

Brent G. Seitz

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Brent works closely with in-house counsel, foreign attorneys, and sole inventors to protect and manage their intellectual property assets. Always mindful of the cost pressures that clients face, Brent focuses on developing strategies for achieving client goals in the most cost-efficient manner possible.

Having secured hundreds of patents for clients, Brent has the experience necessary to help clients identify their patentable inventions, draft patent applications for those inventions, and obtain patent protection in the United States and throughout the world. He also counsels clients regarding freedom-to-practice, patent validity, and infringement issues. He works with clients in a wide range of industries, such as the automotive, medical device, biotech, and aerospace industries.

PRACTICE AREAS

Patents; Trademarks & Service Marks; Copyrights; IP Litigation; IP Transactions; International

INDUSTRIES

Automotive & Autonomous Vehicles; Mechanical & Electromechanical; Medical Devices; Pharmaceutical & Biotechnology

KEY MATTERS

PATENT INFRINGEMENT LITIGATION

- *Certain Automotive Multimedia Display and Navigation Systems, Components Thereof, and Products Containing Same* (U.S. Int'l. Trade Comm'n.): Defended DENSO in ITC action brought by Honeywell alleging patent infringement related to GPS navigation systems
- *DENSO Corporation and DENSO Int'l. America, Inc., v. Honeywell Int'l. Inc.* (C.D. Cal): Represented DENSO in action against Honeywell for declaratory judgment of non-infringement of patents related to GPS navigation systems
- *Webvention LLC v. Tenneco, Inc. et al.* (E.D. Tex.): Defended Tenneco in action brought by patent holding company Webvention, which asserted that Tenneco's website infringed its patent — the

matter settled soon after Tenneco filed a declaratory judgment action of invalidity and non-infringement in the District of Delaware

- *Honeywell International, Inc. v. Furuno Electric Co. Ltd., et al.* (Dist. of MN): Represented Furuno in patent infringement action brought by Honeywell alleging patent infringement related to GPS navigation systems
- *Univ. of Michigan, Michigan State Univ., and VetGen, L.L.C. v. GeneSearch, L.L.C.* (E.D. MI): Represented Univ. of Mich., Mich. State Univ. and VetGen in patent infringement action asserting U.S. Patent 6,040,143 directed to detecting canine von Willebrand's Disease — at trial, a favorable judgment of \$2,535,031.30 was awarded
- *FlexHead Industries, Inc. et al. v. The Viking Corporation et al.* (D. Mass.): Defended Viking in patent infringement action brought by FlexHead alleging that Viking's fire protection sprinklers infringed FlexHead's patent
- *Central Sprinkler Corp. v. The Viking Corporation* (E.D. Pa.): Defended Viking in patent infringement action brought by Central Sprinkler alleging that Viking's fire protection sprinklers infringed FlexHead's patent
- *Delaware Capital Formation, Inc. and CPI Products, Inc. v. Norgren Automation Solutions, Inc.* (E.D. Mich.): Represented Plaintiffs in patent infringement action regarding auto-release vacuum devices for maneuvering objects, such as by robots during manufacturing
- *LMI Technologies, Inc. v. Perceptron, Inc.* (E.D. MI): Defended Perceptron against claims of patent infringement related to machine vision technology
- *Flo Healthcare Solutions, LLC v. Rioux Vision, Inc.* (N.D. Ga.): Represented Flo Healthcare in action for infringement of its patented mobile medical workstation technology
- *Nestle USA, Inc. v. Sara Lee Bakery Group* (N.D. Ohio): Defended Sara Lee in this patent infringement lawsuit brought by Nestle alleging patent infringement related to ready-to-bake cookie dough

