



Thomas Lewis Jarvis

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Chair, ITC Practice

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With more than 60 ITC Section 337 patent litigations under his belt, Tom chairs Winston's ITC practice and is recognized in all the major ranking directories. Clients say he is "a terrific lawyer and a highly valued partner," *Chambers USA* highlights his "depth of knowledge second to none," and he was named to the inaugural *Legal 500* Hall of Fame for ITC patent litigation. Tom is a former Senior Investigative Attorney at the ITC.

Tom litigates patent and other unfair competition cases at the U.S. International Trade Commission (ITC). Over the past 34 years, Tom has totaled more than 150 trial days as lead trial counsel across more than 60 ITC Section 337 cases.

Tom has a top-tier rating for his ITC representation of an "array of technology sector clients" (*Chambers USA*), including leading designers and manufacturers of telecommunications equipment, smartphones, microprocessors, digital signal processors, memory device, networking equipment, semiconductor fabrication processes and packaging, and various operating systems and application software. His ITC cases also extend to diverse technologies such as medical devices, industrial equipment, design automation tools, alkaline batteries, and a wide variety of consumer products. *Chambers USA* praises Tom's "excellent track record at the ITC" and describes him as "an expert at the unique procedures of the ITC and very in tune with the mindset within the ITC."

Previously, Tom was a senior investigative attorney at the ITC where he litigated patent cases for 10 years in the ITC's Office of Unfair Import Investigations. While there, Tom designed the Commission's first generation *Electronic Document Information System* (EDIS) that tracks all documents filed with and issued in all investigations and designed and coded the Commission's first-generation *Unfair Import Investigations Information System* (337Info), both of which are the foundations of the ITC's current online services.

Key Matters

Some of the experience represented below may have been handled at a previous firm.

At Winston, Tom has led a successful Comcast ITC defense against Rovi/Tivo through trial, two Ericsson ITC cases against Apple that included a trial resulting in a settlement, and two Taiwanese semiconductor company cases against Spansion that settled favorably after trial in the ITC; defended Ericsson in the ITC against Adaptix/Acacia; and supervised a variety of smaller cases.

Previously, Tom led the defense of Research In Motion (BlackBerry) that invalidated the Kodak patent that had earlier extracted about US\$1B in royalties from Korean cell phone manufacturers in a prior ITC case. He also led multiple HTC, S3 Graphics, and VIA Technologies cases through trial against Apple. Tom has also represented Action Semiconductor, Atheros, BIAx, Broadcom, Everex, Gold Peak, Hitachi, LG, Nikon, Nippon Steel, Seoul Semiconductor, Sony, Tate & Lyle, and Tyco in patent litigations at the ITC.

TECHNOLOGY EXPERIENCE

- **Telecommunications industry:** Smartphones: 2G, 3G, and 4G wireless networks and devices, eNodeB switches and radios, pico cells, LTE (including OFDMA), GSM (including TDMA and FDMA), UMTS (including CDMA), MIMO, HARQ, uplink scrambling, convolutional coding, Bluetooth, VoIP, Wi-Fi calling, cellular/Wi-Fi channel selection, security key cryptography, speech coding (codec), smart batteries, still and video image processing, and the Internet of Things (IoT)
- **Computer industry:** Microprocessors, graphics processors, bridges, memory, data compression, Wi-Fi, CD-ROMs, controllers, touch screens, image processing, hardware logic emulation, password encryption hardware, repeaters, switches, packet switched networks, GPS, cable set-top boxes, program guides, x86 and ARM instruction sets, and power amplifiers
- **Semiconductor industry:** Photolithography, plasma etching, chemical/mechanical polishing, transistor structures (MOS, CMOS, NMOS), diodes, capacitors, interface structures, stacked layouts, die bonding, packaging (plastic encapsulation, DIP, PGA, surface mount, BGA), charge pumps, stepped voltage generators, solid state lighting (LED, laser diodes), CMOS sensors, FPGAs, electrical test equipment, and wafer testing
- **Memory industry:** DRAM, SRAM, ERPOM, ROM, flash memory, and non-volatile memory
- **Chemical and consumer products industry:** Alkaline batteries, Splenda (sucralose), refrigerators, and baby diapers

Recognitions

Tom is consistently ranked for ITC litigation in leading publications such as *Chambers USA* (2007–2023), *Chambers Global/Taiwan* (2014, 2016–2019, 2022–2023), *The Legal 500 US* (2010–2023), *IAM Patent 1000* (2012–2023), *IAM Global Leaders* (2021), and *Super Lawyers* (2013). He was recommended in the 2022 edition of *Who's Who Legal* as a “Global Leader” for IP: Patents. In 2018, he was named to the inaugural *Legal 500 Hall of Fame*, a list that honors fewer than 500 partners from across the United States for being listed as elite leading lawyers for six consecutive years. The Hall of Fame highlights individuals who have received constant praise by their clients and who are at the pinnacle of their careers. Since 2016, *Managing Intellectual Property* has named him an “IP Star.”

Tom's clients describe him as possessing “exceptional judgment and skill” and “a master in the high-stakes, high-pressure ITC environment” (*The Legal 500 US* 2018). The 2021 edition praises Tom as being “inexhaustible, extremely effective,” and a “world-class litigator” who “inspires high confidence” and is “one of the most experienced ITC practitioners in the IP bar.” Tom “has an exceptional understanding of the many procedural and substantive nuances of ITC/337 practice, outstanding technical and patent skills, unparalleled communication and trial skills, and a solid, well-respected client-relationship rapport practice” (*The Legal 500 US* 2022). He leads a team described as “one of the best ITC practices in the country” and “is a veteran Section 337 lawyer and a former senior investigative attorney who knows the ITC inside out” (*IAM Patent 1000*).

Activities

Tom is a former member of the firm's Executive Committee and Compensation Committee. He regularly conducts training on the ITC patent litigation in the United States and Asia. He is the former President of the ITC Trial Lawyers Association and former Chairman of ABA Subcommittee on ITC Practice.

“ [Tom] is an incredible lawyer and a master ITC litigator who knows the forum better than anyone. His experience and knowledge consistently position his clients for success. ”

IAM Patent 1000 client testimonial

“ The ITC is a high-stakes, high-pressure environment and Tom is a master of that environment. He makes everything run smoothly, from pre-litigation work to post-trial procedures. ”

Chambers USA client testimonial

Credentials

EDUCATION

Tom received his B.A. in chemistry and communications from the University of North Carolina, Chapel Hill in 1978 and his J.D. from the University of North Carolina Law School in 1985.

ADMISSIONS

- District of Columbia
- U.S. Patent & Trademark Office
- New York

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Capabilities

Patent Litigation

ITC – Section 337

Intellectual Property

Technology, Media & Telecommunications

Cryptocurrencies, Digital Assets & Blockchain Technology

Medical Devices