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in
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馬宗聖律師為飛翰台北辦公室的主持律師，擅長以最有效率、和最符合成本效益的方式，解決客戶面臨的智財問題。獲得智慧資產管理雜誌評選，為台灣智財訴訟與交易業務首席律師，以及頂尖的智財策略專家。以一貫的專業服務品質，代表知名的跨國企業，與小型的新創公司

馬律師代表客戶處理美國地院與國際貿易委員會（ITC）受理之專利及營業秘密訴訟案。相關的訴訟經驗包括：各式的訴訟動議答辯，以及多起案件攻防至審判開庭的階段。承接的案子還包括美國專利商標局（USPTO）受理的多方覆審、再審查、和干擾/抵觸審查案。馬律師也為客戶提供非對抗性案件的諮詢，包括出具可自由實施和具可專利性之意見書，協助客戶建制有用和有價值的專利組合。

馬律師曾協助客戶在舉足輕重的專利授權談判案件上獲得輝煌有利的戰績，牽涉的專利數量，從若干件專利到數千件的專利組合都有。擷取其訴訟和授權之經驗，馬律師也就其他態樣的專利案件提供諮詢，包括如何策略性地建制專利組合，以及提供可自由實施，具可專利性，不侵權，與無效的意見書。

馬律師服務之客戶群涵蓋化學、電子、與機械之各新創技術領域，舉凡孩童安全與愉樂用品及自行車零件，到聚丙烯組合物、和石油產品的製造，到無線通訊裝置、發光二極體、光感測器、液晶顯示器、積體電路設計、和無人機。

馬律師定期針對專利法之議題授課演講及撰寫文章。任教於台灣國立交通大學科技法律研究所，教授“美國專利訴訟”，以及在美國、台灣、與中國舉辦之高階智財權法研討會中演講，並參與座談會之討論。加入飛翰之前，馬律師曾於法學院研讀期間，擔任美國聯邦巡迴上訴法院法官 Richard Linn 之實習生。在踏入法界執業之前，曾任職於美國雪佛龍產品公司，擔任製程工程師。

Et Cetera

- *Gerber Scientific Int'l. v. Roland DG Corp.* (康乃狄克州地院) 擔任Roland DG被控寬格式 (wide format) 印表機專利侵權的辯護律師。
- *Certain Audiovisual Components*, 337-TA-837 (國際貿易委員會) 為瑞昱半導體涉及無線區域網路積體電路337調查案之辯護律師。判定有利瑞昱專利不侵權、無效，和原告無法證明符合337國內產業之要件。
- *Guardian Media Tech. v. TTE Technology Inc.* (德州東區地院) 擔任TTE被控其液晶電視專利侵權之辯護律師。
- *Certain Polyimide Films*, 337-TA-772 (國際貿易委員會) 代表SKC Kolon PI與SKC Inc.。該調查案牽涉聚亞醯胺薄膜的技術；委員會判決裁定未侵犯四項系爭專利之任一專利。
- *Nova Design Technologies, Ltd., v. Philips Holding U.S.A., Inc.* (賓夕凡尼亞州東區地院) 擔任飛利浦的辯護律師，辯護關於不當使用營業秘密與多項和嬰兒暖腳加熱裝置有關之詐欺指控；即決裁判勝訴，撤銷營業秘密與詐欺之指控。

- *Sonix Tech. Co. Ltd. v. VTech Electronics North America* (德州東區地院/伊利諾州北區地院) 擔任VTech被控使用光學模式辨識之益智玩具專利侵權的辯護律師，成功將案件由東德州轉移至客戶所在轄區地之伊利諾州北區地院。
- *Phillip M. Adams and Assoc. v. Winbond Electronics Corp.* (猶他州地院) 擔任華邦電之辯護律師，辯護關於Super輸入/輸出積體電路之專利侵權與不當使用營業秘密之指控，贏得撤銷營業秘密指控之即決判決，並在開庭審訊中取得對客戶有利之陪審團判決，順利達成和解。
- *Certain High-Brightness Light-Emitting Diodes*, 337-TA 556 (國際貿易委員會) 代表晶元光電處理牽涉高亮度發光二極體之調查案件。
- *Seiko Epson Corp. v. Coretronic Corp.* (加州北區地院) 代表中強光電辯護有關其數位多媒體投影機專利侵權之指控。
- *Certain Optical Disk Controller Chips and Chipsets*, 337-TA-523 (國際貿易委員會) 代表Sunext Tech. Co.，處理牽涉DVD與CD-ROM控制器積體電路之調查案。

Select Publications

- 合著「美國聯邦營業秘密新法對美以外企業之影響」《工商時報》，2016年9月13日。
- 「五大基本原則 有效協商專利授權」《工商時報》，2015年12月8日。
- 合著「Lessons from U.S. IP Lawsuits Involving Taiwan Companies」《Taiwan Business Topics》，2015年8月。
- 合著「專利範圍詮釋改變 影響深遠」《工商時報》，2015年3月10日。
- 「在美被控專利侵權防禦有道 核准後復審程序成效佳」《工商時報》，2014年9月9日。
- 合著「降低供應商在美國專利侵權案中之風險」《工商時報》，2013年12月3日。
- 合著：Bubbles Bursting for Indirect Infringement (戳破索賠間接侵權的泡沫 - 一個關乎 6,370 萬美元的問題)《智慧財產權管理中文版》，2013年9月。
- 「智慧財產權擔保賠償」《智慧財產權管理中文版與工商時報》，2012年9月。
- 「美國法律發展有利於台灣企業」《工商時報》，2011年12月6日。
- 合著「預作充分準備以因應美國專利訴訟調查程序」《電子時報》，2009年8月18日。

Experience

Si-Flash Drives, LLC v. ADATA Technology (USA) Co., Ltd.

