

DAVID P. UTYKANSKI

PRINCIPAL / DETROIT METRO OFFICE



Dave's practice is primarily concentrated on counseling and assisting clients in obtaining, evaluating, enforcing, and exploiting intellectual property rights, including patents and trade secrets. *Dave consistently delivers legal solutions* pertaining to *all aspects* of patent dispute resolution. His hands-on experience includes arbitration, trial practice, deposition practice, and Markman claim construction, as well as the preparation of pleadings, motions, and discovery. Dave maintains *both* a patent prosecution docket with the USPTO *and* a litigation docket in U.S. District Court and before the USPTO — *very few lawyers do both*. His multi-faceted experience affords his clients a strategic perspective for managing their intellectual property concerns.

A straight-forward communicator, Dave is committed to offering advice that takes into consideration not only the current challenge at hand, but also possible strategic advantages and opportunities for the future. Dave is appreciated by his clients for being a consummate team player. A significant portion of Dave's work is for major global corporations with affiliates who often function autonomously. Dave attends not only to his clients' immediate needs, but also synthesizes and incorporates the larger vision of the global corporation into both the macro and micro vision of the affiliate. Dave also represents a myriad of emerging and middle-market companies, for which he serves as a strategic legal advisor.

PRACTICE AREAS

Patents; IP Litigation; PTAB Proceedings

INDUSTRIES

Automotive & Autonomous Vehicles; Consumer Products; Energy Production & Delivery; Manufacturing; Mechanical & Electromechanical

KEY MATTERS

- *Permalite Ind., Inc. v. Geauga Co. and Carlisle Corp.*
- *DePuy, Inc. v. Biomet, Inc. and Roy C. Wiley*
- *Therm-O-Disc, Inc. v. Maatuk*
- *Helix Medical, LLC and Hansa Medical Products, Inc. v. ATOS Medical Inc. and ATOS Medical AB*
- *Freudenberg Filtration Technologies LP v. Camfil AB and Camfil Farr,*



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Inc.

- Venture Industries and VEMCO, Inc. v. Himont USA, Inc.
- Honeywell International, Inc. vs. DENSO Corporation et. al
- Honeywell International, Inc. vs. Furuno Electric Co. Ltd., et al.
- DENSO Corporation and DENSO Int'l. America, Inc. v. Honeywell Int'l. Inc.
- Delaware Capital Formation, Inc. and CPI Products, Inc. v. Norgren Automation Solutions, Inc. (E.D. Mich.)
- Flo Healthcare Solutions, LLC v. Rioux Vision, Inc. (N.D. Ga.)
- Nestle USA, Inc. v. Sara Lee Bakery Group (N.D. Ohio)
- Certain Automotive Multimedia Display and Navigation Systems, Components Thereof and Products Containing Same
- Powerhouse Marks, L.L.C. v. Costco Wholesale Corp., et al.
- Pollock v. Thunderline-Z, Inc.
- Pumpkin Ltd. v. HMS Mfg. Co

NEWS/EVENTS

IN THE NEWS

- “Facebook Loses PTAB Challenges To Content Management IP,”
Law360, April 5, 2017

PUBLICATIONS

- “Admissibility of Expert Witness Testimony in Federal Court,”
LACHES, March 2000
- “*The Application of Electromagnetic Weapons to Main Battle Tanks*,”
Undergraduate Thesis

BACKGROUND

Dave’s technological expertise is *extensive*, and includes sensors, controls and switches, hermetic feed-thrus, automobile entertainment systems, mobile computer workstations, automobile internal combustion engines, medical devices and appliance components. He has also been involved with automobile navigation systems, automobile parking assist systems, prosthetic implants, automobile bumper fascia manufacturing and multi-function mirror assemblies, fuel pumps, tubing quick-connects, readi-to-bake cookie dough and reusable packaging devices.

Prior to practicing law, Dave worked as a design engineer for a leading defense contractor and manufacturer of battle tanks for the U.S. military. He also served as a mechanical application engineer for a producer of interactive graphics systems used for design, manufacturing and engineering analysis.

AWARDS & DISTINCTIONS

- *Best Lawyers*, Litigation – Intellectual Property Law and Patent Law, 2021-2022
- *Intellectual Asset Management (IAM)*, “IAM Patent 1000,” 2014-2021
- *dbusiness* Magazine, “Top Lawyer,” 2010
- Martindale-Hubbell, AV Preeminent® Rated, 5.0 out of 5.0

MEMBERSHIPS

- Federal Bar Association, Eastern District of Michigan
- Federal Circuit Bar Association
- Michigan Intellectual Property Law Association

EDUCATION

J.D., University of Detroit, 1992

B.S.M.E., General Motors Institute, 1988

BAR & COURT ADMISSIONS

Michigan

U.S. Supreme Court

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. Patent and Trademark Office

District Court of Colorado

Eastern District of Michigan

Western District of Michigan

Northern District of Ohio