

## Thomas W. Davison

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Thomas Davison is a partner with Alston & Bird's Intellectual Property Litigation Group. Tom has experience in patent, trademark, and trade secret litigation before the International Trade Commission (ITC) and in district courts. He has obtained significant victories at the ITC, including obtaining general and limited exclusion orders, winning disputed motions for summary determination of infringement and technical prong of domestic industry, and obtaining civil penalties. In district court, Tom has helped his clients secure temporary restraining orders and preliminary injunctions.

Tom has been recognized for his notable performance and, in 2021, Patexia ranked him as one of the top 100 "best performing patent litigators representing plaintiffs," "best performing ITC attorneys overall," and "best performing ITC attorneys representing complainants."

He is also a registered patent attorney and has prosecuted patent applications before the U.S. Patent and Trademark Office. Before joining Alston & Bird, Tom worked in the search room at the U.S. Patent and Trademark Office as a patent agent dedicated to conducting clearance, infringement, patentability, and validity prior art searches.

Tom received his J.D., cum laude, in 2008 from the University of Florida Levin College of Law. While in law school, he pursued postgraduate studies in industrial and systems engineering. In 2003, he received his B.S. in systems engineering from the University of Virginia.

### **Representative Experience**

#### **U.S. International Trade Commission Section 337 Investigations**

- Counsel for respondents, Universal Electronics Inc., Charter, Altice, and WideOpenWest in *Certain Televisions, Remote Controls, and Components Thereof*, Inv. No. 337-TA-1263.
- Counsel for complainant, Universal Electronics Inc., in obtaining an exclusion order against Roku for an infringement of UEI's intellectual property. *Certain Electronic Devices, Including Streaming Players, Televisions, Set Top Boxes, Remote Controllers, and Components Thereof*, Inv. No. 337-TA-1200.
- Counsel for complainants in *Certain Luxury Vinyl Tile and Components Thereof*, Inv. No. 337-TA-1155.
- Counsel for complainant Rockwell Automation in an investigation against 15 gray market respondents alleging trademark, copyright, and unfair competition claims. *Certain Industrial Automation Systems and Components Thereof Including Control Systems, Controllers, Visualization Hardware, Motion and Motor Control Systems, Networking Equipment, Safety Devices, and Power Supplies*, Inv. No. 337-TA-1074.
- Defended Rockwell Automation Inc. in an antitrust and unfair competition claim launched by reseller Radwell. *Certain Programmable Logic Controllers (PLCs), Components Thereof, and Products Containing Same*, Inv. No. 337-TA-1105.
- Counsel for respondent Shandong Yongtai Chemical Group Co. Ltd. *Certain Tires and Products Containing Same*, Inv. No. 337-TA-894.

