

GLENN E. FORBIS

PRINCIPAL / DETROIT METRO OFFICE



Glenn is a *dynamic* litigator and trial attorney, specializing in intellectual property matters. He is

Chambers®-rated and serves as the firm's Litigation Practice Group Leader. Glenn is valued for understanding each client's specific goals and technology, as

well as for the early development of a focused strategy in each case. A tenacious advocate, Glenn consistently delivers concise and persuasive presentations in court and to judges and juries, centered on understandable themes.

Glenn has appeared as lead or co-lead trial attorney in more than 200 patent, trademark, and copyright cases in Federal Courts across the country, and he has handled 18 Federal Circuit appeals (15 favorable results), as well as several other appeals in the 2nd, 6th, and 9th Circuits. In an age when actual trial experience is rare, Glenn has tried 9 cases to verdict. A few years ago, Glenn and his team secured an extremely favorable jury verdict for his client that included a finding of patent validity, willful patent infringement and an award of trebled lost profits damages and an injunction. Most recently, Glenn and his team secured a jury verdict of willful copyright infringement for his client Dassault Systemes in a software piracy case. Glenn and his team have secured 4 favorable jury verdicts for his clients in as many trials in the last 7 years. Glenn has litigated 33 Inter Partes Reviews (IPRs), including most recently winning 4 IPRs directed to the 4 asserted patents in a single case, where all asserted claims of all 4 patents were determined to be unpatentable.

Glenn has successfully defended multiple patent infringement claims in excess of \$75 million and, on the Plaintiff's side, has twice achieved recoveries for his clients in excess of \$30 million. On the trademark side, Glenn obtained several injunctions against infringers of the "Citizens Bank" mark and successfully defended former Temptations lead singer, Dennis Edwards, against claims that he infringed the "Temptations" mark, among other matters.

For many years, Glenn has led a team that annually secures many millions of dollars in settlements and judgments for Dassault Systemes resulting from enforcement of its software copyrights against piracy, unlicensed use and license non-compliance.

Glenn is routinely recognized in a wide range of publications, including Best



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Lawyers, Super Lawyers, Managing Intellectual Property, and AIM, for ranking among the best intellectual property litigators in the country.

PRACTICE AREAS

IP Litigation; PTAB Proceedings; Patents; Trademarks & Service Marks; Copyrights; IP Transactions

INDUSTRIES

Automotive & Autonomous Vehicles; Electrical, Computer & Internet; Mechanical & Electromechanical; Medical Devices; Telecommunications & Wireless Technology; Software & Information Technology

KEY MATTERS

REPRESENTATIVE PATENT MATTERS

- *Western Plastics Inc. v. DuBose Strapping Inc.* (E.D. NC)
Technology: Reinforced wrapping material for steel coils
Result: Jury Verdict in favor of client finding patent valid, willfully infringed, and awarding lost profits. Court awarded treble damages and issued an injunction. Affirmed by appeal by Federal Circuit
- *Stahls' Inc. v. Schwendimann* (PTAB)
Technology: Thermal image transfer sheets
Result: Invalidated all asserted claims from four patents in underlying federal court litigation, unaffirmed on appeal by Federal Circuit
- *Zak v. Facebook, Inc.* (E.D. MI)
Technology: software
Result: Facebook purchased patent portfolio as part of successful settlement, after defeating Facebook's summary judgment and *Daubert* motions
- *Facebook, Inc. v. Zak* (PTAB)
Technology: software
Result: successfully defended against four IPR Petitions, resulting in PTAB denying institution of trial on all claims
- *InterMetro Industries Corp. v. Rubbermaid Inc., Ergotron, Inc., Howard Industries Corp., Capsa Solutions LLC* (M.D. PA)
Technology: medical mobile computer workstations
Result: five separate multi-million dollar license agreements totaling more than \$30 million
- *Lectec Corporation v. Chattem Inc et al.* (E.D. TX.)
Technology: medicated transdermal pain relief patch
Result: \$30 million settlements (aggregate) on eve of trial
- *Fleming v. Ford Motor Company* (D. DC)
Technology: automotive vehicle safety systems
Result: summary judgment of non-infringement favorable to client; affirmed on appeal by Federal Circuit
- *Nagle Industries, Inc. v. Ford Motor Company* (E.D. MI)
Technology: automotive brake control

