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John D. Denkenberger

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Chair of Litigation Group

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John Denkenberger is the managing member of COJK, a member of the firm's executive committee, and chair of the litigation practice group. John has successfully litigated patent, trademark, trade secret, and unfair business competition issues in federal and state courts. He has also successfully litigated AIA post-grant challenges, including *inter partes* review, before the Patent Trial and Appeal Board. In addition to his litigation practice, John also advises clients on foreign and domestic patent and trademark procurement, technology licensing, and litigation strategies in a variety of technology areas, including mechanical, electromechanical, acoustics, and software. Prior to becoming an attorney, John worked for 10 years as a research and design engineer in the aerospace and aircraft industry.

Since its inception in 2013, John has been named to Intellectual Asset Management's *Patent 1000 — The World's Leading Patent Professionals*. He is ranked in *Chambers USA* for intellectual property law; is recognized in Managing Intellectual Property magazine's *IP Stars* for his work in patent law; is included in the list of *The Best Lawyers in America*; and has been named a Washington *Super Lawyer*.

Education

- J.D., *cum laude*, Seattle University School of Law, 1995
- B.S., Mechanical Engineering, State University of New York at Buffalo, 1986

Professional Experience

- Christensen O'Connor Johnson Kindness^{PLLC}
Seattle, WA

Technical Experience

- Senior Specialist Engineer
The Boeing Company, 1991 - 1997
- Structural Engineer
General Dynamics Corporation, 1988 - 1991
- Associate Engineer
Grumman Corporation, 1986 - 1988



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Bar & Court Admissions

- Bar Admission: Washington
- United States Patent and Trademark Office
- Appellate Courts: United States Supreme Court, Federal Circuit, Ninth Circuit
- District Courts: D. Colo., E.D. Tex., W.D. Wash.

Professional Affiliations

- American Bar Association
- American Intellectual Property Law Association
- Asian Bar Association of Washington
- King County Bar Association
- Patent Trial and Appeal Board Bar Association
- Washington State Patent Law Association

Representative Experience

Federal District Court

- *wedi Corp. v. Hydroblok Grand International Ltd. et al*
U.S. District Court for the Western District of Washington
Representing defendant Hydroblok Grand International Ltd. against a complaint of false advertising and unfair business practices under federal and state law.
- *MercAsia USA, Ltd. v. Jianqing "Johnny" Zhu and 3BTech, Inc.*
U.S. District Court for the Northern District of Indiana
Representing MercAsia USA, Ltd. in enforcing patent rights and to obtain preliminary injunction related to consumer products.
- *MacNeil Automotive Products Limited d/b/a WeatherTech et al v. Yita, LLC et al*
U.S. District Court for the Western District of Washington
Represented WeatherTech in a patent infringement matter relating to protective floor trays for automotive vehicles and their method of manufacture.
- *DuPont Safety & Construction, Inc. v. Hutchinson SA et al*
U.S. District Court for the District of Delaware
Represented Hutchinson SA in a patent infringement matter relating to flame barrier laminates for use in aircraft thermal acoustic blankets.
- *Northwestern University v. King County*
U.S. District Court for the Western District of Washington
Represented defendant against allegations of unfair and deceptive trade practices and trademark infringement under federal, state, and common law.



- *Shinn Fu Company of America, Inc. et al. v. Alltrade Tools LLC*
U.S. District Court for the Central District Court of California
Represented plaintiffs Shinn Fu Company of America, Inc. and Shinn Fu Corporation to enforce patent rights and to obtain declaratory judgments concerning defendant's intellectual property.
- *Bombardier Inc. v. Mitsubishi Aircraft Corporation et al.*
U.S. District Court for the Western District of Washington
Represented plaintiff Bombardier, Inc. in a complaint alleging among other claims, trade secret misappropriation under federal and state law.
- *New Flyer Industries Canada ULC, and New Flyer of America Inc. v. Rugby Aviation LLC d/b/a San Juan Airlines*
U.S. District Court for the Western District of Washington
Served as local counsel representing plaintiff New Flyer Industries Canada ULC and New Flyer of America Inc. in a trademark infringement case.
- *wedi Corp. v. Wright et al.*
U.S. District Court for the Western District of Washington
Represented defendant Hydro-Blok USA LLC, et al. against complaint of various causes of action, including unjust enrichment based on misappropriation of trade secrets.
- *Hydro-Blok USA LLC, et al. v. wedi Corp.*
U.S. District Court for the Western District of Washington
Represented Hydro-Blok USA LLC, et al. in patent infringement matter related to prefabricated shower systems.
- *wedi Corp. v. Seattle Glass Block, Inc.*
U.S. District Court for the Western District of Washington
Represented defendant Seattle Glass Block, Inc. against a complaint for various causes of action, including breach of contract, breach of fiduciary duty, fraud, and misappropriation of trade secrets.
- *The Tire Hanger Corporation v. Shinn Fu Company of America, Inc., et al*
U.S. District Court for the Central District of California
Represented defendants Shinn Fu Company of America, Inc. and Shinn Fu Corporation against complaint for allegations of patent infringement.
- *Herbert E. Townsend v. Brooks Sports, Inc.*
U.S. District Court for the Western District of Washington
Served as local counsel representing plaintiff Herbert E. Townsend in a patent infringement complaint.
- *Microsoft Corporation v. The Software King et al.*
U.S. District for the Western District of Washington
Represented defendants against allegations of copyright and trademark infringement and related commercial claims.
- *Protochips, Inc. v. Hummingbird Precision Machine Co. a/k/a Hummingbird Scientific*
U.S. District Court for the Western District of Washington
Represented defendant Hummingbird Scientific against allegations of patent infringement pertaining to electron microscope sample holder technology, and to oppose a related motion for preliminary injunction.



