



## Benjamin E. Weed

### Partner

Chicago  
+1.312.781.7166

[benjamin.weed@klgates.com](mailto:benjamin.weed@klgates.com)

### OVERVIEW

Benjamin Weed is a registered patent attorney with a background in computer science. He concentrates his practice in patent litigation, post grant practice at the Patent Trial and Appeal Board, prosecution, counseling, due diligence, and opinion work. Prior to his career as a lawyer, Benjamin worked as a software developer at Motorola, Inc.'s Chicago-area corporate headquarters.

As a PTO-registered lawyer, Benjamin has experience handling standard patent prosecution matters as well as matters before the Board of Patent Appeals and Interferences. Benjamin also has experience with post-grant proceedings at the Patent Trial and Appeal Board, and has been involved in the preparation and prosecution of more than 30 *inter partes* review and covered business method review petitions. In all instances, Benjamin's involvement has been on behalf of Petitioners and has been coupled with overall trial strategy for co-pending district court litigation. He has experience handling *ex parte* reexamination, broadening reissue, and *inter partes* reexamination on behalf of clients at the United States Patent and Trademark Office.

Benjamin is experienced in all facets of intellectual property litigation, including fact and expert discovery, motion practice, claim construction practice, and trial practice. He has argued before the Patent Trial and Appeal Board, has presented *Markman* arguments in the Eastern District of Texas, has presented technical tutorials in the Western District of Texas, has argued motions in the Northern District of Illinois, and has presented expert witness testimony at the International Trade Commission. He has been an integral part of trial teams developing strategies in patent infringement cases before various federal district courts as well as the International Trade Commission. He also has experience in appellate practice before the Court of Appeals for the Federal Circuit.

Benjamin's experience includes work in various federal district courts and before the International Trade Commission handling Section 337 Investigations, both supporting and in defense of charges of patent infringement. Benjamin's patent litigation experience spans a diverse set of technologies, including work in the fields of computer systems and software, medical devices, robotics, passive RFID technology, battery technology, location-based services technology, smartphone operating systems, computer interface technology, digital imaging and image processing technology, DRAM and NAND flash technology, automotive parts, cellular telephone technology, and security systems.

Benjamin has litigated in numerous patent venues, including the Northern District of Illinois, the Eastern District of Texas, the Western District of Texas, the District of Delaware, the Northern District of California, and the

International Trade Commission. He has experience in appellate practice before the Court of Appeals for the Federal Circuit.

## PROFESSIONAL BACKGROUND

Benjamin worked as a software developer for Motorola's cellular infrastructure business over the course of three years. During this time, he was responsible for developing software that operated on cellular infrastructure components, as well developing software to test the functional and load capabilities of infrastructure components. He has experience in web site administration and web software development.

During law school, Benjamin was a legal extern for the Chicago office of a large international law firm, assisting in patent prosecution and patent litigation matters. Also during law school, Benjamin was actively involved in the Moot Court program at the Chicago-Kent College of Law.

## EDUCATION

- J.D., Chicago-Kent College of Law, Illinois Institute of Technology, 2007 (*With Honors; Moot Court Honor Society; Intellectual Property Law Society*)
- B.S., University of Illinois, 2003 (*Computer Science – College of Engineering*)

## ADMISSIONS

- Bar of Illinois
- United States Patent and Trademark Office
- United States Court of Appeals for the Federal Circuit
- United States District Court for the Eastern District of Michigan
- United States District Court for the Northern District of Illinois

## THOUGHT LEADERSHIP POWERED BY HUB

- 26 March 2020, PTAB Designates Additional Decisions precedential Relating to its Discretion to Deny Petitions (*Research Surveys*)
- 23 December 2019, POP Provides Clarity Regarding Level of Proof for Printed Publications Before the PTAB (*Research Surveys*)
- 16 April 2019, St. Regis Mohawk Tribe petition for certiorari denied (*Research Surveys*)
- 3 March 2019, US: Helpful Guidance From Judge Bryson Regarding Stays Pending IPR (*Research Surveys*)
- 17 August 2018, US: Estoppel Attaches Even If Dismissed Without Prejudice (*Research Surveys*)
- 16 August 2018, US PTAB Trial Practice Guide Updates (*Research Surveys*)

- 2 May 2018, The Supreme Court Upholds and Clarifies Inter Partes Review (*Alerts/Updates*)
- 24 April 2018, U.S. patent case update: IPR proceedings (*Research Surveys*)
- 15 February 2018, Travel Sentry: Another Divided Infringement Case With a Lot of Baggage (*Alerts/Updates*)
- 19 April 2017, “Waive” That Issue Goodbye: The Importance of Preserving Arguments and Developing a Full Record (*Alerts/Updates*)
- 1 February 2017, Setting Up the Scope of IPR Estoppel for the Federal Circuit (*Alerts/Updates*)
- 6 July 2016, The Start of Something Big? PTAB Issues First PGR Final Decisions (*Alerts/Updates*)
- 21 June 2016, *Cuozzo* Furthers the USPTO’s Authority in Managing Its Agency Proceedings (*Alerts/Updates*)
- 2 September 2015, PTAB Lays Initial Groundwork for Post-Remand Proceedings (*Alerts/Updates*)
- 20 August 2015, USPTO Announces Second Round of AIA Rule Changes (*Alerts/Updates*)

## NEWS & EVENTS

- 22 October 2019, K&L Gates Prevails on Behalf of SIMO Holdings in Wi-Fi Hot Spot Patent Action Following Jury Trial (*Press Release*)
- 6 May 2016, IP Team Scores Major Win for LKQ in Long-running Patent Dispute (*Noteworthy Work*)
- 17 February 2016, K&L Gates Names 50 New Partners (*Press Release*)

## AREAS OF FOCUS

- Post-Grant Patents
- IP Litigation
- IP Procurement and Portfolio Management