Result: summary judgment of non-infringement, affirmed on appeal by Federal Circuit

- *Automotive Technologies Int'l, Inc. v. Delphi Corporation* (E.D. MI)
Technology: automotive safety systems
Result: summary judgment of non-infringement and invalidity of patent in favor of client
- *Lautzenhiser Technologies, LLC v. Sunrise Medical HHG, Inc., Delphi Medical Systems* (S.D. IN)
Technology: electronic control system
Result: favorable settlement after key discovery and summary judgment motion
- *Shertech Inc. v. L&W Engineering, Inc.* (E.D. MI)
Technology: heat shields for automotive industry
Result: jury verdict of non-infringement in favor of client; affirmed on appeal by Federal Circuit
- *Thomas Medical Products, Inc. v. Guidant Corporation* (E.D. PA)
Technology: medical device – hemostatic valve device
Result: favorable settlement after Markman hearing
- *Baxter Healthcare Corp. v. Spectranetics Corporation* (D. DE)
Technology: medical device – laser angioplasty delivery device
Result: favorable settlement on eve of trial
- *Rugged Liner, Inc. v. CYC Engineering, Inc.* (E.D. MI)
Technology: pick-up truck bed covers
Result: Favorable license agreement
- *Island Intellectual Property et al. v. Promontory Interfinancial Network, et al.* (S.D. NY)
Technology: financial services methods
Result: favorable settlement on eve of trial
- *Sumitomo Mitsubishi Silicon Corporation et al v. MEMC Electronic Materials, Inc.* (N.D. CA)
Technology: integrated chip manufacturing)
Result: favorable settlement following dispositive motions
- *Boler Company v. Neway Anchorlok International, Inc.* (N.D. OH)
Technology: heavy duty automotive suspension systems
Result: summary judgment of non-infringement; affirmed on appeal by Federal Circuit
- *Circle R, Inc. et al. v. Trail King Industries, Inc.* (D. NE)
Technology: commercial dump truck technology
Result: summary judgment of non-infringement; affirmed on appeal by Federal Circuit
- *Arrow Comm'n Labs, Inc. v. John Mezzalingua Associates* (N.D. NY)
Technology: electronic filters for cable television systems
Result: favorable settlement after positive Markman ruling and summary judgment motions
- *Rentrop v. Spectranetics Corporation* (D. CO)
Technology: medical device – laser angioplasty catheter
Result: jury verdict of infringement; affirmed on appeal by Federal Circuit