FALSE ADVERTISING, TRADEMARK, UNFAIR COMPETITION AND TRADE SECRET LITIGATION

- *Freudenberg Filtration Technologies LP and Carl Freudenberg KG v. Total Automotive, Inc. et al.* (D. Minn.): Represented Freudenberg in action asserting its rights in the trademark MICRONAIR against infringers using confusingly similar marks in conjunction with their sale of cabin air filters imported from China
- *McKee Foods Kingman, Inc. v. Kellogg Company* (E.D. Tenn.): Defended Kellogg against McKee's declaratory judgment action alleging that it did not infringe Kellogg's MARSHMALLOW TREATS trademark or trade dress and that its advertising was not false
- *Powerhouse Marks, LLC v. Costco Wholesale Corp.* (E.D. Mich.): Represented Powerhouse in action for infringement of its trademark POWERHOUSE by retailers and importers of fitness equipment from China — following trial, a favorable judgment of \$2,157,000.00 was awarded
- *Midwest Guaranty Bank v. Guaranty Bank* (E.D. Mich.): Represented Midwest Guaranty Bank in a trademark infringement action against Guaranty Bank — the matter settled favorably after the Court granted Midwest's motion for preliminary injunction
- *Truckers Toy Store, LLC v. Truckers Toy Store Inc., et al.* (E.D. Mich.): Defended Truckers Toy Store Inc. in trademark infringement lawsuit — resolved the case for Defendants prior to expensive discovery and

motion practice taking place

- *Bliss Clearing Niagara, Inc. v. Midwest Brake Bond Co.* (W.D. Mich.): Defended Midwest Brake against claims of trademark infringement, unfair competition, dilution, misappropriation of trade secrets, breach of contract and various torts
- *Perceptron v. Sensor Adaptive Machines, Inc.* (E.D. Mich., 6th): Represented Perceptron in asserting non-compete agreement against Defendant — at trial, the jury awarded Perceptron \$732,223.19 in damages, which was affirmed on appeal
- *Cobasys, L.L.C., et al., v. FMP Resistance Welding Supply, Inc.* (S.D. Ohio): Represented Cobasys in action for declaratory judgment that its resistance seam welding technology did not use any confidential, trade secret and copyrighted information of Defendant's
- *Industrial Wire Products, Inc. v. Emerson Electric Co., et al.* (E.D. MO): Defended Emerson Electric in this trademark infringement action alleging infringement of Plaintiff's STORAGE SOLUTIONS trademark
- *Tenneco Automotive Operating Company, Inc. v. Kingdom Auto Parts and Prime Choice Auto Parts* (E.D. Mich.): Represented Tenneco in action against Kingdom and Prime Choice for trademark infringement in conjunction with their sale auto parts made in China
- *Tenneco Automotive Operating Company Inc. v. Leacree Chengdu Company, Ltd. and Leacree Company* (N.D. IL): Represented Tenneco in action against Leacree for trademark infringement in conjunction with Leacree's importation and sale of auto parts made in China
- *Dana Corporation v. American Axle & Manufacturing* (E.D. Mich.): Defended American Axle against Dana's allegations that American Axle infringed its patents directed to automobile driveshafts
- *Karl Thorpe v. La-Z-Boy Inc.* (D. Colo.): Defended La-Z-Boy against Plaintiff's breach of contract claims related to La-Z-Boy's development of its recliner with integrated cooler

COPYRIGHT LITIGATION

- *Dick McNamara Construction, LLC v. Thomas Arnett, Lane Swearinger, R.L. Montieth, and Saddlebrook Homes* (S.D. Iowa): Represented McNamara construction in action for copyright infringement of architectural drawings
- *Richard K. Niemi, et al. v. American Axle Mfg. & Holding, Inc., et al.* (E.D. Mich.): Defended American Axle in copyright infringement action alleging infringement of design drawings for manufacturing equipment

TRADEMARK TRIAL AND APPEAL BOARD PROCEEDINGS

- *Robison's, Inc. v. Charles Felix*, Opposition No. 91170744 (TTAB): Represented Robison's in its opposition of Felix's application to register JOE BIKER
- *Kellogg Company v. Arthur's Natural Foods, Inc.*, Opposition No. 91121281 (TTAB): Represented Kellogg in its opposition to register ZOOT FRUITS
- *Kellogg Company v. Rainy Day Resources, Inc.*, Opposition No. 91153629 (TTAB): Represented Kellogg in its opposition to Rainy Day's application to register Miscellaneous Sun Design
- *Kellogg Company v. Shakespeare Company, LLC*, Opposition No. 91154502 (TTAB): Represented Kellogg in its opposition to Shakespeare's application to register TIGER

