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#### EDUCATION

- J.D., George Washington University Law School, 1986.
- B.S. Mechanical Engineering, University of Maryland, 1982.

#### COURT ADMISSIONS

- District of Columbia
- The U.S. Court of Appeals for the Federal Circuit
- The U.S. Patent and Trademark Office
- The U.S. Supreme Court
- The U.S. District Court for the District of Columbia

#### BAR ADMISSIONS

- District of Columbia Bar Association
- American Bar Association

## DIRK D. THOMAS

### PRINCIPAL

Dirk Thomas is a principal in McKool Smith's Washington DC office. Prior to joining McKool Smith he was co-chair of Dewey & LeBoeuf's Intellectual Property Litigation Group. Mr. Thomas' practice focuses on intellectual property litigation, with an emphasis on cases involving computer technology, telephony and communications systems, refinery and manufacturing products and processes, and medical devices and procedures. In addition to his impressive trial record, Mr. Thomas also represents clients in appellate matters before the Federal Circuit.

### REPRESENTATIVE MATTERS

Prior to joining McKool Smith:

**Medtronic, Inc.** *Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc. and Medtronic Sofamor Danek USA, Inc.* Lead counsel against Cross Medical, a subsidiary of Biomet, Inc., in a patent infringement case where Biomet asserted four patents and Medtronic asserted two patents against multiple products. Obtained summary judgment rulings invalidating three of the Biomet patents and summary judgment rulings that both Medtronic patents were infringed and not invalid. Argued against the adverse judgment on the remaining Biomet patent to the Court of Appeals for the Federal Circuit and the court reversed the district court's grant of summary judgment on infringement and validity.

**Tulip Computers.** Lead trial counsel in a patent infringement case for Tulip Computers against Dell Computer Corp., resulting in a favorable settlement two days before going to the jury.

**Patent Owner and Licensee.** Lead trial counsel for patent owner and licensee in *Sofamor Danek Group, Inc. and Karlin Technology v. U.S. Surgical Corp. and Tyco, Int'l, Inc.* The patents covered inventions made by Dr. Gary Michelson. After obtaining a jury verdict of liability, the case settled during the damages phase of trial.

### PROFESSIONAL ACTIVITIES

American Intellectual Property Law Association; Licensing Executives Society