



Amy E. LaValle

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Amy E. LaValle has an extensive background in patent litigation and other intellectual property matters. For more than 17 years, she has represented clients on both sides of patent cases in both federal district courts and proceedings before the U.S. Patent & Trademark Office. Amy has represented clients in patent cases involving a wide range of technologies, including medical devices, pharmaceuticals, computer hardware and software, and telecommunication devices and networks.

While Amy's primary focus is on patent infringement litigation, she routinely handles other complex intellectual property litigation and transactional matters. These include trademark infringement, copyright infringement, trade secret misappropriation, unfair completion, and antitrust cases. She also advises clients in corporate transactions and in the negotiation of intellectual property licenses and other technology-related agreements.

Prior to her employment at Wick Phillips, Amy was a senior associate at Gibson, Dunn & Crutcher LLP in Dallas and in New York and an associate at Jones Day in Dallas.

Awards & Honors

- Best Lawyers in America® - Litigation-Intellectual Property, Litigation-Patent (2021-2022)
- Top Women Attorneys in Texas, *Texas Monthly* (2019-2020)
- Texas Super Lawyers, *Texas Monthly* (2014-2020)
- Best Lawyers in Dallas, *D Magazine* (2018)
- Texas Super Lawyers Rising Star, *Texas Monthly* (2012-2014)

Representative Matters

- Jackson v. NuVasive, Inc. (District of Delaware) (represent defendant NuVasive as lead counsel in patent infringement case involving spinal implant devices).
- Acantha LLC v. NuVasive, Inc. (Eastern District of Michigan) (represented defendant NuVasive as lead counsel in patent infringement case involving spinal implant devices).
- Traxcell Technologies, LLC v. Huawei Technologies USA, Inc. (Eastern District of Texas) (represented defendant Huawei as lead counsel in patent infringement case involving network management systems).
- Waiter.com, Inc. v. Waitr, Inc. (Western District of Louisiana) (represented defendant Waitr against allegations of trademark infringement involving online restaurant delivery services).



- AdvoCare International, L.P. v. Stark International, LLC (Eastern District of Texas) (represented AdvoCare as lead counsel in trademark infringement case involving energy drinks).
- Phoenix Entertainment Partners LLC v. 2822 McKinney LLC, et al. (Northern District of Texas) (defended Mia's Sports Bar as lead counsel against allegations of trademark infringement involving karaoke systems).
- Coalition for Affordable Drugs VII, LLC v. Pozen Inc. (Patent Trial and Appeal Board) (represented Coalition for Affordable Drugs as lead counsel in proceeding challenging the validity of patent directed to Vimovo®).
- Lexos Media IP, LLC v. The Neiman Marcus Group, LLC (Eastern District of Texas) (defended Neiman Marcus as lead counsel in patent infringement case relating to modifiable website cursor images).
- Somaltus LLC v. Cadex Electronics, Inc. (Eastern District of Texas) (defended Cadex as lead counsel in patent infringement lawsuit related to battery testing and analyzer systems).
- Dynamic Hosting Company LLC v. Sprint Solutions, Inc., et al. (Eastern District of Texas) (defended Sprint as lead counsel in patent infringement lawsuit related to visual voicemail systems).
- Ericsson Inc., et al. v. Intellectual Ventures I LLC (and related cases) (Patent Trial and Appeal Board) (represented Ericsson in proceedings challenging the validity of patents directed to wireless network technology).
- Rensselaer Polytechnic Institute, et al. v. Apple Inc. (Northern District of New York) (represented patent owner and exclusive licensee in patent infringement suit related to natural language processing).
- Cornerstone Automation Systems, LLC and Robotica, Inc. v. R.E.D. Stamp, Inc. (Eastern District of Texas) (represented patent owners in patent infringement suit against competitor involving automated box opening technology).
- Cian IP LLC v. National Instruments Corp. (Western District of Texas) (represented Cian IP in patent infringement lawsuit related to PC-based modular diagnostic systems).
- VoiceFill, LLC v. West Corporation (District of Nebraska) (defended West Corporation and related companies in patent infringement lawsuit related to voice-to-form speech recognition technology).
- IP Innovation, LLC, et al. v. Red Hat, Inc., et al. (Eastern District of Texas) (defended two open source software companies, Novell and Red Hat, in jury trial before Federal Circuit Judge Randall R. Rader, resulting in a full defense victory; prior to trial, successfully drafted and argued a motion to exclude the plaintiffs' original damages theory (705 F. Supp. 2d 687)).
- Fair Isaac Corp. v. Actimize Inc. (District of Delaware) (defended Actimize in patent infringement suit involving four patents relating to credit/debit card fraud detection software).
- EMSAT Advanced Geo-Location Technology, LLC, et al. v. T-Mobile USA, Inc., et al. (Northern District of Ohio) (defended T-Mobile in patent infringement suit involving four patents relating to mobile location based services).
- Iceberg Industries, LLC v. Shazam Entertainment, Ltd. (Eastern District of Virginia) (defended Shazam in patent infringement suit involving mobile apps for capturing and identifying audio recordings).
- In the Matter of Certain Semiconductor Chips with Minimized Chip Package Size and Products



Containing Same (III) (International Trade Commission) (represented Complainant Tessera, Inc. in ITC patent infringement trial against foreign DRAM manufacturers and importers).

Speeches

- Featured Speaker, “After Lexmark, Is International Patent Exhaustion on the Horizon?,” American Bar Association, January 2016.
- Featured Speaker, “Patent Litigation Best Practices,” 52nd Annual Conference on Intellectual Property Law, November 2014.
- Featured Speaker, “Crossing the Finish Line in a Patent Dispute: Why Damages Expert Theories Are the Latest Hurdle,” AIPLA 2012 Spring Meeting, May 2012.
- Featured Speaker, “Implications of Recent Court Decisions on the Application of the ‘Entire Market Value Rule’ To Patent Damages Analysis,” American Bar Association, November 2010.

All Practice Areas

- Copyrights
- Intellectual Property Agreements
- Intellectual Property Litigation
- IP Opinions and Diligence
- Patent Litigation
- Patents and Post-Grant Proceedings
- Patents and Trademarks
- Trade Secrets

Education

- Southern Methodist University Dedman School of Law (J.D., cum laude, 2003)
- Texas A&M University (B.S., cum laude, 1999)

Memberships

- Barrister, Barbara M.G. Lynn Inn of Court
- Member, Computer and Technology Section of the State Bar of Texas
- Member, Intellectual Property Law Section of the State Bar of Texas
- Member, Intellectual Property Section of the Dallas Bar Association

Admissions

- Texas
- New York
- U.S. Patent and Trademark Office
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Fifth Circuit
- United States District Court for the Northern, Southern, Eastern and Western Districts of Texas
- United States District Court for the Northern and Southern Districts of New York
- United States District Court for the Eastern District of Michigan
- United States District Court for Nebraska