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# Intellectual Property

## Overview

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Fortune 500 enterprises, mid-size businesses and emerging start-ups are all competing in a dynamic global economy where protecting a revolutionary idea or new technology can mean the difference between being the industry leader or being left behind. Munsch Hardt's team of strategic Intellectual Property (IP) advisors deliver cutting-edge and multi-disciplinary services designed to match the innovative mindsets and diverse needs of today's middle-market and emerging growth businesses.

We use our skills as business advisors to help companies accelerate their market penetration through strategic business combinations and alliances. Our transactional experience includes effective due diligence analysis in mergers and acquisitions designed to leverage clients' IP strengths, as well as licensing agreements that both extend and protect ownership rights. In any transaction, we work to make sure all IP and proprietary rights are fully secured before the deal is structured.

Our lawyers also are experienced in litigation, arbitration and mediation involving high profile, corporate technology cases, including patent, trademark, copyright and trade secret litigation. We represent clients in all phases of IP infringement cases, from evaluating the initial decision to initiate or respond to a lawsuit, forming litigation strategy, engaging in discovery and handling motion, trial and post-trial phases. Our skills encompass both aggressive trial representation and alternative forms of dispute resolution that achieve our clients' goals without the expense of litigation.

Whether from a transactional or controversy perspective, we empower our clients to maximize the value of their IP assets, with a particular focus on telecommunication technologies; semiconductor designs; materials and fabrication; electronics; computer hardware and software; imaging devices; payment processing, digital signal processing; networking systems and software; mechanical and electromechanical devices; medical devices and natural resources exploration devices and methods.

## Why We're Different

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Unlike IP boutique firms that limit their practice solely to intellectual property matters, Munsch Hardt is uniquely positioned with a full-service IP practice that is completely integrated with other practice areas, such as Corporate & Securities, Litigation, Tax, Antitrust, Labor & Employment, Banking & Financial Services, Bankruptcy, Insurance and Securities. By working in coordination with lawyers in other disciplines, our clients receive a single source of coordinated IP counsel and business law advice. While we offer a multidisciplinary approach, we also offer our services at a price point that simply makes sense within the Texas legal market.

## Experience

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## IP Licensing

Represented numerous buyers and sellers in connection with the transfer or license of intellectual property rights, including a distributor of branded appliance manufacturers in its sale to one of the largest appliance and consumer electronics parts distributors in North America.

## Patent Litigation

Represented an oil field service company in patent infringement lawsuit involving monitoring equipment used on oil well reworking rigs. Case resulted in a jury trial in the Eastern District of Texas and a favorable outcome for client.

## IP Licensing

Represented a restaurant in the redevelopment and licensing of its iconic restaurant concept. The restaurant relocated to a new location and created an adjacent entertainment venue with a water park, hotels and an RV park.

## Patent Litigation

Represented manufacturers of bus converters and other power management devices in a patent infringement lawsuit involving power conversion technology. Case resulted in a jury trial in the Eastern District of Texas, appeal to the Federal Circuit and subsequent bench trial.

## IP Licensing

Performed due diligence in connection with transactions involving intellectual property to ensure ownership is accurately reflected in the United States Patent and Trademark Office database.

## Copyright + Trade Secret Litigation

Represented a provider of software and services directed to online newspaper publisher in a lawsuit against a former employee and competitor who stole software source code and business trade secrets. Case resulted in entry of judgment in excess of \$1 MM and permanent injunction against the former employee and competitor. Case is presently on appeal to the Fifth Circuit.

## Patent Litigation

Represented an oil field services company in a patent infringement lawsuit in the Northern District of Texas involving a patent related to equipment used in oil well fracking operations. Case resulted in a favorable outcome for client.

## Trade Secret Litigation

Represented a Taiwanese manufacturer of electronic video equipment in commercial arbitration. The matter involved allegations of misappropriation of trade secrets under the Texas Uniform Trade Secrets Act and the federal Defend Trade Secrets Act.

## Practice Leaders



**Robert Kibby**

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## Related People

Jamil Alibhai  
William Zac Duffy  
Mark Girtz  
Winston Huff  
James Jordan  
Robert Kibby  
Keith McDole  
James Ray  
David Roth  
W. Phillip Whitcomb  
Steven Williams

## Related Practices

Intellectual Property  
Intellectual Property Transactions & Development  
Intellectual Property Litigation

## Related Industries

Financial Services  
Construction  
Energy  
Health Care  
Hospitality  
Insurance  
Manufacturing  
Real Estate  
Retail  
Technology & Telecommunications  
Transportation

## Newsroom

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**Article:** How To Avoid Snatching Defeat From The Jaws Of Victory: The Most Common Legal Problems Entrepreneurs Encounter And How To Solve Them

**In The News:** Violate My Patents? See you in Texas

**Press Release:** Notable Trial Attorney and Intellectual Property Litigator Joins Munsch Hardt's Dallas Office

**In The News:** 5th Circ. Won't Nix \$1.4M Arbitral Award To Taiwanese Co.

**Article:** Cyber Resilience and the Importance of a Plan: How Law Firms Can Defend Against Cybersecurity Risks

**Speech:** Managing a Trademark Portfolio for Small Law Companies

**In The News:** Williams Shares Insights On Cybersecurity With Managed Healthcare Executive

**Article:** Trademark Enforcement: A More nuanced game than whack-a-mole

**In The News:** Munsch Hardt To Absorb Dallas Trial And IP Boutique

**In The News:** Munsch Hardt Doubles IP Litigation Practice through Acquisition

**In The News:** Dallas Trial Boutique to Close as Munsch Hardt Hires Its Lawyers

**Press Release:** Munsch Hardt Joins Forces with McDole Williams, Strengthening Its Commercial Litigation and IP Practices

**Press Release:** Experienced Trial Lawyer Craig Harris Joins Munsch Hardt's Growing Litigation Practice

**Speech:** The Good, the Bad, and the Ugly of Early Damage Disclosures. A Look at the New California Approach

**Speech:** 2017 Eastern District of Texas Bench Bar Conference, Planning Committee

**Speech:** 2016 Eastern District of Texas Bench Bar Conference, Planning Committee

**In The News:** New patent infringement lawsuits in East Texas shatter records

**In The News:** Litigator of the Week: TAOS' Win in Trade Secrets Case Hinged on Detailed Timeline

**In The News:** Plano-based TAOS wins \$58.7 million judgment

**In The News:** T-Mobile to AT&T's Aio Wireless: Give me back my magenta!

**Article:** Successfully Defending Against False Marking Claims