



## → James Y. Hurt

### Associate

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James Hurt is an associate in the Intellectual Property Group in the firm's San Diego (Del Mar) office.

### Areas of Practice

James focuses his practice on litigation matters related to wireless communications, position location, integrated circuits, and other mobile device technologies. James is experienced in all facets of patent litigation, including pleadings, depositions, discovery, dispositive and procedural motions, claim construction, pre-trial preparation, and post-grant reviews before the Patent Trial and Appeal Board (PTAB). He has taken and defended expert witness depositions and argued Markman hearings in federal district court. James combines his extensive technical background and legal training to communicate easily and effectively with clients and jurists, in both technical and legal settings.

James is also a registered patent attorney and prosecutes patents in a wide variety of technology areas including wireless communications, fintech, online gambling, blockchain, and NFT. He represents clients in *inter partes* reviews, post-grant reviews, and ex parte reexaminations. James has been involved in numerous IPR petitions in the wireless space in connection with concurrent patent infringement lawsuits related to cellular systems, WiFi (802.11x), and mobile handsets. James' experience includes drafting appeal briefing that garnered a Rule 36 affirmance of the PTAB's Final Written Decision in IPR2018-01700.

An engineer by training, James has 15 years of engineering experience with a wide variety of technologies, including wireless communications system design, algorithm development, and software and hardware design for wireless communications systems. James also has technical experience in digital signal processing, OFDM, ASIC design, SoC design, RTL hardware design (VHDL and Verilog), embedded systems, software development, and object-oriented software design and analysis. Additionally, James is familiar with many telecommunications industry standards including 3GPP (UMTS/HSPA+/LTE), 3GPP2 (CDMA), Bluetooth SIG, IEEE 802.11 (WiFi), IEEE 802.16 (WiMax), NFC Forum and ISO/IEC 18000.

Before entering legal practice, James was a Principal Engineer/Manager at Qualcomm. He is a named inventor on over a dozen patents related to wireless circuits and systems and was a two-time recipient of Qualcomm's Annual Achievement Award.

In addition to his work as a litigator, James also maintains an active pro bono practice assisting indigent clients in temporary and general guardianship proceedings.

## Experience

### **TOTALES, INC. V. TIKTOK INC.**

U.S. District Court for the Northern District of California

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

Serving as counsel for TikTok and ByteDance in a single patent case before Judge DeMarchi related to TikTok's recommendation engine for its popular video streaming service. Successfully transferred the case from the Western District of Texas before Judge Albright to the Northern District of California.

### **BELL NORTHERN RESEARCH, LLC V. LENOVO GROUP LTD.**

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

Represented Lenovo and Motorola Mobility in an 11 patent lawsuit before Judge Albright related to mobile devices implicating Android, 802.11 (WiFi), LTE, proximity sensing, and multi-chip packaging. Case settled favorably.

### **BELL NORTHERN RESEARCH, LLC V. COOLPAD TECHNOLOGIES, INC.**

U.S. District Court for the Southern District of California

Served as lead associate for defendant Coolpad Technologies in a multiple patent case before Judge Bencivengo related to mobile devices implicating Android, 802.11 (WiFi), and LTE. Settled favorably on the eve of PTAB oral argument in the related IPR proceedings.

### **KONINKLIJKE PHILIPS N.V. AND U.S. PHILIPS CORPORATION V. HTC CORPORATION AND HTC AMERICA, INC.**

U.S. District Court for the District of Delaware

U.S. District Court for the Northern District of California

Served as counsel for HTC in a multiple patent case currently before Judge Gilliam after the case was transferred to the Northern District of California, involving multiple mobile device technologies including encryption, user interface, audio processing, and streaming. Case settled favorably.

### **LEMAIRE ILLUMINATION TECHNOLOGIES, LLC V. HTC CORPORATION**

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

Acted as counsel for defendant HTC Corporation in a multiple patent case before Judge Gilstrap involving LED control and LED driver circuits. Case settled favorably.

### **PREFERENTIAL NETWORKS IP, LLC V. T-MOBILE U.S., INC.**

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

Served as counsel for T-Mobile U.S. in a single patent case before Judge Gilstrap involving Quality of Service over LTE. Case settled favorably.