- Chrimar Systems Inc. v. Cisco Systems Inc. (E.D. MI)
Technology: voice-over-internet
Result: favorable settlement and license agreement after positive *Markman* ruling
- Niro A/S and Babcock & Wilcox v. American Ref-Fuel Co. (D. NJ)
Technology: incinerator flue gas cleaning process
Result: favorable settlement and injunction
- Niro A/S et al. v. Montenay International et al (E.D. PA)
Technology: incinerator flue gas cleaning process
Result: favorable settlement after discovery
- Builder's Best, Inc. v. Nemco, Inc. (W.D. MI)
Technology: residential construction products
Results: favorable settlements after positive pre-trial rulings and just prior to trial
- Builder's Best, Inc v. Atcoflex, Inc, et al. (W.D. MI)
Technology: residential construction products
Result: favorable settlement after positive pre-trial rulings
- Stahls' Inc. et al v. Geo Knight & Co, Inc. (W.D. PA)
Technology: printing technology
Result: favorable settlement after discovery
- Pequignot v. Arrow Fastener Company, Inc.(E.D. TX)
Nature of Case: false patent marking
Result: favorable settlement following client's motion to transfer
- Henkel Corporation v. Sika Corporation (E.D. MI)
Technology: automotive structural reinforcing technology
Result: favorable settlement after discovery
- Arrow Fastener Company Inc et al v. K R Tools Inc. (C.D. CA)
Technology: hand tools
Result: favorable settlement before discovery
- Adams Mfg Corp v. ZP Enterprises Inc, et al. (W.D. PA)
Technology: suction cups for bathroom accessories
Result: favorable settlement during mediation
- Linear Transfer Systems, Inc. v. Wayne Trail Tech Inc. (E.D. MI)
Technology: automated manufacturing system
Result: favorable settlement during discovery
- Alsons Corporation v. DM Industries, Ltd (W.D. MI)
Technology: residential spa technology
Result: favorable settlement during discovery
- Sika Corporation v. OSC Industries Inc. (E.D. MI)
Technology: automotive structural reinforcing technology
Result: favorable settlement during discovery
- Henkel Corp v. Sika Corporation (E.D. MI)
Technology: automotive structural reinforcers
Result: favorable settlement during discovery
- Harmonic Design Inc v. Techniku Holding B V, et al. (C.D. CA)
Technology: wireless electronic controls for window coverings
Result: favorable settlement after positive rulings

- Comfortex Corp. v. Jet Plastics, Inc. (C.D. CA)
Technology: window coverings
Result: favorable settlement after discovery and positive rulings
- Keeler Brass Company v. Continental Brass Co. (W.D. MI)
Technology: residential hardware for cabinets
Result: favorable settlement during discovery

REPRESENTATIVE TRADEMARK AND FALSE ADVERTISING MATTERS

- MacuHealth LP v. Vision Elements, LLC (M.D. FL)
Result: jury verdict and judgment of grossly negligent false advertising.
- Citizens Banking Corp. v. Citizens First Bancorp, Inc. et al. (E.D. MI)
Result: court granted preliminary injunction in favor of client; affirmed by Sixth Circuit Court of Appeals
- Citizens Banking Corp., et al v. CNB Bancshares Inc.
Result: court granted motion for preliminary injunction in favor of client; favorable settlement, including permanent injunction
- Citizens Banking Corp., et al v. Citizens Rapid Cash, et al. (E.D. MI)
Result: favorable settlement, including permanent injunction
- Citizens Banking Corp. v. Client First Mortgage Co. (W.D. MI)
Result: favorable settlement after positive court rulings
- Citizens Banking Corp. v. Citizens Financial Group (E.D. MI)
Result: verdict of non-infringement, resting on finding that extensive third-party use of "Citizens" had diluted trademark owner's rights
- Sports Authority, Inc. v. Justballs Inc, et al. (E.D. MI)
Result: favorable settlement after precedential decision by court confirming jurisdiction based on interactive website
- Iwanna, Inc v. Iwanta Classifieds, et al. (W.D. NC)
Result: jury verdict of trademark infringement and permanent injunction
- Lancers Inc v. Douglas Reuther Prod, et al. (E.D. MI)
Result: summary judgment of non-infringement in favor of client
- Genesee Brewing Co v. Stroh Brewery Co. (W.D. MI)
Result: summary judgment that "Honey Brown" mark was generic; affirmed by Second Circuit Court of Appeals
- Otis Williams, et al v. Dennis Edwards, et al. (C.D. CA)
Result: favorable settlement permitting use of "Temptations" formative mark by Dennis Edwards, former lead singer of the "Temptations"
- B&B Protector Plans, Inc. v. US Legal Services, Inc. (M.D. FL)
Result: favorable settlement during discovery
- Alliance Technology, Inc. v. Alliance Walnut Int'l Corp. (E.D. MI)
Result: favorable settlement following preliminary injunction motion
- Xcel Energy, Inc. v. Delta Faucet Company (D. MN.)
Result: favorable settlement during discovery

