



McKool Smith
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EDUCATION

- J.D., summa cum laude, The Ohio State University, 1998.
- Ph.D., Electrical Engineering, The Ohio State University, 1995.
- M.S.E.E., The Ohio State University, 1992.
- B.S.E.E., The Ohio State University, 1990

COURT ADMISSIONS

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

BAR ADMISSIONS

- American Intellectual Property Law Association
- American Bar Association
- Federal Circuit Bar Association
- State Bar of Texas
- Travis County Bar Association

KEVIN BURGESS

PRINCIPAL

Kevin Burgess is involved in all phases of commercial litigation in complex technical cases with a particular emphasis on patent infringement litigation.

Prior to joining McKool Smith, Mr. Burgess was an Associate at Brobeck, Phleger & Harrison. He also served as a Judicial Clerk to the Honorable William C. Bryson, U.S. Court of Appeals for the Federal Circuit.

REPRESENTATIVE MATTERS

American Video Graphics. Mr. Burgess represented plaintiff AVG in patent infringement actions involving computer graphics and operating system software. *American Video Graphics v. Microsoft*; *American Video Graphics v. Hewlett-Packard Co., et al.*; *American Video Graphics v. Electronic Arts, Inc. et al.*; *American Video Graphics v. Sony Online Entertainment Inc. et al.*

Ericsson. Mr. Burgess represented defendant Ericsson in patent infringement actions involving digital modulation and cellular communications technologies. *Digcom v. Ericsson*; *Ericsson v. Harris*.

East Texas Technology Partners. Mr. Burgess represented plaintiff ETTP in a patent infringement action involving computer modem technology. *ETTP v. Toshiba America, et al.*

National Instruments. Mr. Burgess represented plaintiff National Instruments in a patent infringement action involving graphical programming software. *National Instruments v. The MathWorks*.

Parental Guide. Mr. Burgess represented plaintiff Parental Guide in patent infringement action involving V-Chip technology. *Parental Guide v. Funai et al.*

Trilogy. Mr. Burgess represented plaintiff Trilogy in trade secret misappropriation action involving software technology.

EDS. Mr. Burgess represented plaintiff EDS in outsourcing contract dispute involving Internet and networking technology. *EDS v. Xerox*.

AWARDS & RECOGNITION

Named to the list of Texas Super Lawyers Rising Stars in 2007 and 2008.