- *Dorman Products, Inc. v. PACCAR Inc*
U.S. District Court for the Eastern District of Pennsylvania
Represented defendant PACCAR Inc in a declaratory judgment action to enforce various patent rights and defend against various state law unfair business practice allegations.
- *Alfdex AB et al. v. PACCAR Inc*
U.S. District Court for the Northern District of Illinois
Defended PACCAR Inc in patent infringement litigation pertaining to mechanical devices.
- *PACCAR Inc v. Four State Int'l Trucks, Inc. et al*
U.S. District Court for the Western District of Missouri
Represented plaintiff PACCAR Inc to enforce intellectual property rights in various design patents, trademarks, and trade dress.
- *InterForm Inc. v. Target Corp.*
U.S. District Court for the Eastern District of Texas
Defended Target Corporation in patent litigation matter pertaining to mechanical devices.
- *Molycorp Minerals, LLC v. HaloSource, Inc.*
U.S. District Court for the District of Colorado
Represented defendant HaloSource, Inc. in a suit for breach of contract, misappropriation, and declaration of ownership of certain intellectual property related to water purification.
- *Bitreserve, Ltd. et al v Bitgold, Inc. et al.*
U.S. District Court for the Southern District of New York
Represented Bitgold, Inc. et al. in a trademark infringement matter.
- *Microsoft Corp. v. Motorola, Inc. et al.*
U.S. District Court for the Western District of Washington
Represented third party Research In Motion, Ltd. to prevent public disclosure of sensitive information produced during the course of discovery.
- *Illinois Tool Works, Inc. et al. v. Seattle Safety, LLC*
U.S. District Court for the Western District of Washington
Defended Seattle Safety, LLC in a suit for breach of contract, trade secret misappropriation, unfair competition and patent infringement related to crash test sleds.
- *Eazypower Corporation v. Jore Corporation*
U.S. District Court for the Northern District of Illinois
Defended Jore Corporation in a patent infringement and patent mismarking case related to flexible extensions for powered screwdrivers.



United States Patent and Trademark Office

- *Yita LLC et al. v. MacNeil IP LLC* (IPR2023-00172)
Represented patent owner MacNeil IP LLC in an *inter partes* review proceeding of US Patent No. 8,899,655 related to vehicle floor trays.
- *Yita LLC et al. v. MacNeil IP LLC* (IPR2023-00173)
Represented patent owner MacNeil IP LLC in an *inter partes* review proceeding of US Patent No. 9,138,917 related to vehicle floor trays.
- *3BTech, Inc. v. Jingle Master International Ltd.* (IPR2018-00663)
Represented patent owner Jingle Master International Ltd. in an *inter partes* review proceeding for a certain claim of US Patent No. 7,882,986 related to liquid dispensing devices.
- *Taser International, Inc. v. Digital Ally, Inc.* (IPR2017-00515)
Represented petitioner Taser International in an *inter partes* review proceeding for certain claims of US Patent No. 9,253,452 related to surveillance systems.
- *Taser International, Inc. v. Digital Ally, Inc.* (IPR2017-00376)
Represented petitioner Taser International in an *inter partes* review proceeding for certain claims of US Patent No. 8,781,292 related to surveillance systems.
- *Taser International, Inc. v. Digital Ally, Inc.* (IPR2017-00375)
Represented petitioner Taser International in an *inter partes* review proceeding for certain claims of US Patent No. 8,781,292 related to surveillance systems.
- *Dorman Products, Inc. v. PACCAR, Inc.* (IPR2014-00542)
Represented patent owner PACCAR Inc in an *inter partes* review proceeding that challenged the invalidity of US Patent No. D525,731 related to a truck headlight.
- *Dorman Products, Inc. v. PACCAR, Inc.* (IPR2014-00555)
Represented patent owner PACCAR Inc in an *inter partes* review proceeding that challenged the invalidity of US Patent No. D526,429 related to a truck headlight.



Presentations & Publications

Presentations

- “How Recent Changes in U.S. Law Affect Patent Procurement Strategy and Portfolio Management,” Commission of Intellectual Property 3AF, P2i2015 Intellectual Property and Innovation Symposium (Toulouse, France, September 2015).
- “Intellectual Property: From Fundamentals to Enforcement,” Seattle University School of Law, Summer Practice Academy (Seattle, WA, July 2015).
- Panel Discussion, “Post Issuance Proceedings – Their Role in Your IP Strategy,” Centerforce USA, Seattle IP Strategy Summit (Seattle, WA, February 2015).
- “H.R. 3309: ‘The Innovation Act’ and its Likely Impact on Patent Litigation,” Licensing Executive Society, Vancouver Chapter (Vancouver, BC, January 2014).
- “Design Patents: An Important Tool in Your IP Toolbox,” Christensen O’Connor Johnson Kindness (Seattle, WA, December 2013).
- “Federal Circuit Survey & USPTO Review Procedures,” Christensen O’Connor Johnson Kindness (Seattle, WA, June 2013).
- “Panel Discussion on the Supreme Court’s Quanta Decision,” Washington State Patent Lawyers Association (Seattle, WA, 2008).
- “Third Annual Advanced Workshop on Managing Patent Assets,” Law Seminars International (Seattle, WA, 2006).
- “Second Annual Advanced Workshop on Managing Patent Prosecution and Litigation,” Law Seminars International (Seattle, WA, 2005).