WINSTON & STRAWN LLP

Robert N. Kang

Partner

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Robert (Rob) is a seasoned trial lawyer with years of experience counseling clients in connection with high-tech patent disputes. Rob combines his trial experience with his undergraduate degree in electrical engineering and experience as a Patent Examiner to advise technology companies on IP disputes across a broad spectrum of industries, including the semiconductor, telecommunications, networking, computer hardware, cloud computing, and software industries.

Rob also has significant experience with trade secret disputes in high-tech industries, and advises clients on patent portfolio management, monetization, acquisition, prosecution, and pre-litigation diligence. He has extensive experience litigating patent disputes in multiple venues, including district courts, the International Trade Commission, and the Patent Trial and Appeal Board. Rob is an experienced trial attorney, having cross examined expert witnesses at the ITC and presented expert witnesses before a jury. Rob frequently argues at hearings on motions, claim construction, and evidentiary objections at trial.

Key Matters

Some of the below experience may have been at a prior firm.

- Represented Alphatec Spine in a two-week jury trial in the Central District of California, and obtained favorable post trial settlement.
- Represented Cisco in two ITC actions against Arista Networks. Rob led the technical team on a key Cisco networking patent, securing a finding of no invalidity and infringement by both Arista's existing and redesigned products in two separate evidentiary hearings, shortly before a US$400 million settlement for Cisco.
- Obtained complete defense victory at a jury trial in the Northern District of California for Energy Labs Inc. against Nortek Air Solutions. The jury found no infringement of any claim in six asserted patents and found most of the asserted claims to be invalid.
- Obtained favorable settlement on behalf of Google against allegations of patent infringement by Rockstar Consortium. Rockstar settled with Google, abandoned its attempts to license its patents, sold them, and disbanded shortly after the Court of Appeals for the Federal Circuit forced Rockstar to proceed in the Northern District of California, rather than the Eastern District of Texas.
- Obtained favorable settlement on behalf of RF Micro Devices in a patent infringement action involving semiconductors used in RF switches brought by Peregrine Semiconductor in the Southern District of California. After defeating Peregrine's preliminary injunction motion, winning a motion to dismiss half of the asserted patents, and challenging the remaining patents at the PTAB, Peregrine settled on terms favorable to RF Micro Devices.
- Represented LivePerson against allegations of infringement by [24]7.ai in the Northern District of California. Obtained dismissal on grounds of invalidity or unpatentable subject matter of eleven patents asserted by [24]7.

Recognitions

- Recognized in *IAM Patent 1000*, 2023 and 2024, where clients commented "Robert Kang is extremely passionate and possesses superb analytical abilities. He is always exceedingly well prepared, whether for depositions or oral argument, and has great courtroom presence – he has a calm, confident and knowledgeable demeanour that is very effective. Rob examines each case with an eye toward delivering the optimal result."

> "Rob examines each case with an eye toward delivering the optimal result."

IAM Patent 1000

Credentials

EDUCATION

Rob received his BSEE from The University of Texas at Austin in 2005 received his J.D. from Northwestern University Pritzker School of Law in 2010.

ADMISSIONS

- California

Related Insights & News

- Kang, Robert and Dana, David A., Using Daubert Challenges to Test the IP Exceptionalism Thesis (June 24, 2010).

RECOGNITIONS
Winston Recognized in 2024 *IAM Patent 1000* Rankings
JUNE 5, 2024

SPONSORSHIP
Winston & Strawn Sponsors 2024 IP Counsel Café Meeting
MAY 7, 2024

PRESS RELEASE
Winston & Strawn Names 16 New Partners
DECEMBER 1, 2023

RECOGNITIONS
Winston Recognized in 2023 *IAM Patent 1000* Rankings
JUNE 26, 2023

NEWS
Robert Kang Selected as a 2023 Federal Circuit Bar Association Global Fellow
JANUARY 10, 2023

RECOGNITIONS
Winston Recognized in 2022 *IAM Patent 1000* Rankings
JULY 5, 2022

BLOG
Party sanctioned for providing confidential transcript of deposition taken in PTAB proceeding with counsel at same firm who were working on parallel district court litigation
DECEMBER 16, 2021

BLOG
Board Institutes Over Patent Owner Particularity and Word Count Objections
OCTOBER 13, 2021

BLOG

A Large Number of Means-Plus-Function Limitations Justifies Parallel Petitions Challenging Different Claims of Same Patent on Same Grounds

SEPTEMBER 30, 2021

BLOG

Parallel Petitions on The Same Challenged Patent Instituted Where One Petition Was Based on An Earlier Related Patent That Lacked Written Description Support For The Later Challenged Claims

SEPTEMBER 10, 2021

BLOG

Board Institutes in Spite of *Fintiv* Even Though the WDTX Trial Was Scheduled To Complete First and the Court Had Already Reached a Markman Decision

AUGUST 31, 2021

BLOG

AAPA Cannot Be "Basis" for IPR, Even if Combined With Prior Art Patents or Publications

AUGUST 24, 2021

Capabilities

Patent Litigation | Trade Secrets, Non Competes & Restrictive Covenants | ITC – Section 337

IP Licensing & Due Diligence | Intellectual Property | Public Companies

Cryptocurrencies, Digital Assets & Blockchain Technology

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