



Joe Jennings

Partner
Orange County

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Education

University of Notre Dame Law School (J.D. 1989)
Notre Dame Law Review
Drexel University (B.S. Chemical Engineering 1985)
Phi Eta Sigma National Engineering Honor Society, Dean's List all semesters

Bar Admissions

State Bar of California
U.S. Court of Appeals for the Federal Circuit
U.S. District Court - Central District of California
U.S. District Court - Eastern District of California
U.S. District Court - Northern District of California
U.S. District Court - Southern District of California
U.S. Patent and Trademark Office

Practice Areas

IP Strategy
Opinions and Counseling
Litigation
Arbitration and Other ADR
Appellate Practice and the Federal Circuit
Trade Secret Litigation
Trademark and Unfair Competition Litigation

Industry Experience

Chemical
Electronics & Semiconductors
Medical Devices & Procedures
Optics
Pharmaceuticals

Professional Profile

Joseph F. Jennings is a litigation partner in the firm's Orange County office.

Mr. Jennings represents various clients in all type of intellectual-property disputes, including those involving patents, trademarks, trade-secrets, and related unfair competition claims. His primary emphasis is handling patent cases. He has represented clients in district courts throughout the country and before the United States Court of Appeals for the Federal Circuit. He has also represented clients in connection with international disputes involving litigation in jurisdictions throughout

the world. His cases have involved a vast array of technologies and products, including chemicals, pharmaceuticals, semiconductor processing, optics, thin film technology, medical devices, and surgical procedures.

Mr. Jennings worked in the chemical industry prior to attending law school. While completing his undergraduate degree, he worked for Arco Chemical Company. Upon graduation, Mr. Jennings worked as a chemical process engineer for BASF Corporation.

Mr. Jennings joined the firm in 1991 and became a partner in 1996.

Cases, Articles, Speeches & Seminars

Representative Matters

Applied Medical Resources Corp. v. United States Surgical Corp., 448 F.3d 1324, reh'g en banc denied, (Fed. Cir. 2006). Represented medical-device maker and patent owner and obtained reversal of noninfringement ruling. After remand, jury verdict of patent validity and no infringement. (Appeal pending).

Applied Medical Resources Corp. v. United States Surgical Corp., 353 F. Supp.2d 1075 (C.D. Cal. 2004), aff'd, 453 F.3d 1356 (Fed. Cir. 2006). In jury trial, represented medical-device maker in obtaining verdict of \$43.5 million and a finding that Tyco-Unit U.S. Surgical had willfully infringed patent. The Court upheld the verdict, enhanced the damages, and entered a \$64.5 million judgment. The appellate court affirmed the judgment in its entirety.

Alltech, Inc. v. Cenzone Tech, Inc., et al. (S.D. Cal. Case No. 06 CV 0153 JM (RBB)). Represented patent owner Alltech in case involving infringement of patent directed to compositions and methods for combating mycotoxins in animal feed. Obtained ruling of summary judgment of infringement, and also obtained summary judgment dismissing a defense of invalidity and dismissing an antitrust counterclaim. The parties settled their dispute shortly before trial under confidential terms, with the defendant agreeing to pay an undisclosed sum to Alltech.

Applied Medical Resources Corp. v. Gaya Ltd. (C.D. Cal. Case No. CV05-8914 GPS (SHx)). Represented medical-device maker seeking a declaratory judgment of noninfringement against patent owner. Successfully stayed a related trade secret/breach of confidence lawsuit filed against client in Ireland in favor of U.S. arbitration. Obtained favorable Markman ruling in declaratory judgment action and a final consent judgment of no infringement on behalf of client.

Schering Corp. v. Roussel-Uclaf SA, 104 F.3d 341 (Fed. Cir. 1997), aff'g 958 F.Supp. 196 (D. Del. 1996). Represented coowner of pharmaceutical patent and established its right to sublicense third party.

Oakley, Inc. v. Sunglass Hut, Int'l, 61 U.S.P.Q.2d 1658 (C.D. Cal. 2001). Represented plaintiff, owner of patent for lens coatings, in obtaining preliminary injunction.

Verteq, Inc. v. SubMicron Systems, Inc. (C.D. Cal. Case No. CV 92-460 GLT (EEx)). Represented owner of patent for semiconductor cleaning apparatus/method in obtaining summary judgment of infringement; case later settled with entry of consent judgment.

LifeScan, Inc. v. Can-Am Care Corporation, 859 F.Supp. 392 (N.D. Cal. 1994). Represented diagnostic test strip manufacturer in obtaining summary judgment of noninfringement based upon implied license to practice patented method.

Professional Memberships

Federal Circuit Bar Association

International Bar Association

American Intellectual Property Law Association

Orange County Bar Association

Orange County Patent Law Association