- Counsel for respondent Mellanox Technologies in an investigation involving fiber-optic technology. *Certain Optoelectronic Devices for Fiber Optic Communications, Components Thereof, and Products Containing the Same*, Inv. No. 337-TA-860.
- Counsel for respondents AmTran Logistics Inc. and AmTran Technology Co. Ltd. *Certain Consumer Electronics with Display and Processing Capabilities*, Inv. No. 337-TA-884.
- Counsel for complainant Nokia Inc. against HTC involving mobile phone hardware and software. *Certain Portable Electronic Communications Devices, Including Mobile Phones and Components Thereof*, Inv. No. 337-TA-885.
- Counsel for complainant Merck & Cie in an investigation involving medical foods. *Certain Reduced Folate Nutraceutical Products and L-Methylfolate Raw Ingredients Used Therein*, Inv. No. 337-TA-857.
- Counsel for respondents Yantai Zhenghai Magnetic Material Co. Ltd., Earth-Panda Advance Magnetic Material Co. Ltd., Ningbo Jinji Strong Magnetic Material Co. Ltd., and Integrated Magnetics Inc. *Certain Sintered Rare Earth Magnets, Methods of Making Same and Products Containing Same*, Inv. No. 337-TA-855.
- Counsel for complainant Nokia Inc. against HTC involving mobile phone hardware and software. *Certain Electronic Devices, Including Mobile Phones and Tablet Computers, and Components Thereof*, Inv. No. 337-TA-847.
- Counsel for respondent Imaging Resources LLC in an investigation involving printing technology. *Certain Toner Cartridges and Components Thereof*, Inv. No. 337-TA-829.
- Counsel for complainant X2Y Attenuators LLC involving microprocessor energy conditioning technology. *Certain Microprocessors, Components Thereof, and Products Containing Same*, Inv. No. 337-TA-781.
- Counsel for complainant Nokia Inc. against Apple Inc. in an investigation of the importation of consumer electronics. *Certain Electronic Devices, Including Mobile Phones, Mobile Tablets, Portable Music Players, and Computers, and Components Thereof*, Inv. No. 337-TA-771.
- Counsel for complainants Richtek Technology Corp. and Richtek USA Inc. in a case regarding patent infringement and trade secret misappropriation. *Certain DC-DC Controllers and Products Containing Same*, Inv. No. 337-TA-698 (Enforcement Proceeding).
- Counsel for respondent Nokia Inc. in an investigation of the importation of mobile phones. *Certain Personal Data and Mobile Communications Devices and Related Software*, Inv. No. 337-TA-710.
- Counsel for respondent Nokia Inc. in an investigation of the importation of mobile phones. *Certain Mobile Communications and Computer Devices and Components Thereof*, Inv. No. 337-TA-704.
- Counsel for complainant Nokia Inc. against Apple Inc. in an investigation of the importation of infringing consumer electronics. *Certain Electronic Devices, Including Mobile Phones, Portable Music Players, and Computers*, Inv. No. 337-TA-701.
- Counsel for respondent Nokia. *Certain 3G Mobile Handsets and Components Thereof*, Inv. No. 337-TA-613.

#### **Appellate, District Court, and State Court Litigation**

- Counsel for defendant Nvidia in *Rock Creek Networks, LLC v. Nvidia Corporation*, No. 6-21-cv-00675 (W.D. Tex.).
- Counsel for defendant and counter-claim plaintiff Signify in *Satco Products, Inc. v. Signify North America Corporation et al.*, No. 6-21-cv-00146 (W.D. Tex.).

