions Of Interest To The Financial Services Community," IIR's 2nd Annual Summit On Rights Protection For Financial Services (April 25-26, 2006)
- Speaker, "Strategies for Defending Against Assertions Of Willful Infringement," 2nd Annual IP Law & Business Winter Briefing (November 29, 2005)
- Speaker, "Inequitable Conduct And Antitrust Opinions: Their Role In Patent Litigation," Northwind Professional Institute (April 1, 2004)
- Speaker, "Non-Monetary Relief In Trade Secrets Cases," American Conference Institute, Advanced Strategies for Protecting and Litigating Trade Secrets in the New Economy (June 2001)
- Speaker, "Intellectual Property For Corporate Executives," and "Intellectual Property Risk Management," American Management Conference (2001)

## Memberships

- Association of the Bar of the City of New York
- Federal Circuit Bar Association
- New York Intellectual Property Law Association (Member, Patent Law & Practice Committee)
- Intellectual Property Owners Association (Member, Litigation Committee)

## Honors & Awards

- Best Lawyers in America (2010-present)
- New York Super Lawyers (2006-present)
- Managing IP - "IP Star" (2013-present)

## Education

- J.D., 1975, New York University School of Law
- B.S., Electrical Engineering, 1972, Cornell University with Distinction