- Michigan Auto Title Service, Inc. v. Auto Title LLC (E.D. MI)
Result: favorable settlement, including permanent injunction
- Vortech Pharm. v. Delmarva Lab Inc. (E.D. MI)
Result: favorable settlement during discovery
- World of Floors USA Inc v. Carpet World and Floors, et al. (E.D. MI)
Result: favorable settlement following preliminary injunction motion
- Harley Davidson, Inc. et al v. Harley's Pub Inc, et al. (E.D. MI)
Result: favorable settlement, including permanent injunction
- Officemax, Inc, et al v. Copymax, Inc. (S.D. FL)
Result: favorable settlement during discovery

REPRESENTATIVE COPYRIGHT MATTERS

- Dassault Systemes, SA v. Childress (E.D. MI)
Nature of Case: copyright infringement (software piracy) and defense of anti-trust and other counterclaims.
Result: favorable jury verdict and judgement of willful copyright infringement; substantial damage award; dismissal of 10 of 11 counterclaims on summary judgment, jury verdict and final judgement in Dassault's favor on one remaining counterclaim.

NEWS/EVENTS

- 2015 Patent Consultation Group, "PTAB Proceedings, Litigation and More," Speaker, Webinar Discussion

IN THE NEWS

- Harness IP Team Secures False Advertising and Unfair Competition Jury Verdict
- Harness IP Team Secures Significant Victory at the Federal Circuit and USPTO in Patent Infringement Battle
- Patent Litigator Glenn Forbis Interviewed by Law360 about Biggest Patent Cases of 2021
- Glenn Forbis Talks to Bloomberg Law about Secondary Considerations in Patent Litigation after Fox v. SRAM
- Glenn Forbis Interviewed by Law360 on Preparing for Patent Litigation Prospects
- Glenn Forbis is Quoted in Law360 Article about Printed Publications in PTAB Proceedings

EVENTS

- Patent Litigator Glenn Forbis joins IPWatchdog Panel Discussion about Mega Verdicts in Patent Litigation

- Litigator Glenn Forbis Joins Webinar Panel on Determining Patent Venue Post-TC Heartland
- 2017 Fall ICLE Conference, “Overview of Patent Litigation,” Speaker, Seminar Discussion

PUBLICATIONS

ARTICLES

- Patent Attorney Glenn Forbis Discusses Patent Value & IPRs in *Automotive World* Article
- “The Ups and Downs of the Innovation Act of 2015,” *IP Watchdog*, May 27, 2015
- “What New Litigators Can Do To Win Their First Trial,” *Law360*, April 29, 2015
- “A Powerful Tool For Challenging Business Method Patents,” *Law360*, July 3, 2014

BLOGS

- Do You Have a Patent Infringement Problem?
- PTAB Opines Tribal Sovereign Immunity Does Not Apply to IPRs
- “Catch-All” Phrases Insufficient To Give Proper Notice of Grounds for Petition
- Federal Circuit Reins in PTAB’s Use of CBM Reviews
- PTAB Reversed for Failing to Explain “Why” a Person of Skill Would Modify the Prior Art
- Judge Uses Institution of IPR to “Bolster” Decision to Overturn Jury’s Finding of Willfulness

BACKGROUND

Glenn has an established track record of litigation success in three decades of practice. Glenn has appeared in over 200 patent, trademark and copyright infringement cases in federal courts across the country, more than 150 of those as lead or co-lead counsel. In an age when actual trial experience is rare in intellectual property cases, Glenn has litigated 9 cases through full trials to verdicts, and he has taken many others to the courthouse steps. He has also briefed and argued 18 Federal Circuit appeals and several other appeals in the 2nd, 6th and 9th Circuits.

