



McKool Smith
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EDUCATION

- J.D., Temple University Beasley School of Law, 2005, Managing Editor, Temple University Environmental Law & Technology Journal, Albert M. Cohen Memorial Award Recipient, Faculty Law Scholarship Recipient, President of the Student Bar Association (SBA).
- B.S., Cum Laude, Rensselaer Polytechnic Institute, 1999-2002.

COURT ADMISSIONS

- State of Texas
- The U.S. District Courts for the Northern, Eastern and Western Districts of Texas
- The U.S. Court of Appeals for the Federal Circuit

BAR ADMISSIONS

- Texas Bar Association
- Travis County Bar Association
- Texas Young Lawyers Association
- Austin Intellectual Property Law Association
- American Bar Association

JOSHUA BUDWIN

ASSOCIATE

Joshua W. Budwin is an Associate in the Austin office of McKool Smith.

Mr. Budwin's practice involves the areas of patent, copyright and trademark infringement as well as misappropriation of trade secrets and complex commercial litigation. Mr. Budwin's practice has included actions in Federal District Court as well as in the United States International Trade Commission (ITC).

Prior to joining McKool Smith, Mr. Budwin clerked at Volpe and Koenig, PC (Philadelphia, PA) and Stief, Waite, Gross, Sagoskin, and Gilman (Newtown, PA).

While in college at Rensselaer Polytechnic Institute, Mr. Budwin completed the full four-year (eight semester) engineering curriculum in three-years (six semesters).

REPRESENTATIVE MATTERS

Versata Software, Inc. et al. v. SAP AG and SAP America, Inc.

Mr. Budwin and others from McKool Smith won a substantial jury verdict on behalf of Versata in a patent infringement lawsuit alleging infringement of Versata patents related to pricing software.

Medtronic Vascular, Inc. *Medtronic Vascular, Inc. v. Boston Scientific et al.*

Mr. Budwin and others from McKool Smith won a substantial jury verdict on behalf of Medtronic in a patent infringement lawsuit alleging infringement of Medtronic patents covering the design of balloon angioplasty catheters and polymers used to build those catheters. This lawsuit settled after judgment was entered by the district court.

Medtronic Vascular, Inc. *Board of Regents, University of Texas System v. Setagon, Inc. et al.*

Mr. Budwin was part of the team that represented Medtronic in a dispute involving patent applications for stent devices with porous layers for eluting therapeutic agents. The University of Texas alleged breach of contract, fraud, conversion, misappropriation of trade secrets, misjoinder of inventors, and correction of inventors. The case settled favorably for Medtronic, including the dismissal of all of the University of Texas's claims.

Ericsson Inc., Telefonaktiebolaget LM Ericsson, Sony Ericsson Mobile Communications AB, and Sony Ericsson Mobile Communications (USA): *In the Matter of: Certain Wireless Communication Equipment, Articles Therein, and Products Containing the Same* (Inv. No. 337-TA-577) before the International Trade Commission (ITC) - involving numerous patents related to hardware and software for UMTS (*i.e.* 3G or WCDMA) wireless telecommunication devices including wireless infrastructure equipment, cellular telephones and error-control coding used therein.

Ericsson Inc., Telefonaktiebolaget LM Ericsson, Sony Ericsson Mobile Communications AB, and Sony Ericsson Mobile Communications (USA): (E.D. Texas) - involving numerous patents related to hardware and software for UMTS (*i.e.* 3G or WCDMA) wireless telecommunication devices including wireless infrastructure equipment and cellular telephones.

Nortel Networks, Inc.: *Ciena Corp. v. Nortel Networks, et. al.* (E.D. Texas) – represented Nortel in a matter involving multiple patents related to hardware and software for long-haul and metro WDM (wavelength division multiplexed) fiber optic networks and associated network equipment including multiplexers, demultiplexers, service channels and error-control coding used therein.

AWARDS & RECOGNITION

Named a *Rising Star* for 2009 by *Texas Super Lawyers*.