



## Robert Van Arnam

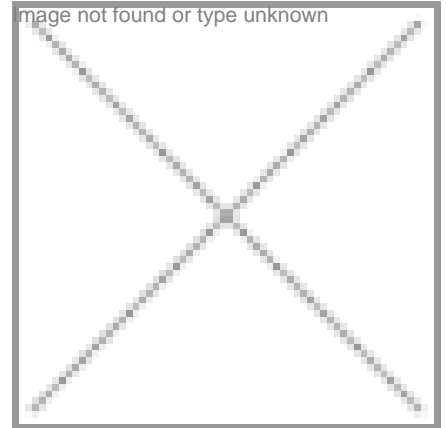
### Partner

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A company's technology and intellectual property rights are often its most significant assets. When those assets need to be protected or are threatened by litigation, Rob Van Arnam can help. He represents clients of all sizes from emerging technology clients and entrepreneurs to large retail and manufacturing companies and financial institutions by providing practical advice and business solutions. Rob is the chair of the firm's Intellectual Property Section, as well as a co-chair of the Data Protection & Cybersecurity Practice. He previously served on the firm's board of directors.

Rob is an experienced intellectual property lawyer who focuses his practice on litigation involving patents, trademarks, copyrights and trade secrets. He has litigated high-stakes IP cases throughout the country and before the Patent Trial and Appeal Board (PTAB) and the Trademark Trial and Appeal Board (TTAB), including through trial and appeal. He is adept at understanding clients' IP assets and business goals and providing practical strategies to achieve those goals. Clients in a variety of industries, including software, telecommunications, life sciences, ag-chemical, firearms and financial services, have used Rob to help protect, license and grow their intellectual property, enforce their rights and defend against suits by competitors and non-practicing entities (NPEs).

In addition to his IP practice, Rob counsels clients regarding the protection of data, and the preparation of privacy and cybersecurity policies, and investigates and represents clients in data breach matters and litigation. Rob also advises clients on matters relating to advertising and anti-counterfeiting and on matters involving the Federal Trade Commission (FTC) and the International Trade Commission (ITC).

Prior to joining Williams Mullen, Rob practiced IP and antitrust law with a national law firm and worked for the U.S. Department of Justice as a special assistant in the Office of Intelligence Policy and the Office of International Affairs.

He is listed in *The Best Lawyers in America*® for Patent Litigation, Patent Law, Copyright Law and Intellectual Property Litigation (2014-present). He has been named *Best Lawyers*® Raleigh "Lawyer of the Year" for Litigation - Patent Law (2016, 2020 and 2022) and for Copyright Law (2018). He has been recognized by *Chambers USA* for Intellectual Property Law (2013-present), named among North Carolina's "Legal Elite" by *Business North Carolina* (2011-2015, 2017-present) and listed in *North Carolina Super Lawyers* (2016-present). In addition, he has been named one of the "Top Attorneys in North Carolina" by *Charlotte Magazine*.

Rob earned his Bachelor of Arts degree from Dickinson College and his Master's degree in international law from American University. He earned his Juris Doctor degree from the University of North Carolina School of Law, where he was a member of the Holderness National Moot Court Team and the *North Carolina Journal of International Law & Commercial Regulation*

## Practice Areas

- Intellectual Property
- Intellectual Property Litigation
- Data Protection & Cybersecurity
- Copyrights
- Trademarks
- Trade Secrets, Employee Mobility and Restrictive Covenants
- IP Due Diligence & Opinions
- Unmanned Systems
- Software & Electronic Commerce
- Emerging Technology
- Antitrust & Trade Regulation
- Alcoholic Beverage Control
- Firearms Industry
- Community Banks
- Emerging Companies
- Advertising, Marketing & Media
- Fintech
- Name Image and Likeness
- Artificial Intelligence & Machine Learning

## Experience

THE CASES LISTED BELOW ARE ILLUSTRATIVE OF THE MATTERS HANDLED BY THE FIRM. CASE RESULTS DEPEND UPON A VARIETY OF FACTORS UNIQUE TO EACH CASE. NOT ALL CASE RESULTS ARE PROVIDED. CASE RESULTS DO NOT GUARANTEE OR PREDICT A SIMILAR RESULT IN ANY FUTURE CASE UNDERTAKEN BY THE LAWYER.

