



## Teague Donahey

Partner

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**Teague Donahey has 20 years of major law firm experience litigating and trying high-stakes intellectual property matters and other complex business disputes for some of the world's most significant technology companies.**

His practice spans federal and state courts, as well as administrative bodies such as the United States International Trade Commission (ITC) and the Trademark Trial and Appeal Board (TTAB).

In addition to representing major corporations, Teague also enjoys providing counsel to smaller, growing businesses that are seeking to protect and enforce their intellectual property or are engaged in intellectual property disputes. Although differently situated businesses may have different legal requirements, Teague understands the fundamental bottom line: all companies, large or small, desire high-quality legal representation delivered with value and efficiency.

Prior to joining the firm, Teague was a partner with Sidley Austin LLP in San Francisco and previous to that worked in the Silicon Valley office of Skjerven Morrill LLP.

### PRACTICES

Intellectual Property  
IP Litigation  
Trade Secrets and Non-Competes

### EDUCATION

George Washington University School of Law, J.D., 1998  
Recipient, Marcus B. Finnegan Prize (Intellectual Property Law)  
Notes Editor, AIPLA Quarterly Journal  
  
Amherst College, B.A., 1992  
Political Science  
cum laude

### BAR ADMISSIONS

Idaho  
California

### COURT ADMISSIONS

United States Supreme Court  
U.S. Court of Appeals for the Federal Circuit  
U.S. Court of Appeals for the Ninth Circuit  
U.S. Court of Appeals for Veterans Claims  
U.S. District Court for the District of Idaho  
U.S. District Court for the Northern District of California  
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 Southern District of California

### EXPERIENCE

#### Patent Litigation

Teague regularly represents clients in patent litigation matters throughout the United States in both federal courts and in United States International Trade Commission (ITC) "Section 337" investigations. His patent cases have involved a variety of cutting-edge technologies, including:

- Consumer electronic devices
- Computer hardware and software
- Semiconductors, including design, manufacturing, and packaging
- Telecommunications
- Energy
- Medical devices

#### Trademarks & Copyrights

Teague counsels businesses engaged in trademark and copyright disputes and represents clients in litigation in federal courts and in the Trademark Trial and Appeal Board (TTAB).

## Antitrust, Trade Secrets, and Other Complex Business Litigation

Teague has extensive experience litigating a variety of other complex business litigation matters in both federal and state courts, such as matters involving:

- Antitrust
- Trade Secret Misappropriation
- Unfair Competition
- Breach of Contract
- Fraud

## CLIENT RESULTS

Some recent examples of Teague's litigation matters at Holland & Hart include, among others:

- *Konami Gaming, Inc. v. High 5 Games, LLC* (D. Nev.; Fed. Cir.): Defended gaming technology client in patent infringement action. Obtained summary judgment of patent invalidity of all four asserted patents. Summary judgment ruling was affirmed on appeal after oral argument before the Federal Circuit.
- *Rhino Metals, Inc. v. Kodiak Safe Company* (D. Idaho): Obtained preliminary injunction, default judgment, and full award of attorneys' fees on behalf of Boise-based gun safe manufacturer in trademark infringement dispute.
- *Harris v. Meiling* (D. Nev.; C.D. Cal.; Orange Cty. Sup. Ct.): Obtained removal of putative class action from state court, transfer of action to District of Nevada, and subsequent dismissal of action in its entirety on res judicata grounds.

Additional examples of Teague's experience prior to joining Holland & Hart include:

- *Universal Electronics, Inc. v. Universal Remote Control, Inc.* (C.D. Cal.): Trial counsel for electronics client in patent infringement action involving universal remote control technology. After a two week trial, the jury found in client's favor on all claims and affirmative defenses, resulting in a decision of non-infringement, invalidity, and unenforceability based on patent misuse and unclean hands. Instrumental in obtaining a \$4.6 million post-trial award of attorneys' fees and costs for the client.
- *In the Matter of Certain Semiconductor Chips With Minimized Chip Package Size and Products Containing Same*, Inv. No. 337-TA-605 (ITC) and *Tessera, Inc. v. Advanced Micro Devices, Inc., et al.* (N.D. Cal.): Defended multinational semiconductor manufacturer in parallel patent infringement actions in ITC and district court involving semiconductor packaging technologies. Was partner responsible for non-infringement issues in action involving novel court-appointed expert ("CAE") procedures. After CAE agreed that all asserted patents were not infringed and invalid, the parties

entered into a settlement agreement.