A registered Patent Attorney with a degree in electrical engineering, Glenn represents clients before the USPTO in Inter Partes Review proceedings, as well as in connection with overseeing development of

high-value patent portfolios for both large and small companies, especially where strategic claim drafting is critical for patents expected to be enforced through licensing and/or litigation. He regularly provides opinions concerning infringement, validity, right-to-use, patent landscape, design-around issues and due diligence in corporate transactions. Glenn also guides clients in monetizing their patent portfolios through negotiated licenses, including licensing campaigns across entire industries.

Glenn leads a team of 8 to 10 attorneys and support staff that works closely with Dassault Systemes to enforce its software copyrights throughout the United States against piracy, unlicensed use and non-compliance with license terms.

Glenn has experience in a wide range of technologies and industries, such as, for example, automotive systems and components, medical devices, pain patches, manufactured stone slabs for countertops and flooring; consumer products, industrial products and manufacturing systems, computer hardware components, portable alarm systems, smart phones and telecommunications, and software.

Glenn enjoys water and snow skiing, SCUBA diving, kayaking, hiking, biking and active/adventure domestic and international travel.

AWARDS & DISTINCTIONS

- *Chambers USA: America's Leading Lawyers in Business* for Intellectual Property, Michigan, 2022-2024
- *Best Lawyers*, Copyright Law "Lawyer of the Year" in Troy, 2021
- *Best Lawyers*, Litigation – Patent "Lawyer of the Year" in Troy, 2018, 2020, 2024
- *Best Lawyers*, Litigation – Intellectual Property "Lawyer of the Year" in Troy, 2019
- *Best Lawyers*, Litigation – Intellectual Property, 2013-2023
- *Best Lawyers*, Trademark Law, 2014-2024
- *Best Lawyers*, Patent Law and Litigation – Patent, 2016-2024
- *Best Lawyers*, Copyright Law, 2021-2024
- Intellectual Asset Management (IAM), "Patent 1000," 2021-2023
- *Michigan Lawyers Weekly*, "Go To Lawyers" for Intellectual Property, 2022
- *Managing Intellectual Property*, "IP Stars," 2013-2022
- *Managing Intellectual Property*, Short List of "Top IP Litigators" in Michigan, 2015-2018, 2021
- *Leading Lawyers*, named a "Leading Lawyer" for Copyright & Trademark, Intellectual Property, and Patents, 2014-2021
- *Michigan Super Lawyers*, Intellectual Property, 2006-2023
- *DBusiness Magazine*, "Top Lawyer," Litigation – Intellectual Property, 2014-2022; Trade Secrets, 2022; Litigation – Patents, 2021-2022;

Patent Law, 2021; Intellectual Property and Patent Law, 2016-2017;
Trademark Law, 2015

- Montclair “Who’s Who” Among Law Professionals, 2010-2014
- *Crain’s Detroit Business*, “40 Under 40,” 2007

MEMBERSHIPS

- Litigation, Trade Secret & Transactions Practice Group Leader
- Michigan Intellectual Property Law Association
- American Intellectual Property Law Association
- Licensing Executive Society International
- American Bar Association
- The Michigan Intellectual Property American Inn of Court “Master”

EDUCATION

J.D., *cum laude*, University of Michigan, 1994

M.B.A., with honors, University of Michigan, 1994

B.S.E.E., *summa cum laude*, University of Michigan, 1990

BAR & COURT ADMISSIONS

Michigan

U.S. Patent and Trademark Office

U.S. Federal Court of Appeals:

- Federal Circuit
- Second Circuit
- Sixth Circuit
- Ninth Circuit

U.S. Federal District Courts:

- E.D. Michigan
- W.D. Michigan
- E.D. Texas
- E.D. Virginia
- D. Delaware
- N.D. California
- C.D. California
- M.D. Florida
- S.D. Florida
- S.D. New York
- N.D. New York
- W.D. New York
- E.D. Pennsylvania
- M.D. Pennsylvania
- W.D. Pennsylvania

- D. District of Columbia
- S.D. Indiana
- N.D. Ohio
- S.D. Ohio
- D. Minnesota
- W.D. North Carolina