



SpencerFane®

John S. Holley

Partner

Contact

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Overview

John is a trial lawyer who focuses on high-stakes patent infringement litigation in the federal district courts and the International Trade Commission. Leveraging his background in electrical engineering, John distills the complicated technical issues in his cases into layman's concepts that resonate with the fact finders. Clients and opposing counsel have called his cross-examinations "masterful" and "very impressive." *Law360* recognized him as a "Legal Lion" for his work related to smartphone patents.

John has managed all aspects of patent litigation including pre-filing diligence, claim construction, fact and expert discovery, dispositive motions, and trial. He has handled cases in a wide array of technologies, including software, display devices, telecommunications, encryption, printer technologies, semiconductor devices, and medical devices. Based on the positive results for his clients, John has been named a Washington, D.C. "Rising Star" by *Super Lawyers* from 2017 to the present.

Beyond his deep background in litigation, John also serves as an independent evaluator for various patent pools. In addition, he has experience prosecuting patent applications and handling reexamination proceedings before the USPTO. Before practicing law, John received extensive experience as an electrical engineer at a large defense contractor working on the F-35 Joint Strike Fighter engine.

Education

- University of Cincinnati College of Law, 2011 (J.D.)
- Purdue University, 2007 (B.S.E.E.)

Bar Admissions

- District of Columbia
- Texas

Court Admissions

- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Western District of Texas

Presentations and Publications

- "Best Practices in Institutionalizing Funding Within the Law Firm," LF Dealmakers Forum, September 2024

Related Experience

- Represented ADVA in patent and unfair competition matter in the Eastern District of Texas (EDTX). Case settled favorably. *ADVA v. Huawei*.
- Representing NETGEAR in antitrust, unfair competition, RICO and breach of contract claims against Huawei in a case involving negotiations over standard essential patents in the Central District of California (CDCA). *NETGEAR v. Huawei*.
- Representing Softex in multiple cases involving patent infringement related to computer security and tracking in the Western District of Texas (WDTX) and the Eastern District of North Carolina (EDNC). *Softex v. Absolute, Dell, HP and Lenovo*.
- Represented Align Technology in multiple Delaware cases involving patent infringement related to digital dentistry software and intraoral scanners. Cases settled favorably. *Align Technology, Inc. v. 3Shape A/S and 3Shape, Inc.*
- Defending Ciena in the EDTX and Northern District of California (NDCA) in three separate actions alleging infringement patents concerning 40G and 100G optical fiber communications equipment. Cases settled favorably. *Oyster Optics LLC v. Ciena Corporation*.
- Represented major telecommunication company in multiple patent and FRAND matters in EDTX. Cases settled favorably.
- Defending Digital Smile Design in the Southern District of Florida (SDFL) in action alleging infringement concerning digital dentistry software. Case settled favorably. *CRMD v. Digital Smile Design*.
- Served as trial counsel for Align Technology, maker of Invisalign and intraoral scanners, in three separate ITC investigations through trial. Secured findings of infringement on Align Technology patents and an exclusion order recommendation. *In the Matter of Certain Dental and Orthodontic Scanners and Software*.