



Stephen Underwood

Associate

📞 949.287.6683

✉ SUnderwood@GlaserWeil.com

PRACTICE AREAS

Intellectual Property

Intellectual Property Litigation

EDUCATION

George Washington University Law School, J.D. with honors

California Institute of Technology, B.S. (Physics), with honors

STATE BAR ADMISSIONS

California

New York

FEDERAL BAR ADMISSIONS

U.S. Patent and Trademark Office

United States Court of Appeals for the Federal Circuit

Stephen Underwood is an intellectual property attorney with over ten years' experience handling patent, copyright, trademark, trade secret and DMCA matters. A registered patent attorney, Mr. Underwood has primarily focused his practice on patent matters, with a strong focus on patent litigation. Mr. Underwood has represented clients in multiple patent jury trials in district court, and multiple patent appeals at the Federal Circuit, including several successful appeals. He has also represented clients in numerous post-grant proceedings at the USPTO, and has counseled clients on a wide range of patent matters, including patent infringement, non-infringement, validity, enforceability, and valuation.

Leveraging his technical background, Mr. Underwood has effectively handled patent matters in a variety of technological fields, including electronics, computer software/hardware, motion sensors/MEMS devices, RFID technology, medical devices, industrial processes, mechanical devices, elevators, escalators, consumer products, and more.

In addition to his patent work, Mr. Underwood has represented clients in numerous copyright, DMCA, trademark and trade secret matters, including litigations, investigations/opinions, and counseling.

Mr. Underwood recently moved to Southern California from New York, with his wife and young daughter, and is excited to experience all that this exceptional part of the country has to offer.

REPRESENTATIVE MATTERS

Inventio AG v. ThyssenKrupp Elevator Americas Corp., D. Del. No. 08-cv-00874, CAFC Nos. 2010-1525, 2015-1189: Represented Inventio, the intellectual property holding company for Schindler Elevator Group, in a patent suit asserting client's "destination dispatch" elevator patents against competitor. Representation included a jury trial in the District of Delaware and two appeals at the Federal Circuit.

Exergen Corp. v. Kaz USA, Inc., D. Mass. No. 13-cv-10628: Represented Kaz USA, a nationwide maker of consumer products, in a patent suit brought against them by competitor Exergen, asserting Exergen's patents on infrared forehead thermometers. Representation included a jury trial in the District of Massachusetts.

In re: Method for Processing Ethanol Byproducts and Related Subsystems ('858) Patent Litigation, S.D. Ind. No. 10-ml-02181, CAFC No. 17-1832 - Represented patentee CleanTech in a multi-district patent litigation, asserting client's patents on methods of recovering oil from ethanol-waste byproducts against twenty-nine ethanol industry defendants. Representation included a comprehensive appeal at the Federal Circuit and extensive fees' proceedings in district court.

Hillcrest Laboratories, Inc. v. Movea, Inc., CAFC No. 2016-1738, USPTO No. 95/002,036 - Represented petitioner Movea in an inter partes reexamination filed against Hillcrest's U.S. Pat. No. 7,158,118,

Stephen Underwood

Associate

 310.282.6259

 TAvchen@GlaserWeil.com

for a 3D “air mouse” input device. Successfully prosecuted the inter partes reexamination at the USPTO, PTAB, and Federal Circuit, resulting in final cancellation of all challenged claims. Successfully resisted patentee Hillcrest’s petition for certiorari at the U.S. Supreme Court.

Schindler Elevator Corp. v. Otis Elevator Co., D.N.J. Case No. 09-cv-00560 - Represented Schindler in a patent suit against Otis Elevator, seeking a declaratory judgment of invalidity and non-infringement against Otis’s patents on elevator hoisting belts. Case settled successfully.

Indag GmbH & Co. Betriebs KG et al v. IMA S.p.A et al., D.P.R. Case No. 16-cv-01354 - Represented Indag GmbH, a subsidiary of the Capri-Sun Holding Group, in a patent and trade secret case against a competitor, regarding the alleged misappropriation of Indag’s proprietary pouch-making technology. Case settled successfully.

NNG, Kft. v. Sound Around, Inc. et al., E.D.N.Y. Case No. 17-cv-05384 - Represented Sound Around in a copyright, DMCA and trademark case brought against them by NNG, concerning the alleged unauthorized use of NNG’s GPS navigation software in automobile head units. Case settled successfully.

SIPCO, LLC v. Streetline, Inc., D. Del. Case No. 16-cv-00830 - Represented Streetline in a patent suit brought against them by SIPCO, asserting SIPCO’s patents against Streetline’s parking detection systems. Successfully obtained multiple dismissals of SIPCO’s complaint, leading case to settle successfully.

ASSOCIATIONS

American Bar Association, Member

HONORS & AWARDS

Southern California Super Lawyers, Rising Stars, 2015-2019

PUBLICATIONS

Co-author, “Ethics and Risks in Transnational Trademark Practice,” *INTA Bulletin*, November 2018