### Patent Litigation

- Represented client in a patent infringement lawsuit based on camera mount device for outdoor market. The case was resolved on a basis favorable to the client.
- Represented Defendant, a manufacturer of beverage tracking technology in a suit alleging patent infringement, false advertising and related claims. Case was dismissed.
- Represented Plaintiff, a developer and manufacturer of photoluminescent safety products, against a competing manufacturer in a patent infringement suit.
- Represented Defendant, a medical device developer, in a suit regarding oscillating positive expiratory pressure (OPEP) devices.
- Served as co-counsel for Defendant, a developer of smart fitness technology, in a patent infringement suit.
- Represented Defendant, a U.S. and German manufacturer of lab equipment, in a matter alleging infringement of Plaintiff's patent.
- Represented Defendant, a franchisee of a pest control company, against a competitor's patent infringement claims.
- Represented Defendant, a home automation company, alleging infringement of Plaintiff's patent by making, selling, or offering for sale a product without Plaintiff's permission and authorization.
- Represented Defendant, a national building supply manufacturer, in a patent infringement suit against a competitor related to an electrical block.
- Represented Defendant, a developer of smart fitness technology, in a suit alleging infringement of patents related to heart monitoring features of wearable devices.
- Represented Defendant, a financial institution, in a suit alleging infringement of registered patent by making, using, offering to sell and or selling products and services of user unique identifier and providing the account information in a text-based response without Plaintiff's authorization.
- Represented Plaintiff, an international manufacturer of furniture products, in a patent infringement suit for features contained in casual outdoor living furniture.
- Represented Defendant, a firearms manufacturer, against claims of infringement of Plaintiff's patent related to a folding buttstock for firearms.
- Represented Defendant, a full-service national event ticket marketplace, through appeal and ultimate dismissal of patent infringement claims related to its online reservation system.
- Represented Defendant, a manufacturer of semiconductor devices, in a suit alleging infringement of Plaintiff's patent by making, importing, using and selling the infringing products.

- Represented Defendant, a national building supply manufacturer, in a patent infringement suit brought by an NPE alleging infringement of a patent related to an integrated j-channel for commercial and retail windows. Williams Mullen led a joint defense group of Defendants in co-pending cases.
- Represented Defendant, a communications technology company, against infringement claims as to Plaintiff's patent related to Voice Over Internet Protocol (VOIP) products.
- Represented Defendant, a safety prescription eyewear manufacturer, in a patent infringement suit. Plaintiff voluntarily dismissed the suit.
- Represented Defendant, a manufacturer of strollers, against claims relating to a mechanical patent on a folding mechanism, and allegations of trade dress infringement, brought by a direct competitor.
- Represented Defendant, a financial institution, in patent infringement action by an NPE designer of analog and mixed-signal integrated circuits, related to secure communications and mobile banking and payment applications.
- Represented Plaintiff, a manufacturer of crop and life science products, in a suit against a competitor for infringing on Plaintiff's patent for manufacturing a plant growth regulator.
- Represented Defendant, a software developer, in the infringement of various intellectual property relating to medical image and video data conversion software.
- Represented Defendant, a developer of law enforcement technology and weapons products, against claims of patent infringement related to an electric shock device and breaching a patent purchase agreement.
- Represented Plaintiff, a software manufacturer, in Declaratory Judgment action against an NPE asserting patent infringement of a system for computer-based visual data evaluation.
- Represented Defendant, a government contractor, in a dispute alleging infringement on Plaintiff's patent.
- Represented Defendants with a joint defense group in a patent suit alleging infringement of a process related to Invoiceless Trading and Settlement Method and System.

### **Trademark Litigation**

- Represented Plaintiffs, manufacturers of lawn and pest control products, in suit alleging trademark infringement.
- Represented Plaintiff, an aircraft engine part manufacturer, in a trademark infringement matter.
- Represented Plaintiff, a federal government contractor, in a trademark infringement and unfair competition suit against a competing government contractor.
- Represented Plaintiff, a regional bank, in a trademark dispute against competing financial institution regarding use of an infringing new name.
- Defended a real estate company in a trademark infringement matter.
- Represented Plaintiff, a dog training and animal behavior company, in a trademark dispute regarding use of its mark related to dog training services.
- Represented Defendant, an online e-commerce platform, in a trademark dispute.

