



Dustin T. Johnson

Partner | Dallas-North Office Managing Partner
Dallas - North | Fort Worth

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PRACTICES Intellectual Property, Patents, Patent Prosecution and Counseling, Patent Office Trials, Copyright, Mechanical, Precision Medicine and Digital Health, Medical Device and Technology, Vehicle Electrification, Oilfield Technology

Dustin Johnson focuses his practice on strategic client counseling and intellectual property transactional matters. He advises clients with respect to freedom to operate or product clearance, patent infringement, and patent validity, and he prepares and prosecutes patent applications in a wide variety of technology areas.

Having advised companies at all stages of growth, from start-ups to Fortune 500 companies, Dustin understands the role of intellectual property as a company asset and takes solution-driven approaches to help clients achieve their goals.

Dustin was selected for inclusion in *The Best Lawyers in America*, Woodward/White, Inc., for Patent Law, 2020-2025. He was selected by his peers as one of Fort Worth's Top Attorneys in Intellectual Property by *Fort Worth Magazine*, Panther City Media Group, 2012–2020.

His experience covers a variety of technology areas, including:

- *Mechanical and electro-mechanical systems* – vehicle electrification, automotive, drilling rigs, rig operating systems, controllers, transmissions, engines, and construction and mining machinery including buckets and ground-engaging tools.
- *Medical processes, systems and devices* – implants, prosthetics, instruments, orthopedic applications, and surgical techniques.
- *Telecommunications* – mobile phone applications, cellular communications, signaling, and others.
- *Household and miscellaneous items* – ranging from shoes to showerheads and from leaf collectors to litter boxes.

Dustin's practice includes:

- Preparation and prosecution of domestic and foreign patent applications.
- Preparation of formal opinions of counsel, including invalidity and non-infringement opinions.
- Clearance or freedom-to-use assessments.
- Subject matter landscaping to identify and advise clients with respect to open areas or white-space including identifying additional development opportunities.
- Patent office trial proceedings, including *inter partes* reviews.

- Litigation support for a variety of intellectual property matters.

Dustin's prior work experience is in the industrial diamond industry, where he conducted research and development for supermaterials including polycrystalline diamond (PCD) inserts and compacts for down-hole drilling applications. He also managed press operations and supervised various manufacturing processes. In addition to his law degree, Dustin holds a B.S. in mechanical engineering.

QUALIFICATIONS

EDUCATION

- J.D., American University Washington College of Law, 2002, *with honors, American University International Law Review*
- B.S., Mechanical Engineering, Brigham Young University, 1998

ADMISSIONS

- District of Columbia
- Texas
- U.S. Patent and Trademark Office
- Virginia

COURT ADMISSIONS

- U.S. Court of Appeals for the Fourth Circuit
 - U.S. District Court for the Eastern District of Virginia
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Patents in the Superabrasive/Industrial Diamond Industry," co-author, INTERTECH conference, April 21, 2017.
- "NPEs and the Use of Clearance Searches," Speaker, TECH Nest Luncheon, TECH Fort Worth, Fort Worth, TX, March 18, 2014.
- "Source Code Found Too Late in Software Copyright Infringement," Tarrant County Bar Association Bulletin, April 25, 2012.
- "Got Punctuation?: Recent trademark cases hinge on exclamation points and question marks," co-author, Tarrant County Bar Bulletin, October 2012.
- "IP Domain: Do I Own the IP Rights?" co-author, Tarrant County Bar Bulletin, August 2012.
- "Of Mice and Men - The US Supreme Court refuses to consider reinstatement of Texas Jury's \$1.8 Billion Patent Verdict," co-author, Tarrant County Bar Bulletin, April 2012.
- "Strategic Implications of the Patent Reform Act of 2011," roundtable moderator, December 8, 2011.
- "Practice Tips Under the Patent Reform Rules," September 16, 2011.
- "Intellectual Property Overview," TECH Nest, an organization of TECH Fort Worth, Fort Worth, Texas, August 2011.
- "America Invents: Dealing with Patent Reform," presented to BioDFW, A Life Sciences Regional Alliance, March 2011.
- "IP Domain: Marking Your Product - Drinking Cup Company's Defense Holds Water," co-author, Tarrant County Bar Association Bulletin, October, 2010.

- "Patent Reexamination," Tarrant County Bar Association Intellectual Property Section, September 9, 2010.
 - "Patent Reexamination," Dallas Bar Association Intellectual Property Section, June 25, 2010.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Intellectual Property Law Association
 - Tech Titans, Board of Directors
 - Japan-America Society of Dallas/Fort Worth, Board of Directors
 - American Bar Association
 - Tarrant County Bar Association
 - 2011-2012 Chair of the Tarrant County Bar Association Intellectual Property Section
 - 2010-2011 Vice-Chair of the Tarrant County Bar Association Intellectual Property Section
 - 2009-2010 Secretary of the Tarrant County Bar Association Intellectual Property Section
 - Dallas Bar Association
 - Dallas Association of Young Lawyers 2008 Leadership Class
 - Intellectual Property Owners Association Patent Office Practice Committee
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SELECTED CLIENT REPRESENTATIONS

- Guiding client in efforts to protect processes and servicing of drilling rigs to maximize competitive advantages.
 - Advising in-house counsel regarding freedom-to-practice during product development and pre-product launch stages.
 - Preparing patent applications relating to surgical tools and instruments.
 - Assessing client's products and preparing formal opinions on the subjects of infringement and validity of competitor patents.
 - Prosecuting patent applications that cover competitor products to capitalize on client's technology and create market barriers for client's competitors.
 - Performing pre-litigation due-diligence for well-known Fortune 500 company.
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AWARDS AND RECOGNITIONS

- Recognized in *The Best Lawyers in America*, Woodward/White, Inc., 2020-2025