- Counsel for defendant Universal Electronics Inc. in *Roku, Inc. v. Universal Electronics Inc. et al.*, No. 8-21-cv-00658 (C.D. Cal.).
- Counsel for defendant Alcatel Submarine Networks SAS in *Core Optical Technologies, LLC v. Comcast Corporation et al.*, No. 8-21-cv-00046 02190 (C.D. Cal.).
- Counsel for plaintiff Universal Electronics Inc. *Universal Electronics Inc. v. TCL Electronics Holdings Ltd. et al.*, No. 8:20-cv-00704 (C.D. Cal.).
- Counsel for plaintiff Universal Electronics Inc. *Universal Electronics Inc. v. Hisense Co., Ltd. et al.*, No. 8:20-cv-00696 (C.D. Cal.).
- Counsel for plaintiff Universal Electronics Inc. *Universal Electronics Inc. v. Funai Electric Company, Ltd. et al.*, No. 8:20-cv-00700 (C.D. Cal.).
- Lead counsel for plaintiff Doc Palapa Co. *Doc Palapa Co. v. Global Innovation, LLC*, No. 3:20-cv-01154 (M.D. Fla.).
- Counsel for plaintiffs in *Audiology Distribution LLC d/b/a HEARUSA et al. v. Peter Stephens et al.*, No. 8:20-cv-00499 (M.D. Fla.).
- Counsel for plaintiffs in *Signify North America Corporation f/k/a Philips Lighting North America Corporation et al v. Satco Products, Inc.*, No. 2-19-cv-06125 (E.D.N.Y.).
- Counsel for defendants Nokia Corp. and Nokia of America Corp. *Core Optical Technologies, LLC v. Nokia Corp. et al.*, No. 8-19-cv-02190 (C.D. Cal.).
- Counsel for defendant *A-S Medication Solutions, LLC in Pharmacy Care Center, Inc. vs GL National Enterprises, LLC et al.*, No. 2020-001945-CA-01 (The Eleventh Judicial Circuit, in and for Miami-Dade County, FL).
- Counsel for defendant Libratone. *Battery Conservation Innovations, LLC v. Libratone, Inc.*, No. 5-19-cv-05704 (N.D. Cal.).
- Counsel for plaintiff Universal Electronics Inc. *Universal Electronics Inc. v. Roku, Inc.*, Nos. 8:18-cv-01580 (C.D. Cal.) and 8:20-cv-00701 (C.D. Cal.).
- Co-lead counsel for defendant Nokia of America Corp. *Packet Intelligence LLC v. Nokia of America Corporation*, No. 2:18-cv-00381, -00382 (E.D. Tex.).
- Counsel for Wix.com. *Wix.com Ltd. v. Electronic Communication Technologies LLC*, No. 1:18-cv-24685 (S.D. Fla.).
- Counsel for Pierce Manufacturing Inc. *Pierce Manufacturing Inc., et al. v. E-One Inc., et al.*, No. 8:18-cv-00617 (M.D. Fla.) and *Pierce Manufacturing Inc. v. REV Group Inc.*, No. 8:18-cv-00976 (M.D. Fla.).
- Counsel for defendant Alcatel-Lucent USA Inc. *Parity Networks LLC v. Alcatel-Lucent USA Inc.*, No. 6:16-cv-01367 (E.D. Tex.).
- Counsel for defendant Nokia Solutions and Networks US LLC. *Implicit LLC v. Nokia Solutions and Networks US LLC*, No. 6:16-cv-00079, -00080 (E.D. Tex.).
- Counsel for plaintiff Nokia Solutions and Networks. *Nokia Solutions and Networks US LLC, et al. v. Huawei Technologies Co. Ltd., et al.*, Nos. 2:16-cv-00753, -00754, -00755, -00756 (E.D. Tex.).
- Counsel for intervenor and counterclaim plaintiff Nokia Solutions and Networks. *Huawei Technologies Co. Ltd. v. T-Mobile US Inc., et al.*, Nos. 2:16-cv-00052, -00055, -00056, -00057 (E.D. Tex.).

- Counsel for defendant Memorial Healthcare Group, Inc. *Dykman et al v. Memorial Healthcare Group, Inc.*, No. 3:16-cv-00601-MMH-JBT (M.D. Fla.).
- Counsel for appellees Panasonic Corp., Victor Company of Japan Ltd., Panasonic Corp. of North America, and JVC Co. of America. *In re Papst Licensing Digital Camera Patent Litigation (Papst Licensing v. FujiFilm Corp., et al.)*, No. 14-1110 (Fed. Cir.).
- Counsel for Richtek Technology Corp. and Richtek USA Inc. *uPI Semiconductor Corp. v. ITC and Richtek Technology Corp. v. ITC*, 767 F.3d 1372 (Fed. Cir. 2014).
- Counsel for defendants AOL Inc. and MapQuest Inc. *Transcenic Inc. v. Google Inc., et al.*, No. 1:11-cv-00582 (D. Del.).
- Counsel for defendants and counterclaimants Mellanox Technologies Denmark ApS and IPtronics Inc. in a case regarding patent infringement and trade secret misappropriation. *Avago Technologies Fiber IP (Singapore) PTE. Ltd. v. IPtronics Inc., et al.*, No. 5:10-cv-02863 (N.D. Cal.).
- Counsel for plaintiff Merck & Cie. *Merck & Cie, et al. v. Macoven, et al.*, No. 6:12-cv-00027 (E.D. Tex.).
- Counsel for defendant Amazon.com. *M-Edge Accessories LLC v. Amazon.com Inc.*, No. 1:11-cv-03332 (D. Md.).
- Counsel for plaintiff Nokia. *Nokia Corp. v. Apple Inc.*, No. 1:09-cv-00791 (D. Del.).
- Counsel for defendants AOL, MySpace, Amazon.com, CME Group, and PayPal. *Bedrock Computer Technologies LLC v. Softlayer Technologies Inc., et al.*, No. 6:09-cv-00269 (E.D. Tex.).
- Counsel for defendant Nokia. *Implicit Networks Inc. v. HTC Corp., et al.*, No. 3:09-cv-01628 (N.D. Cal.).
- Counsel for defendant Dell. *Big Baboon Corporation v. Dell Inc.*, No. 2:09-cv-01198 (C.D. Cal.).
- Counsel for defendant Nokia. *Media Digital Inc. v. LG Electronics MobileComm USA Inc., et al.*, No. 3:08-cv-01939 (N.D. Tex.).
- Counsel for defendant AOL. *Rembrandt Data Technologies LP v. AOL LLC*, No. 1:08-cv-01009 (E.D. Va.).
- Counsel for defendant Nokia. *Typhoon Touch Technologies Inc., et al. v. Motion Computing Inc., et al.*, No. 6:07-cv-00546 (E.D. Tex.).

