

Charles E. Phipps

Partner

Dallas

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Charles helps clients navigate complex legal landscapes and secure outcomes in favor of clients in IP litigation matters. His dedication to understanding the intricacies of each case and his commitment to client success make him a go-to resource for his clients' most important disputes.

OVERVIEW

Charles represents clients in patent, trademark, and copyright disputes. He serves as lead trial counsel in jury trials and has taken numerous cases through trial. Charles represents clients in U.S. district courts, state courts, and adversarial proceedings before the USPTO, both as plaintiff's and defense counsel. His significant track record includes defeating claims alleging more than \$6 billion in damages and achieving a \$40 million damages award and permanent injunction in patent litigation.

Charles' clients span various industries, including banking, consumer products, oilfield drilling technologies, and financial transaction processing. His extensive litigation experience across diverse technologies and industries allows him to view each client's unique litigation matter through the lens of vast experience. Clients benefit from Charles' ability to focus on key issues and deliver practical legal advice that supports informed business decisions.

REPRESENTATIVE MATTERS

- *Repeat Precision, LLC v. Diamondback Industries, Inc.*, 6:19-cv-00036-ADA (W.D. Tex.) Represented plaintiff in patent litigation matter pending before U.S. District Judge Alan D Albright; plaintiff won at trial, receiving a damages award of over \$40 million and a permanent injunction.
- *CloudofChange, LLC v. NCR Corporation*, 6-19-cv-00513-ADA (W.D. Tex.) Representing NCR Corporation in multipatent case pending before U.S. District Judge Alan D Albright.
- *Panini America, Inc. v. Eli Nicholas Matijevich, Jr. et al., Fanatics, SPV, LLC*, DC-23-04798 (44th Civil District Court, Dallas County, Texas) Represent Panini America in this trade secret misappropriation case, obtaining a temporary restraining order and negotiating an agreed temporary injunction.
- *Rex Real Estate I, L.P. v. Rex Real Estate Exchange Inc.*, 1:19-cv-00696-RP-AWA (W.D. Tex.) Represented plaintiff in this trademark lawsuit before U.S. District Judge Robert Pitman; case dismissed after defendant ceased using the mark.
- *Lodsys v. The Walt Disney Company*, 2:13-cv-256-JRG (E.D. Tex) Represented The Walt Disney Company in patent litigation pending before Judge Rodney Gilstrap.

- *U.S. Ethernet Innovations, LLC v. Xerox Corporation*, 6:12-cv-237-LED (E.D. Tex.) Represented Xerox Corporation in patent case pending before Judge Leonard Davis. Mediated before Jim Knowles.
- *TQP Development, LLC v. Branch Banking & Trust Company*, 2:12-cv-55-MHS-CMC (E. D. Tex.) Represented Defendant BB&T in patent case pending before Judge Michael H. Schneider. Obtained dismissal with prejudice in favor of BB&T. Mediated before Judge Robert Faulkner.

AWARDS

- *The Best Lawyers in America®*, Litigation – Intellectual Property, Litigation – Patent (2020–2026)
- *IAM Patent 1000* – Recommended for Trade Secret Litigation (2025)
- *IAM Patent 1000* (2023)
- *D Magazine*, Best Lawyers in Dallas (2018, 2022)

TOP AREAS OF FOCUS

- Intellectual Property
- Patent Prosecution, Counseling + Portfolio Management
- Trademark + Copyright

ALL AREAS OF FOCUS

- Artificial Intelligence
- Intellectual Property
- Patent Litigation
- Patent Prosecution, Counseling + Portfolio Management
- Trademark + Copyright

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Co-chair, Intellectual Property Committee, State Bar of Texas (2002-2003)
- Member, Dallas Bar Association
- Member, Intellectual Property Owners Association
- Member, New York Intellectual Property Law Association

PROFESSIONAL EXPERIENCE

- Internship, Huntsman Corporation (Formerly Texaco Chemical Company), Austin, Texas, in-house position involving patent prosecution, 1993-1995

EDUCATION AND CERTIFICATIONS

EDUCATION

- The University of Texas School of Law, J.D., 1995
- Texas A&M University, B.S., *cum laude*, 1992

BAR ADMISSIONS

- Texas
- New York
- Florida
- U.S. Patent and Trademark Office

COURT ADMISSIONS

- Supreme Court of the United States
- U.S. District Court, Western District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York

SPEAKING ENGAGEMENTS

- Panelist, Institute for Transnational Law: Art Law Panel, April 27, 2022.

PUBLICATIONS

- Co-author, “The Federal Circuit Clarifies the Law of Proper Venue in Patent Cases Involving the Presence of a Purported Agent in a Given Fora,” Locke Lord QuickStudy, April 4, 2022.
- Co-author, “Federal Circuit Restricts Invalidity Arguments That Accused Infringers May Raise Before District Court After Losing an Inter Partes Review,” Locke Lord QuickStudy, March 1, 2022.
- Co-author, “The Federal Circuit Issues Multiple Orders Directing Transfer of Venue out of the Western District of Texas,” Locke Lord QuickStudy, November 19, 2021.