

KYLE B. FLEMING, ESQ.

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EDUCATION

George Washington University, National Law Center
J.D. with Honors, May 1993

Northwestern University
B.A., Economics with Honors, May 1988

EXPERIENCE

Renner Otto Boisselle & Sklar LLP 2008-Current
Partner, Chair of Litigation

Electrolux North America 2006-2007
Associate General Counsel, Intellectual Property
Responsible for intellectual property litigation and related activity concerning North American and select global operations.

Baker & Hostetler LLP 1996-2006
Partner, Litigation, Intellectual Property, and Competition
Responsible for wide range of matters including intellectual property, First Amendment, antitrust and complex commercial litigations. Responsible for over 50 premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

Benesch, Friedlander, Coplan & Aronoff LLP 1994-1996
Associate, Financial Institutions

Wells Fargo Bank, N.A. 1994
Assistant General Counsel, Litigation

Federal Reserve Bank of Cleveland 1988-1990
Research Assistant, Economics Department

BAR ADMISSIONS

States of California, Ohio and New York.

Numerous federal courts including:

- International Trade Commission
- U.S. Courts of Appeal for the Second, Sixth, Ninth, Eleventh and Federal Circuits
- U.S. District Courts in California (Northern, Central and Southern), New York (Southern and Eastern), Ohio (Northern and Southern), Michigan (Eastern), Wisconsin (Eastern), Colorado, and Illinois (Northern and Central).

OTHER PROFESSIONAL

San Francisco IP Lawyers Association, Cleveland IP Lawyers Association, International Trade Commission Trial Lawyers Association, Federal Bar Association

OTHER

Bay Village Lacrosse Club

Board of Trustees, General Counsel and Coach 2014-Current
President 2017-Current

The Cleveland Yachting Club

Director, Start-Opti-Sailing 2011, 2012
Member, Sail Camp Committee 2012-2014

Northwestern University Crew

Alumni Board of Directors 2010-2012

SELECT LITIGATION MATTERS

Appellate

Dodocase VR, Inc. v. MerchSource, LLC, 2018-1724 (pending)

Apator Miitors ApS v. Kampstrup A/S, 887 F.3d 1293 (Fed. Cir. 2018)

Eastcott v Hasselblad USA, Inc., 564 Fed.Appx. 590 (Fed. Cir. 2014)

Alcohol Monitoring Systems, Inc. v. Actsoft, Inc., 499 Fed.Appx. 974 (Fed. Cir. 2013)

ABB, Inc. v. Cooper Industries, LLC, 635 F.3d 1345 (Fed. Cir. 2011)

Alcohol Monitoring Systems, Inc. v. Actsoft, Inc., 414 Fed.Appx. 294 (Fed. Cir. 2011)

In re Seagate Technology, LLC, 497 F.3d 1360 (Fed. Cir. 2007) (amicus)

TAP Pharmaceutical Products, Inc. v. Owl Pharmaceuticals, LLC, 419 F.3d 1346 (Fed. Cir. 2005)

Paradise Creations, Inc. v. U V Sales, Inc., 315 F.3d 1304 (Fed. Cir. 2003)

International Periodical Distributor v. Bizmart, Inc., 95 Ohio St. 3d 452 (Ohio 2002) and 43 UCC Rep.Serv.2d 1173 (Ohio Ct. App. 2001)

State ex rel. Dispatch Printing Co. v. Loudon, 91 Ohio St. 3d 61 (Ohio 2001)

State ex rel. Plain Dealer Publishing Co. v. Cuyahoga Cty. Court of Common Pleas, 90 Ohio St. 3d 272 (Ohio 2000) and 88 Ohio St. 3d 1225 (Ohio 2000)

International Trade Commission

In re Digital Televisions and Components Thereof, 337-TA-789

In re Blu-Ray Disc Players, Components Thereof and Products Containing Same, 337-TA-824

Patent and Trademark Office

Triple Plus Ltd. v. Mordechai Ben Old, PGR2018-00038

MerchSource, LLC v. DODOcase VR, Inc., PGR 2018-00019, PGR2018-00020, and IPR2018-00494

Ruiz Food Products, Inc. v. MacroPoint, LLC, IPR2017-02016 and IPR2017-02018

Federal District Courts

DODOcase VR, Inc. v MerchSource LLC dba Sharper Image
California, Northern District – Patent infringement; breach of license

Romeo's Pizza Franchise, LLC v. Romeo's Pizza LLC
South Carolina – Trademark infringement

Aspen Medical Products, Inc. v. Comfortland Medical, Inc.
California, Central District – Patent infringement

Julius Zorn, Inc. v. Circaid, Inc.
California, Southern District – Patent infringement

Spectrum Diversified Designs, Inc. v. Harman, Inc.
Ohio, Northern District – Patent infringement

Rubik's Brand Limited v. MerchSource, LLC, et al.
New York, Southern District – Trademark infringement

Vita-Mix Corp. v. Blendtec, Inc.
Ohio, Northern District – Patent infringement

ASM Assembly Systems Switzerland GmbH v. QTS Engineering, Inc.
Massachusetts – Patent infringement

Air Monitor Corp. v. Promecon Prozess-und Messrechnik Conrads GmbH
New York, Southern District – Breach of license

Traffic Systems LLC v. Wapiti Engineering, LLC et al.
Ohio, Northern District – Patent infringement

Digitech Image Technologies v. Hasselblad A/S et al.
California, Central District – Patent infringement

Eastcott v. Hasselblad A/S et al.
New York, Southern District – Patent infringement

Technology Licensing Corp. v. Westinghouse Digital, LLC et al.
California, Northern District – Patent infringement

Semiconductor Energy Laboratory Co. Ltd v. Chimei Innolux Corp. et al.
California, Central District – Patent infringement

Radiation Stabilization Solutions LLC v. Varian Medical Systems, Inc. et al.
Illinois, Northern District – Patent infringement

Quantum Electronics Ltd et al. v. C B Home Detention Equip. & Services
Ohio, Northern District – Patent infringement

Technology Licensing Corp. v. Westinghouse Digital, LLC et al.
Illinois, Northern District – Patent infringement

Vizio Inc. v. Coby Electronics Corp. et al.
California, Central District – Patent infringement

Brain Life, LLC v. Elekta Inc. et al.
California, Southern District – Patent infringement

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