



JASON W. WHITNEY

Counsel

jason.whitney@haynesboone.com

PRACTICES: Intellectual Property Litigation, Trademarks, Patents, Patent Prosecution and Counseling, Patent Litigation, Patent Office Trials, Copyright, Technology Transactions, Trademark Litigation; **INDUSTRIES:** Technology, Internet, Domain Name Disputes

SAN ANTONIO

112 EAST PECAN STREET
SUITE 1200
SAN ANTONIO, TX 78205
T +1 210.978.7440
F +1 210.554.0455

Jason Whitney is a counsel in the Intellectual Property Litigation Practice Group in the San Antonio office of Haynes and Boone. He is an experienced litigator and registered patent attorney, counseling clients from small to large in obtaining, protecting and enforcing intellectual property rights. He has argued patent disputes before the International Trade Commission, defended clients in trademark and copyright lawsuits in various federal courts, and prosecuted patents and trademarks before the Patent and Trademark Office. Jason advocates for his clients in complex intellectual property matters and develops innovative solutions for difficult business problems.

EDUCATION AND CLERKSHIPS

- J.D., St. Mary's University School of Law, 2008, *summa cum laude*, Symposium Editor, *St. Mary's Law Journal*, 2007-2008; Student Attorney, Civil Justice Clinic, St. Mary's Center for Legal and Social Justice 2007-2008
- M.E.E., Electrical Engineering, Rice University
- B.S.E.E., Electrical Engineering, Rice University
- B.A., Economics, Rice University
- Judicial Intern to the Honorable Edward C. Prado, U.S. Court of Appeals for the Fifth Circuit (2007) and the Honorable Sandee Bryan Marion, Fourth Court of Appeals (2006)

Jason has assisted clients in patent infringement and inventorship lawsuits, Lanham Act trademark cases, and copyright suits. He also represents clients in intellectual property administrative proceedings, including trademark cancellations, trademark oppositions, patent reexaminations, and domain name disputes.

In addition to his litigation experience, Jason has filed dozens of trademark applications, prepared and prosecuted patent and copyright applications, and drafted licenses, technology development agreements, website privacy agreements, website terms of use, and electronic financial transaction agreements.

Before entering law school, Jason supported the Avionic Systems Division at NASA Johnson Space Center as an electrical engineer, where his work primarily involved the communications systems of the Space Shuttles and International Space Station.

Professional Recognition

- Recognized as a "Rising Star" in Managing Intellectual Property Magazine's "IP STARS," 2019

Selected Client Representations

- Working with trial teams to draft motions in the trial court, including motions for summary judgment, motions to dismiss, and *Daubert* motions to challenge expert testimony.
- Preparing *ex parte* reexamination requests for two key patents owned by a manufacturer's competitor, ultimately resulting in cancellation of all claims in both patents.

ADMISSIONS

- Texas
- U.S. Patent and Trademark Office

- Assisting tequila distributor in obtaining a design patent for unique tequila bottle design.
- Drafting joint development agreement for producer of hydraulic fracturing additives to jointly create and test new products.

COURT ADMISSIONS

- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern District of Texas, 2012
- U.S. District Court for the Northern District of Texas, 2013
- U.S. District Court for the Southern District of Texas, 2013
- U.S. District Court for the Western District of Texas, 2012

Selected Publications and Speeches

- "Two Cases Raise New Copyright Infringement Concerns for Internet Linking," author, *The Computer & Internet Lawyer*, July/August 2020.
- [Impact of the Patent Law Treaties Implementation Act of 2012](#), January 24, 2013.
- "Inter Partes Reexaminations: Request & Reexamination Procedure," presented to Advanced Patent Law Institute, Austin Texas, October, 2011.
- "Copyright and Intellectual Property Law," presented to San Antonio ASTD Learning and Performance Summit, June, 2011.