## **Inter Partes Reviews**

- Counsel for petitioner Nokia of America Corp. *Juniper Networks, Inc., et al. v. Core Optical Technologies, LLC*, IPR2020-01664 (PTAB).
- Counsel for patent owner, *Universal Electronics Inc. Roku Inc. v. Universal Electronics Inc.*, IPR2019-01612, IPR2019-01613, IPR2019-01614, IPR2019-01615, IPR2019-01619, IPR2019-01620, IPR2019-01621, IPR2019-01608, IPR2019-01595, IPR2020-00951, IPR2020-00952, IPR2020-00953, IPR2020-01012 (PTAB).
- Lead counsel for petitioners Nokia Corp. and Nokia of America Corp. *Nokia of America Corporation, et al. v. Packet Intelligence LLC*, IPR2019-01289, IPR2019-01290, IPR2019-01291, IPR2019-01292, IPR2019-01293 (PTAB).
- Counsel for petitioners ASUSTeK Computer Inc. and ASUS Computer International. *ASUSTeK Computer Inc., et al. v. Maxell Ltd.*, IPR2019-00067, IPR2019-00068, IPR2019-00069, IPR2019-00070, IPR2019-00071 (PTAB).
- Counsel for patent owner Nokia Solutions and Networks Oy. *Huawei Technologies Co. Ltd. v. Nokia Solutions and Networks Oy*, IPR2017-01547, IPR2017-01548, IPR2017-01604, IPR2017-01609, IPR2017-01610, IPR2017-01540, IPR2017-01542, IPR2017-01545, IPR2017-01581 (PTAB).

## **Patents**

- Inventor of U.S. Patent No. 10,042,436 entitled “Rolling foot controller.”

## **Publications & Presentations**

### **Publications**

- “Supreme Court to Address Split on IP Agreements,” *Bankruptcy Law News*, Virginia State Bar, Vol. XXIV, No. 27, February 2019.
- “Transmission of Digital Data into the United States Is Outside the Jurisdiction of the US International Trade Commission,” *AIPLA Patent Law Committee Newsletter*, May 2016.
- “Patent Eligibility, After Alice, at the ITC,” *Law360*, March 16, 2016.

### **Professional & Community Engagement**

- American Intellectual Property Law Association
- The Lyles Rich Inn of Court, barrister

### **Court Admissions**

- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Eastern District of Virginia

### **Accolades**

- 2017 Capital Pro Bono Honor Roll
- *Super Lawyers* “Rising Star” (2014-present)

### **Education**

- University of Florida (J.D., 2008)
- University of Virginia (B.S., 2003)

### **Admitted to Practice**

- District of Columbia
- Florida
- Virginia
- U.S. Patent and Trademark Office

### **Related Services**

Intellectual Property | Intellectual Property Litigation | Patent Prosecution, Counseling & Review | Trademark & Copyright | ITC Section 337 | Electrical, Software & Computer Science Patents | Patent Litigation | Trade Secrets