- Served as lead counsel for Plaintiff, a nutritional and herbal supplements manufacturer, against Defendant in a case for trademark infringement.
- Represented Defendant, a furniture retail company, in a suit alleging trademark and copyright infringement and false advertising.
- Served as lead counsel for Plaintiff, a nutritional and herbal supplements manufacturer, in a trademark infringement suit against Defendant's use of name and logo through the sale of products and goods.
- Represented Defendant, a developer of computer applications and software programs, in a trademark dispute regarding use of Plaintiff's name and mark.
- Represented Defendant, a Fortune 500 national discount retailer, in a suit alleging trade dress and unfair competition from the sale and distribution of non-woven fabrics with a purportedly proprietary design.
- Served as lead counsel for Plaintiff, a national real estate developer, in a trademark dispute through appeal to the Sixth Circuit.
- Represented Plaintiff, a concierge service provider, in a suit alleging infringement of its mark in connection with its concierge and personal assistant services.
- Represented Defendant, a manufacturer of poultry and farming products, in a suit alleging trademark and trade dress infringement by competing manufacturer.
- Represented Plaintiff, a Fortune 500 health care provider, alleging trademark infringement and unfair competition against a competing healthcare system that provides the same health services targeting customers in Texas and elsewhere.
- Represented Defendant, a distributor, manufacturer and remanufacturer of aftermarket locomotive parts, in a trademark infringement case.
- Represented Defendant, a furniture manufacturer and a national retail chain, in a trademark and trade dress infringement case related to the sale of a specific line of children's furniture.
- Represented Defendants, two national aviation parts manufacturers, asserting counterclaims of trademark infringement and unfair competition against the opposing parties. Summary judgment awarded for clients.
- Represented Plaintiff, a Fortune 500 health care provider, alleging trademark infringement in Texas and Pennsylvania against a competing healthcare system that provides the same health services.
- Represented Plaintiff, a manufacturer of candles and other scented products, in parallel district court actions, both enforcing registered and unregistered marks and trade dress against a direct competitor and defending client against claims of trademark infringement by the Defendant.
- Represented Defendant, a national satellite provider, in a case involving trademark infringement and unfair and deceptive trade practices. Post-trial the court dismissed Plaintiff's claims and awarded damages on counterclaims. Case affirmed by Fourth Circuit Court of Appeals.

### **Trade Dress Litigation**

- Represented Defendant, a manufacturer of poultry and farming products, in a suit alleging trademark and trade dress infringement by competing manufacturer.

- Represented Defendant, a Fortune 500 national discount retailer, in a suit alleging trade dress and unfair competition from the sale and distribution of non-woven fabrics with a purportedly proprietary design.
- Represented Defendant, a furniture manufacturer and a national retail chain, in a trademark and trade dress infringement case related to the sale of a specific line of children's furniture.

### **Trade Secret Litigation**

- Represented Defendant, a developer of auto parts distribution system, against claims of trade secret misappropriation and related claims regarding the purported misuse of software.

### **Copyright Litigation**

- Represented Defendant in a copyright infringement case alleging use of photo.
- Represented Defendant in resolving copyright infringement case alleging use of photo.
- Represented Defendant, a furniture retail company, in a suit alleging trademark and copyright infringement and false advertising.
- Represented Defendant in a copyright infringement case.
- Represented Defendant, a private university, in a dispute regarding the publication of an academic journal. The Plaintiff alleged claims of copyright infringement, breach of contract and unfair competition under the Lanham Act.
- Represented Plaintiffs, behavioral health services providers, in suit alleging Defendant made defamatory Internet postings against Plaintiffs which damaged their reputations.
- Represented Defendant, a construction company, in a copyright infringement matter.

### **Contracts & Licensing Disputes**

- Represented Plaintiff, a software company, in a dispute alleging Defendant breached a software license agreement.
- Represented Plaintiff, a biotechnology company, in a case alleging intellectual property and other claims.
- Represented Plaintiff, a software developer, in suit alleging Defendants breached the parties' software development contract.

## **Education**

- University of North Carolina-Chapel Hill School of Law (J.D.)
- American University (M.A.)
- Dickinson College (B.A.)

## **Professional Affiliations**

- American Bar Association
- North Carolina Bar Association
- Wake County Bar Association

## Awards

- *Chambers USA* ? Intellectual Property (2013-present)
- *The Best Lawyers in America* <sup>®</sup> ? Patent Litigation, Patent Law, Copyright Law, Intellectual Property Litigation (2014-present)
- *Best Lawyers* <sup>®</sup> ? Raleigh "Lawyer of the Year," Copyright Law (2018), Patent Law (2021)
- *Best Lawyers* <sup>®</sup> ? Raleigh "Lawyer of the Year," Litigation - Patent (2016, 2020, 2022)
- *Business North Carolina* "Legal Elite" (2011-2015, 2017-present)
- *North Carolina Super Lawyers* - Intellectual Property (2016-present)
- *Charlotte Magazine* ? "Top Attorneys in North Carolina"