### **DISPLAY TECHNOLOGIES, LLC V. HTC AMERICA, INC.**

U.S. District Court for the Western District of Washington

Acted as counsel for defendant HTC America in a single patent case before Judge Jones involving NFC and Bluetooth wireless connectivity. Case dismissed with prejudice.

### **VEHICLE IP, LLC V. CELLCO PARTNERSHIP**

U.S. District Court for the District of Delaware

Acted as counsel for defendant TeleCommunication Systems, Inc. and Networks in Motion, Inc. in a single patent case before Judge Stark involving turn-by-turn navigation systems and estimated time of arrival. Stipulation of non-infringement following a favorable claim construction before trial. Affirmed on appeal.

### **TRACBEAM, LLC V. T-MOBILE US, INC.**

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

Served as counsel for intervenor defendant TeleCommunication Systems, Inc. in a four-patent case before

Judge Schroeder involving mobile position location determination within a cellular network. Case settled favorably on the eve of trial.

## Articles

- 2023 Federal Circuit Case Summaries Year End Report  
04.08.2024
- IP Practice Group Launches Quarterly Review of Key Federal Circuit Decisions  
*Sheppard Mullin*, Spring 2023
- Reasonable Royalty for Patent Infringement of Non-Direct Revenue Producing Products  
*IDEA – The Journal of the Franklin Pierce Center for Intellectual Property*, 2016

## Intellectual Property Law Blog Posts

- "Identifying Protocols by Name May Disclose Sufficient Structure for Computer-Implemented Means-Plus-Function Limitations," January 22, 2024
- "Federal Circuit Affirms Skinny Label Carve Outs," January 18, 2024
- "2023 Federal Circuit Case Summaries," April 24, 2023

## Media Mentions

SDCBA Member Profile  
*San Diego Lawyer*, 11.29.2023

ITC Will Probe Chip Patent Claims Against NXP, Acer  
*Law360*, 11.09.2022

TikTok Gets Albright's OK to Ship Video Tech IP Case to Calif.  
*Law360*, 05.24.2021

PTAB Axes More Hera Claims And Denies Its Bid To Amend  
*Law360*, 03.19.2020

HTC Beats \$45M Virtual Reality Patent Suit, For Now  
*Law360*, 03.19.2018

## Speaking Engagements

Blue Bayou Movie Screening and Panel on Korean Adoptee's Experiences and the Adoptee Citizenship Act, Panelist – Pan Asian Lawyers of San Diego and Sheppard Mullin, May 13, 2022

Patent Law Overview, Guest Lecture – University of California, San Diego MAE 154 – Design and Entrepreneurship, February 20, 2019

Patent Law Overview, Guest Lecture – The George Washington University EMSE 6992 – Special Topics in Engineering Management & Systems Engineering, April 1, 2017

## Events

3rd Annual San Diego API Post-Bar Celebration  
09.14.2024

AAPI Movie Screening and Panel Discussion  
05.10.2024

## Memberships

Federal Bar Association

National Asian Pacific American Bar Association

Pan Asian Lawyers of San Diego – Member, Board of Directors

Korean American Bar Association of San Diego

San Diego County Bar Association

Orange County Korean American Bar Association

## Practices

Intellectual Property

International Trade Commission (ITC)

Litigation

Patent Litigation

Patent Prosecution and Counseling

Post-Grant Proceedings

Trade Secrets

## Industries

Blockchain

Artificial Intelligence

Blockchain and Fintech

Esports & Games

Fintech

Open Source

Semiconductors

## Education

J.D., University of San Diego School of Law, 2016, Valedictorian, *summa cum laude*, Order of the Coif; Member, San Diego Law Review

M.Eng., Electrical and Computer Engineering, University of California, San Diego, 2002

B.S., Electrical Engineering, University of California, San Diego, 1998

## Clerkships

Judicial Extern for Judge M. Margaret McKeown of the U.S. Court of Appeals for the Ninth Circuit

Judicial Extern for Marilyn L. Huff of the U.S. District Court for the Southern District of California

## Admissions

California

U.S. Patent and Trademark Office

U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the Southern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Central District of California

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

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