- *Kellogg Co. v. Tomy Company Ltd.*, Opposition No. 91154544 (TTAB): Represented Kellogg in its opposition to Tomy's application to register TOMY
- *Kellogg Co. v. General Mills, Inc.*, Opposition No. 91125884 (TTAB): Represented Kellogg in its opposition to General Mills' application to register CINNAMON TOAST CRUNCH
- *Kellogg Co. v. General Mills IP Holding I, LLC*, Opposition No. 91158751 (TTAB): Represented Kellogg in its opposition to General Mills' application to register CINNAMON TOAST CRUNCH MORNING MIX
- *Kellogg North America Company v. Rich-SeaPak Corp.*, Opposition No. 91164430 (TTAB): Represented Kellogg in its opposition to Rich's application to register FRENCH TOASTER STICKS
- *Kellogg North America Company v. The Foreign Candy Company, Inc.*, Opposition No. 91167498 (TTAB): Represented Kellogg in its opposition to Applicant's application to register TOUCAN TOES
- *Kellogg North America Company v. Vitasoy USA Inc.*, Opposition No. 91170564 (TTAB): Represented Kellogg in its opposition to Vitasoy's application to register NUTRIFULL
- *Kellogg North America Company v. Applejack Associates, Inc.*, Opposition No. 91172411 (TTAB): Represented Kellogg in its opposition to Applejack's application to register APPLEJACK WINE SPIRITS & Design
- *Kellogg North America Company v. The Kite Factory, Ltd.*, Opposition No. 91172425 (TTAB): Represented Kellogg in its opposition to The Kite Factory's application to register SNAP
- *Kellogg North America Company v. The Kite Factory, Ltd.*, Opposition No. 91172430 (TTAB): Represented Kellogg in its opposition to The Kite Factory's application to register SNAP STUNT KITE
- *Kellogg North America Company v. The Kite Factory, Ltd.*, Opposition No. 91172414 (TTAB): Represented Kellogg in its opposition to The Kite Factory's application to register SNAP SPINNER
- *Kellogg North America Company v. Zeta Espacial S.A.*, Opposition No. 91171453 (TTAB): Represented Kellogg in its opposition to Zeta's application to register POP ROCKS
- *Kellogg North America Company v. Industrias Mafam S.A.*, Opposition No. 91173191 (TTAB): Represented Kellogg in its opposition to Industrias Mafam's application to register NUTRI SNACKS MAFAM & Design
- *Kellogg North America Company v. General Mills IP Holdings I, LLC*, Opposition No. 91176542 (TTAB): Represented Kellogg in its opposition to General Mills' application to register THE ONE AND ONLY
- *Kellogg North America Company v. Florida Business Partners, LLC*, Opposition No. 91173510 (TTAB): Represented Kellogg in its opposition to Florida Business Partners' application to register NUTRAORGANICS
- *Kellogg North America Company v. K2 Corporation*, Opposition No. 91176596 (TTAB): Represented Kellogg in its opposition to K2's application to register K2 & Design

BACKGROUND

Brent also helps clients successfully and cost-effectively resolve patent, trademark, copyright and trade secret disputes. His experience includes trial practice, deposition practice and the preparation of pleadings, motions and discovery. He has appeared before federal district and appellate courts throughout the country, and handled disputes before the U.S. International Trade Commission and the Trademark Trial and Appeal Board.

AWARDS & DISTINCTIONS

- *Best Lawyers*, Litigation – Intellectual Property, Patent Law, 2024-2026
- *Super Lawyers*, “Michigan Rising Stars,” Intellectual Property, 2012-2015
- *DePaul Journal of Art, Technology & Intellectual Property Law*, Editor-in-Chief
- DePaul Moot Court Society (Lefkowitz Intellectual Property Competition)

EDUCATION

J.D., DePaul University College of Law, 2001

B.S., Biology, Marquette University, 1998

BAR & COURT ADMISSIONS

Michigan

U.S. Patent and Trademark Office

United States Supreme Court