



Brian C. Kwok

Partner

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PRACTICES Patent Litigation, Patents, Intellectual Property, Intellectual Property Litigation, Technology Transactions, Asia, Litigation, Streaming Media

Brian Kwok helps clients build, manage, and successfully monetize patent portfolios. Brian evaluates patent portfolios and negotiates deals ranging from a few hundred thousand to many billions of dollars. He recently represented an international technology company in a multi-billion dollar patent portfolio acquisition involving thousands of patents related to wireless telecommunications, cellular systems, and consumer electronics.

Brian also counsels clients through pre-litigation conflicts to resolve assertions and licensing disputes before patent litigation ensues. An experienced engineer, he provides clients with insightful and pragmatic advice, based on his ability to understand deeply the technical merit of a case and to explain its intersection with legal strategy. For example, Brian counseled a Fortune 50 technology company in a pre-litigation patent assertion relating to 3G/4G smartphone technologies, resulting in the asserting party dropping all its assertions against Brian's client on favorable terms.

When patent disputes mature into formal litigations, Brian has significant experience with patent matters before the International Trade Commission and numerous federal district courts. Brian represented Samsung in ITC proceedings related to cellular phones, Intel in a declaratory judgment action against Wi-LAN's WiMAX and Wi-Fi patents, and a major consumer electronics company in various federal court and ITC actions against its competitors relating to smartphone technologies. Brian is well versed in all aspects of litigation, including deposing expert and fact witnesses, case-dispositive motions practice, and *Markman* proceedings. Brian's practice also includes representing clients in *inter partes* review and post-grant review proceedings before the U.S. Patent Office's Patent Trial and Appeal Board as part of a comprehensive litigation strategy.

Brian's technical experience includes a wide range of high-tech subject matter, such as standards-essential wireless telecommunications (e.g., LTE, UMTS, cdma2000, GSM, and Wi-Fi), HEVC (H.265), user experience design, GPS, semi-conductor circuits, mobile payment systems, liquid crystal displays, and other consumer electronics technologies.

Selected Client Representations

- *Intel v. Wi-LAN* (N.D. Cal.)
- *Wi-LAN v. Intel, et al.* (E.D. Tex.)
- Samsung ITC Investigation (ITC Inv. No. 337-TA-583)

HAYNES BOONE

Brian was selected for inclusion in *Northern California Super Lawyers – Rising Stars Edition*, Thomson Reuters, 2014-2016. He was also named in the 2020 Lawyers of Color Power List which highlights the nation's most influential minority attorneys and non-minority diversity advocates.

Brian is a member of the Board of Directors for Leela International, a non-profit that builds playgrounds and art education programs for children in underdeveloped communities around the world.

QUALIFICATIONS

EDUCATION

- B.S., Chemical Engineering, University of Illinois, 2000, *with distinction*
- J.D., University of Wisconsin Law School, 2006, *magna cum laude*

CLERKSHIPS

- 1/01/0001 - 1/01/0001
- Judicial Intern to the Honorable Barbara B. Crabb, U.S. District Court for the Western District of Wisconsin

ADMISSIONS

- California
- U.S. Patent and Trademark Office
- Wisconsin

COURT ADMISSIONS

- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the Central District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Western District of Wisconsin