- *In the Matter of Certain Integrated Solar Power Systems and Components Thereof*, Inv. No. 337-TA-811 (ITC): Led team defending major solar panel manufacturer in ITC Section 337 patent infringement investigation. The investigation was terminated after the parties entered into a settlement agreement during discovery.
- *In the Matter of Certain Encapsulated Integrated Circuit Devices and Products Containing Same*, Inv. No. 337-TA-501 (ITC) and *Amkor Technology, Inc. v. Carsem (M) Sdn Bhd et al.* (N.D. Cal.): Represented leading semiconductor company in parallel patent infringement actions in ITC and district court involving semiconductor packaging technologies. After the ITC entered an exclusion order barring the adversary's infringing products from being imported into the United States, the parties entered into a settlement agreement.
- *Eolas Technologies Inc. v. Adobe Systems, Inc., et al.* (E.D. Tex.): Defended major consumer electronics company in a patent infringement action involving fundamental World Wide Web technologies. The parties settled prior to trial.
- *EON Corp. IP Holdings, LLC v. T-Mobile USA, Inc., et al.* (E.D. Tex.) and *EON Corp. IP Holdings, LLC v. FLO TV Inc., et al.* (D. Del.): Defended major consumer electronics company in co-pending patent infringement actions involving telecommunications and smartphone technologies. The parties settled prior to trial.
- *In the Matter of Certain Display Devices, Including Digital Televisions and Monitors*, Inv. No. 337-TA-713 (ITC): Defended foreign manufacturer in ITC Section 337 patent infringement investigation involving digital television technologies. The parties settled prior to trial.
- *In the Matter of Certain Wireless Communication System Server Software, Wireless Handheld Devices and Battery Packs*, Inv. No. 337-TA-706 (ITC): Defended major consumer electronics company in ITC Section 337 patent infringement investigation involving various smartphone technologies. The parties settled prior to trial.

## PUBLICATIONS

"An Update on Federal Trademark Damages Law: Why Additional Clarity Is Needed and May Soon Be Forthcoming," *The Advocate*, September 2019

"The Patent Trial and Appeal Board (PTAB) and the Supreme Court: How *Oil States* Threatens to Reverse Congressional Efforts to Reform Patent Litigation," *The Advocate*, November/December 2017

"Supreme Court Decision Has Considerable Import for Idaho Business (re: *TC Heartland, LLC v. Kraft Foods Group Brands LLC*)," *Idaho Business Review*, May 2017

"From Enphase to Wanxiang, How Cleantech Companies Are Building

Patent Portfolios," *GreentechMedia.com*, 2014

"U.S. Anti-Dumping Actions Open Solar Sector to Patent Lawsuits," *Solar Industry Magazine*, November 2014

"Expect Patent Disputes to Accelerate As Clean Energy Expands: What can we learn from patent conflicts in other industries?," *GreentechMedia.com*, 2014

"Frequently Asked Antitrust Questions," *ABA Book Publ. 2d Ed., Chapter Contributor*, 2013

"The Risks of Patent Infringement Damages to Global Businesses," *China Business Review*, 2013

"Realtek v. LSI: Will ITC Defer To District Court?," *Law360*, 2013

## **SPEAKING ENGAGEMENTS**

"Developments in Intellectual Property," *Federal Bar Association 16th Annual Tri-State Bar Conference*, Moderator, Wyoming, Idaho, and Utah Chapters, Spring 2021

"Sovereign Immunity and IP Litigation: A Surprising Intersection," *World Intellectual Property (IP) Day Celebration*, Boise, ID, Spring 2018

"Intellectual Property Hot Topics," *Association of Corporate Counsel, Mountain West Chapter, In-House Review*, Boise, ID, Spring 2017

"Strategies for Handling Patent Trolls," *Retail Law Conference 2014*, Charlotte, NC, Fall 2014

## **RECOGNITION**

- Idaho State Bar Denise O'Donnell-Day Pro Bono Award, 2021
- *The Best Lawyers in America*®, Litigation - Intellectual Property, 2018-2022
- Mountain States Super Lawyers®, Intellectual Property Litigation, 2017-2021
- Northern California Super Lawyers®, Intellectual Property Litigation, 2012–2015

## **PROFESSIONAL AND CIVIC AFFILIATIONS**

- American Bar Association, Member
- Federal Bar Association, Member
- American Intellectual Property Law Association, Member
- Idaho State Bar, Intellectual Property Law Section, Member
- Idaho Technology Council, Member
- American Red Cross of Greater Idaho, Board of Directors
- Teague is also active in pro bono matters on behalf of military veterans, having worked regularly with the National Veterans Legal

Services Program and Swords to Plowshares to provide legal counseling in connection with proceedings before the Board of Veterans Appeals and the U.S. Court of Appeals for Veterans Claims. Teague is accredited with the Veterans Administration.