Defending ADATA against allegations of patent infringement directed to ADATA's solid state drives.

8:16-cv-02005, Judges Carney, McCormick, Staton

Gerber Scientific International, Inc. v. Roland DG Corp.

Representing Roland DG of Japan in patent infringement lawsuit over large-format printers used for making indoor/outdoor banners, displays, and signs and vehicle graphics.

3:06-cv-02024, Judges Covello, Martinez

Wonderland Nurserygoods Co., Ltd. v. Kids II, Inc.

Representing Wonderland Nurserygoods in action to enforce its patents against Kids II's infringing children's playards.

1:13-cv-01114, Judges Forrester, Ross, Thrash, Higgins

Kevique Technology, LLC v. Getac, Inc.

Defended Getac against allegations of patent infringement directed to Getac's tablet devices, resulting in a voluntary dismissal by plaintiff prior to Getac having to file an answer.

2:16-cv-00365, Judge Gilstrap

Johnson Health Tech. Co., Ltd. v. Dyaco International Inc.

Represented Dyaco, Spirit Manufacturing and Spirit Fitness Products in litigation and arbitration involving Johnson Health's allegations of breach of contract and licensing agreements. After preparing and filing two IPRs and two ex parte reexaminations against multiple Johnson Health patents, the parties were able to reach a mutually agreeable resolution before any substantial proceedings took place in the arbitration and litigation.

3:13-cv-00712, Judge Crocker

Certain Audiovisual Components (Agere Systems and LSI Corp. v. Realtek Semiconductor Corp.)

Represented Realtek Semiconductor Corp. in a defensive patent suit relating to IEEE 802.11 (Wi-Fi) wireless technology. After a full trial, the investigation concluded with the ITC finding in Realtek's favor on non-infringement, invalidity, and complainant's failure to prove the existence of a domestic industry, and the Federal Circuit affirmed.

337-TA-837, Judge Shaw

Insights

WEBINAR

PTAB—Lessons Learned

Webinar Series: Practical Advice on U.S. Patent Law Issues

November 14, 2018

WEBINAR

Obviousness—How to Prove and How to Attack

Webinar Series: Practical Advice on U.S. Patent Law Issues

March 14, 2018

SEMINAR

Patently Smart: Making Good Decisions Now That Will Keep Your Patents out of Trouble Later

January 31, 2018

SEMINAR

New Strategies For Taiwan Companies In Light of Important Recent Developments in U.S. Patent Law Affecting IP Due Diligence, Inter Partes Reviews, and Litigation

November 16, 2017

WORKSHOP

2017 U.S. Patent Law Boot Camp: From Patentability to Profitability

October 20, 2017

WEBINAR

How Far Will Obviousness-Type Double Patenting Go: Considerations and Strategies

August 9, 2017

Upcoming Events

WEBINAR

PTAB—Lessons Learned

Webinar Series: Practical Advice on U.S. Patent Law Issues

November 14, 2018

Professional Recognition

"Gary Ma is a polished counsellor and litigation extraordinaire with a firm grasp of both U.S. and EU law."

Intellectual Asset Management Patent 1000

"Managing partner and patent law lecturer Gary Ma maneuvers with agility in both contentious and transactional settings, especially in relation to electronic technologies."

Intellectual Asset Management Patent 1000

"Gary Ma...is a stalwart anchor of the Taiwan practice."

Intellectual Asset Management Patent 1000

News

AWARD/RANKING

Top Honors for Finnegan in *Intellectual Asset Management's* 2017 *Patent 1000 Guide*

June 27, 2017

AWARD/RANKING

Finnegan Recognized by *Intellectual Asset Management* as 2016 Leading Patent Law Firm

May 27, 2016

AWARD/RANKING

Finnegan Recognized by *Intellectual Asset Management Magazine* as 2015 Leading Patent Law Firm

June 19, 2015

PRESS RELEASE

Finnegan Announces New Partners for 2013

December 10, 2012

PRESS RELEASE

U.S. International Trade Commission Issues Final Determination in Favor of Finnegan Client SKC

October 10, 2012

PRESS RELEASE

Finnegan Appoints New Leadership in Taiwan

September 28, 2012

Admissions

California
District of Columbia
U.S. Court of Appeals, Federal
Circuit
U.S. Court of Appeals, Veterans
Claims
U.S. Patent and Trademark
Office

Education

**George Washington
University Law School**
J.D., 2002

**University of California, Los
Angeles**
B.S., Chemical Engineering,
1998

Languages

Chinese

Gary's Practices

Patent Litigation
Appeals
Arbitration and Other ADR
ITC Section 337
Patent Trial
Pre-Trial Strategy
Settlement
Patent Office Examinations
Prosecution
Reexaminations
Patent Office Trials
Interferences
IPR, PGR, and CBM
Patent Portfolio Management,
Monetization, and Transactions
Due Diligence
Licensing, Pooling, and Other
Transactions
Opinions and Counseling
Trade Secrets

Gary's Industries

Biotechnology
Chemical
Clean Energy and Renewables
Consumer Products
Electrical and Computer
Technology
Internet of Things (IoT)
Medical Device
Oil and Gas
Semiconductor and Integrated
Circuits
Sports and Fitness