Christopher J. Forstner

Partner

Richmond

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Chris is an intellectual property strategist. He leverages his experience in all aspects of IP law (litigation, prosecution, counseling, and transactions) with a proven in-house counsel background to deliver on clients' key business objectives.

OVERVIEW

Chris counsels clients across a variety of industries on all aspects of intellectual property law with an emphasis on IP litigation, prosecution, counseling, transactions, risk management, and diligence activities. As a registered patent attorney with the U.S. Patent and Trademark Office, Chris advises and guides his clients on the development and successful execution of their IP portfolio strategy. Clients rely on Chris for assistance with patent prosecution activities, defense of interests in patent and intellectual property litigation including significant pre-litigation disputes, and IP transactions and risk-related analyses, including preparing patent opinions on novelty, validity, and infringement; drafting patent and technology agreements for licensing, non-disclosure, and joint development; counseling clients on the protection of trade secrets; and leading intellectual property due diligence efforts.

Chris brings a unique perspective to client service as he previously served as assistant general counsel and chief intellectual property counsel for Capital One, where he managed the company's intellectual property litigation, as well as the worldwide patent and trademark portfolios, restrictive covenants program, confidential and trade secret information protections, and competitive intelligence.

Chris also has extensive experience advising clients on issues related to eDiscovery, including the preservation, collection, processing, review, and production of electronically stored information, as well as pre-litigation planning and records management strategies. In addition to his counseling experience, Chris has successfully managed several large-scale document reviews for litigation and regulatory investigations.

AWARDS

- *Legal 500 United States:* Intellectual Property: Patents: Prosecution (Including Re-Examination and Post-Grant Proceedings) (2026)
- *Chambers USA:* Intellectual Property, Virginia: Southern (2023-2026)
- *Best Lawyers in America*®: "Lawyer of the Year" in Patent Law, Richmond, VA (2021, 2023)
- *Best Lawyers in America*®: Litigation – Intellectual Property (2024-2027), Patent Law (2020-2027)

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- *IAM Patent 1000*: Individuals: Prosecution: Recommended (2024-2026)
- *Virginia Super Lawyers Magazine* “Rising Star” (2009, 2012-2015)
- *Virginia Business:* “Legal Elite” in Intellectual Property Law (2019-2020, 2025)

TOP AREAS OF FOCUS

- Intellectual Property
- Patent Litigation
- Patent Prosecution, Counseling + Portfolio Management

ALL AREAS OF FOCUS

- Accessible Facilities and Services (ADA Titles II and III)
- Artificial Intelligence
- Business Litigation
- Distressed Mergers + Acquisitions
- Electric Vehicle Technology + Sustainable Infrastructure
- Financial Services
- Intellectual Property
- Litigation + Trial
- Patent Litigation
- Patent Prosecution, Counseling + Portfolio Management
- Payments + Financial Technology

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Virginia State Bar, Intellectual Property Law Section, Board of Governors, 2009 to present, chair, 2015
- US-EPO Bar Liaison Council, member, 2006 to present
- Greater Richmond Intellectual Property Law Association, president 2006-07, Board/Officer 2003-06

PROFESSIONAL EXPERIENCE

- Capital One, Legal Department, Richmond, VA, 2005-2010

EDUCATION AND CERTIFICATIONS

EDUCATION

- William & Mary Law School, J.D., 2000
- Virginia Polytechnic Institute and State University, B.S., 1997

BAR ADMISSIONS

- Virginia
- U.S. Patent and Trademark Office

COURT ADMISSIONS

- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, Eastern District of Virginia

SPEAKING ENGAGEMENTS

- Speaker, "Intellectual Property in Consumer Financial Products," 2026 CCBCA Winter Conference, February 26, 2026.
- Speaker, "Technology Transactions: Coping with Evolving Legal Risks Associated with AI and ML," IPWATCHDOG MASTERS™ PROGRAM: Artificial Intelligence Masters™ 2024, March 5, 2024.
- Speaker, "Intellectual Property and the Financial Services Industry: Recent Developments that Inhouse Counsel Need to Know," Troutman Pepper, November 28, 2023.
- Speaker, "Consolidating Your Firm's AI Expertise: Amplifying and Unifying Talent and Resources Capable of Identifying and Recognizing Opportunity and Risk," Inside Practice's Inflection Point: The Legal AI Revolution Part 2, September 14, 2023.
- Presenter, "Sharing the Secret Sauce: Collaborating on Technology and Key Legal Issues," Troutman Pepper CLE Webinar 'When the CEO Calls – Part II,' September 29, 2022.
- Panelist, "Intellectual Property," Virginia Venture Summit 2016, April 2016.
- Guest lecturer, "Intellectual Property 101," VCU Graduate School of Business, Information Systems Department, Spring Semester 2007-15.
- Panelist, "Update on E-Discovery Trends and Developments," SIFMA Compliance and Law Society Charlotte Regional Seminar, September 2014
- Moderator/Panelist, "Business Method Patents: Recent Developments and Strategies for Innovative Companies," Virginia State Bar Annual Meeting, June 2013.
- "eDiscovery and IP Cases: Counsel's Duties and Case Law Update," Greater Richmond Intellectual Property Law Association, October 2011.
- "Ethics Issues for IT Practitioners," 12th Annual Virginia Information Technology Legal Institute, Virginia State Bar, September 2011.
- Panelist, "Achieving Proportionality in the Small Stakes and David & Goliath Cases," Capital One Seminar Moving Towards Proportionality in E-discovery, November 2010.
- Panelist, "eDiscovery 2.0," Virginia State Bar Intellectual Property Section Annual IP Fall CLE Seminar, October 2010.
- Panelist, "Containing Fees Associated with Employing Outside Counsel in a Period of Economic Instability," 7th Annual Patents & the Financial Services Industry Conference, New York, NY, July 2010.
- Panelist, "Managing the Costs of Outside Counsel Effectively," 6th Annual Patents & the Financial Services Industry Conference, New York, NY, July 2009.
- Presenter, "Strategies for Avoiding the Pitfalls of Conducting Competitive Intelligence in Today's Business Environment," Greater Richmond Intellectual Property Law Association, December 2007.

PUBLICATIONS

- Co-author, "Discontinuation of AFCP 2.0: Strategic Adjustments for Patent Applicants," *Troutman Pepper*, October 3, 2024.
- Co-author, "Traversing Restriction Requirements: A Quick Reference Guide," *Westlaw Today*, July 14, 2023.
- Co-author, "Patent Rights: Best Practices for Responding to Patent Demand Letters," *Manufacturing Today*, Vol. 18, Issue 4, July 2018.

- Author, “Design Patents Build Strong, Valuable Brands,” *Smokeshop*, December 2015.
- Author, “Social Media Content Discoverable, Must Be Preserved,” Today’s General Counsel, August/September 2013.
- Co-author, “Federal Circuit Eliminates Adverse Inference For Failure to Obtain or Produce An Exculpatory Opinion of Counsel,” *Hunton Patent Law Update*, October 2004.
- Co-contributor, “Key Legal Strategies for Representing Digital Age Clients: Business Method Patents and General Patent Strategy for the Modern Age,” Virginia CLE Law Foundation, July 2001.

MEDIA COMMENTARY

- Mentioned, “Capital One Says Patent Suit Should Be Thrown Out,” *Law360*, October 31, 2023.