

## S. Benjamin Pleune

### Partner

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Ben Pleune is a partner in Alston & Bird's Intellectual Property Litigation Group, with extensive experience litigating patents in U.S. district courts, the Court of Appeals for the Federal Circuit, and the International Trade Commission. Ben also has extensive experience in post-grant reviews before the Patent Trial and Appeal Board. He has co-authored a book on PTAB practice and is a recognized authority in this area, frequently speaking and offering insights in industry journals and publications. Ben focuses his practice on the protection and enforcement of intellectual property rights in a variety of industries, including pharmaceuticals, telecommunications, medical devices, Internet database and e-commerce services, machine vision, robotics, and military mobility components.

Ben has been recognized as one of *The Best Lawyers in America*® since 2015, *Best Lawyers*® 2017 and 2021 Intellectual Property Litigation "Lawyer of the Year" in Charlotte, and a "North Carolina Rising Star" by *Super Lawyers* for 2014 and 2015. He is a member of the board of directors of the Charlotte chapter of the Cystic Fibrosis Foundation and a frequent author and speaker on trends and current issues in intellectual property.

#### **Representative Experience**

- Counsel to one of the world's largest cellular communications companies in patent infringement and licensing disputes pending in multiple federal district courts, the Court of Appeals for the Federal Circuit and International Trade Commission.
- Counsel for the plaintiff manufacturer of mobility components for military and commercial applications in federal patent litigation.
- Counsel for the leading real estate Internet database company defendant in multiple federal patent litigations.
- Counsel for a robot manufacturer respondent in an ITC Section 337 investigation.
- Counsel for a welding consumables manufacturer respondent in an ITC Section 337 investigation.

#### **Publications & Presentations**

##### **Publications**

- "What Ethernet Patent Ruling Means for Claim Amendments," *Law360*, October 5, 2020.
- *USPTO Post-Grant Trials Handbook*, 2nd Edition, Wolters Kluwer, 2018.
- *USPTO Post-Grant Trials Handbook*, Wolters Kluwer, 2016.
- "New PTAB Rules Level the Playing Field for Patent Owners in IPR," *IPWatchdog*, April 19, 2016.
- "New Federal Rules Directed to E-Discovery," *The Inside Scoop*, Vol. 28, No. 3, April 2016.
- "Patent Practice Before the ITC: Standard-Essential Patents and Exclusionary Relief," *NCBA IP Links*, December 2013.

- “International Trade Commission Section 337 Investigations: The Domestic Industry Requirement,” *NCBA IP Links*, June 2013.
- “Section 337 Investigations: A Primer on the Forum of Choice for Aggressive Patent Enforcers,” *NCBA IP Links*, March 2013.

## **Presentations**

- “How to Win at the PTAB,” UOP, Des Plaines, IL, November 12, 2015.
- “IP Litigation and Post-Grant Update,” Honeywell Legal Summit, Parsippany, NJ, September 28, 2015.
- “How to Win at the PTAB,” Silicon Valley Association of Corporate Counsel, East Palo Alto, CA, June 18, 2015.
- “The Rise of Patent Challenges at the PTO,” Mecklenburg County Bar, January 28, 2015.
- “Significant Developments in U.S. Patent Law LIVE,” The Knowledge Group, webinar, January 26, 2015.
- “Inter Partes Review,” Wake County Bar Association, October 29, 2014.

## **Professional & Community Engagement**

- North Carolina Bar Association, Intellectual Property Section
- Intellectual Property Owners Association

## **Court Admissions**

- Federal district courts in the Western, Middle, and Eastern Districts of North Carolina
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Federal Circuit

## **Education**

- University of Illinois at Urbana–Champaign (J.D., 2002)
- University of Wisconsin (B.S., 1999)

## **Admitted to Practice**

- North Carolina
- U.S. Patent and Trademark Office

## **Related Services**

Intellectual Property | Intellectual Property Litigation | Intellectual Property Licensing Transactions | Patent Prosecution, Counseling & Review | Life Sciences | ITC Section 337 | Patent Litigation